

1. CERTIFICATION OF COMPLIANCE

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

“The time, date and location of this meeting was published in the *Asbury Park Press* and posted on the bulletin board in the office of the Township of Lakewood. Advance written Notice has been filed with the Township Clerk for purpose of public inspection and, a copy of this Agenda has been mailed, faxed or delivered to the following newspapers: *The Asbury Park Press*, and *The Tri-Town News* at least 48 hours in advance. This meeting meets all the criteria of the Open Public Meetings Act.”

2. ROLL CALL

Mr. Herzl, Mr. Neiman, Mr. Follman, Mr. Rennert, Mr. Percal, Mr. Schmuckler

3. SWEARING IN OF PROFESSIONALS

Mr. Vogt was sworn in.

4. PLAN REVIEW ITEMS

- SP 1979** (No Variance Requested)
Applicant: Bnos Melech of Lakewood
Location: James Street
Block 364 Lot 1
Administrative Change of Use Site Plan to change from vacant industrial use to a proposed school

Project Description

The applicant is seeking Site Plan exemption/Change of Use approval for conversion of a portion of an existing 100' by 200' industrial building and property for a school, including classrooms, offices, several conference rooms, a second story “multi-purpose room” and amenities per Section 18-906.B of the UDO. Per Note #12 on the Change of Use plan, the school will serve K-8 grade students. Additionally, new access, paving and parking improvements to the main parking lot fronting James Street is also proposed, including but not limited to adding a secondary access entrance and drive along the southeast portion of the frontage to provide for bus and car circulation, resurfacing and striping. Finally, a “proposed play area” is identified in the northeastern portion of the site. As noted and illustrated on the Change of Use Site Plan, the proposed and existing James Street site accesses will allow for a two-way access drive across the facility frontage, which will also allow for a bus staging area, as noted, and access to fifty-seven (57) parking spaces in the front of the site. An additional nineteen (19)

spaces are proposed near the southeast corner of the building. Striping of the spaces and access drives are also proposed. As noted on the Change of use plan, minimal site improvements are proposed to support the requested Change of Use, including the following: The site is located in the northwest portion of Industrial Park, on the south side of James Street, west of the intersection with Ridgeway Place. The tract is irregular in shape, and is 7.58 acres in area. Commercial and light industrial sites are in the vicinity of the property. I. Zoning 1. The property is located in the M-1 (Industrial) Zone. Schools are a permitted use in the zone, subject to the requirements of Section 18-906 of the UDO. 2. Per review of the Site Plan and the zone requirements, the existing and proposed layout complies with the Bulk requirements of the M-1 zone. 3. No bulk variances appear necessary for the change of use request. II. Review Comments 1. Testimony should be provided by the applicant for the Board summarizing the proposed use of the school, including but not limited to the following: a. How many students are proposed at the school. b. Will any parents drive and park at the school. c. How many buses are proposed d. Will any students will be dropped off and picked up (by car). We note that per information provided on the Change of Use Plan and architectural plan, proposed parking designated for this use will meet UDO requirements as outlined in Section 18-906. 2. Per the site location in the Industrial Park and the prior (industrial) building use, we assume there is adequate public water for fire suppression purposes. Testimony should be provided by the applicant's professionals as to whether sprinkler exist with the existing building or are proposed with the new school. If Board approval is granted, the renovation will be reviewed for Fire code compliance during building permit review. 3. It should be noted that 5 foot wide sidewalk is proposed in front of the building, adjacent to parking, connecting to existing sidewalk that extends along the east side of the building. No sidewalk exists or is proposed along the James Street frontage. 4. As noted above, the Change of Use Site Plan depicts a "Bus Drop Off Area" proposed within the front parking lot, showing spaces for up to seven (7) buses. The applicant's professionals must address the design's compliance with Subsection 18-906E of the UDO, which indicates "Bus loading and unloading areas shall be situated in a manner so that children do not cross any traffic lane or parking areas whatsoever, unless it is in (an) area that is curbed and physically separated from traffic circulation and specifically designated solely for bus loading and unloading". Simply-stated, how will children get to and from the buses with respect to crossing the proposed parking spaces in front of the school? 5. No new landscape buffer is proposed. However, it should be noted that the existing property has a natural buffer around the majority of the site, including much of the James Street frontage. 6. As depicted on the Change of Use site plan, trash will be disposed in, and picked up from a dumpster proposed in the southeast portion of the site. No enclosure appears proposed; however we note there is a natural buffer in that portion of the site with respect to adjacent properties. DPW approval for proposed trash collection should be obtained as a condition of approval (if granted). 7. Testimony should be provided regarding existing (or proposed) lighting. Lighting shall be provided to the satisfaction of the Board. 8. Testimony should be provided regarding the proposed "Play Area" depicted on the east side of the property. 9. Construction details must be for all proposed site improvements in accordance with Township standards (including the play area if upgrades are proposed). 10. Information and/or testimony should be provided to confirm that existing utilities serving the building are adequate for the proposed school use. 11. Any information necessary to document compliance with Section 18-906, "Public and Private Schools" of the UDO. 12. If the site plan waiver is approved, we recommend that the applicant's engineer work with our office in developing a mutually acceptable design for the proposed westerly access drive and parking lot extension as depicted, including necessary grading, stormwater collection, as well as necessary improvements to existing paved areas. 13. Any

debris or materials associated with the former industrial use should be removed and disposed or remediated in accordance with all applicable local and State standards. 14. Concerns expressed by the Lakewood Industrial Commission (if any) should be addressed as a condition of any forthcoming Board approval.

Mr. Klein, Esq. on behalf of the applicant stated that it is currently a vacant commercial building and it is going to be used as a school.

Mr. Glenn Lines, P.E. was sworn in. They are proposing in the first year that they will have 100 students, the following year will be around 180 students. It will be a girls grammar school. The building is larger than needed but they are planning for the future. They will be coming back for a regular site plan application before they increase the student population anymore. Parents will generally not drive the students to school as there will be bussing. They have a total of 76 spaces available in the back and the front for parents if necessary. For a 180 students they need between 4 and 6 buses and they show 7 available spaces for buses in the front. There is a section in the ordinance that states students should not walk across parking areas to get to busses. They do not anticipate using those spaces in the morning or afternoon. They are for parents who mainly come during the day. In the future there will be a driveway for bus drop off and pick up.

Mr. Schmuckler asked how the children are getting from the building to the playground area.

Mr. Lines stated that on the side of the building is just an open field so the children can cross the driveway to the play area. He stated that they will stripe the driveway where the children will cross. They will not have sprinklers but they will make sure they are fire code compliant.

Mr. Vogt stated that if the site plan waiver is approved, we recommend that the applicant's engineer work with our office in developing a mutually acceptable design for the proposed westerly access drive and parking lot extension as depicted, including necessary grading, stormwater collection, as well as necessary improvements to existing paved areas.

Mr. Neiman asked that they put the bus access and drop off on the plans.

Mr. Franklin arrived at the meeting.

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

Mr. Schmuckler made a motion to approve the application, seconded by Mr. Follman.

Affirmative: Mr. Herzl, Mr. Neiman, Mr. Follman, Mr. Rennert, Mr. Percal, Mr. Schmuckler

2. **SP 1985** (No Variance Requested)
Applicant: Bais Tova, Inc.
Location: Oak Street, east of Vine Avenue
Block 792 Lot 1
Block 795 Lot 1.01

Preliminary & Final Major Site Plan for proposed new girls high school & gymnasium addition to existing Bais Tova school

Project Description

The applicant is seeking Preliminary and Final Site Plan approval for the construction of a gymnasium as an addition to Bais Tova School for Girls along with a new girl's high school building, Shiras Devorah, on the subject premises. The proposed addition consists of an eight thousand one hundred seventy square foot (8,170 SF) gymnasium with an eight hundred sixteen square foot (816 SF) link. The proposed Shiras Devorah High School for Girls contains a 36,636 square foot footprint which includes an improved basement, two (2) floors of classrooms, offices, pray room, and gymnasium. The site plans indicate an interior parking area consisting of four hundred seventeen (417) parking spaces and site improvements for the two (2) schools are proposed within the property. Multiple vehicular access points to the existing Bais Tova School for Girls and proposed Shiras Devorah High School for Girls is provided from Oak Street. The site is located in the southern portion of the Township on the north side of Oak Street, between Vine Avenue and Albert Avenue. The tract consists of two (2) Lots in two (2) Blocks that total 14.35 acres in area. Existing Lot 1 in Block 792 contains Bais Tova School for Girls. Existing Lot 1.01 in Block 795 is vacant. The proposed high school will cross the existing lot lines and the properties will be consolidated. The site is mostly surrounded by municipal roadways. Oak Street borders the project to the south, and is an improved road with a sixty-six foot (66') right-of-way and a forty foot (40') pavement width. The westerly boundary of the existing land fronts on Funston Avenue, an improved fifty foot (50') right-of-way with a thirty foot (30') pavement width. Bellinger Street is a recently constructed municipal road with a thirty foot (30') pavement width in a fifty foot (50') right-of-way bordering the bulk of the site to the north. Bellinger Street has not been improved across the last one hundred twenty-five feet (125') of project frontage, which is to the east of Lot 2, a 125' X 200' out parcel. The Tiferes Bais Yaakov site borders the proposed project to the east. Curb and sidewalk generally exist along the project frontages, except sidewalk does not exist along Bellinger Street and at the intersection of Funston Avenue and Bellinger Street. The proposed project would be serviced by sanitary sewer and potable water. The surrounding lands are either vacant or recently developed non-residential uses. A non-residential use, Tiferes Bais Yaakov, exists immediately east of the project site. I. Zoning 1. The parcels are located in the R-40/20 Cluster Residential District. Private schools are a permitted use in the zone. 2. Per review of the Site Plan and the zone requirements, the following relief is required for proposed project: • In accordance with Section 18-906A of the UDO, a ten foot (10') wide perimeter landscape buffer is required from non-residential uses and zones. Said buffer is required along the easterly property line. Relief is necessary on this portion of the project. It should be noted the land to the east is non-residentially developed, while zoned residential. 3. Partial design waivers are required from extending Bellinger Street the last one hundred twenty-five feet (125') across the property frontage and providing sidewalk along the entire Bellinger Street frontage of the site, as well as at its intersection with Funston Avenue. It should be noted an eight foot (8') high chain link fence with screening has been erected directly behind the south curb line of Bellinger Street. 4. The applicant must address the positive and negative criteria in support of any required variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. II. Review Comments A. Site Plan/Circulation/Parking 1. Testimony should be given regarding proposed

circulation with the site layout (parking, loading area, access, etc.). There is an existing two-way access driveway on Funston Avenue in the northwest corner of the site. There is an existing one-way counterclockwise driveway accessing Oak Street in front of the Bais Tova School. A two-way access driveway to Oak Street is proposed in the southeast corner of the site near the new high school. Two (2) one-way exit driveways are proposed to Oak Street between the school buildings. 2. The General Notes reference the Boundary & Topographic Survey provided and vertical datum based on NGVD 1929. A bench mark shall be listed. This may be provided with resolution compliance submission. 3. The General Notes indicate the existing lots are to be consolidated as part of the site plan approval. This would be required since the proposed high school crosses the existing lot line. 4. The Boundary & Topographic Survey provided requires some corrections and additional inverts for the storm drainage. A developed portion of the existing property on the west side of the site was not surveyed. However, this area is beyond the proposed limits of work for this site plan. Therefore, we find the area surveyed more than adequate for the proposed design. The corrections may be provided with resolution compliance submission. 5. The proposed front yard setback dimension to the high school building is shown to the prayer room. The correct proposed front yard for the building should be to the covered entry. However, it should be noted the required minimum front yard setback of fifty feet (50') would still be met. Also, because of the multiple road frontages, a minimum aggregate side yard setback does not apply. Corrections must be made in the Zone Requirements Table. The corrections may be provided with resolution compliance submission. 6. Proposed dimensioning must be completed on the site plan for the sizes and locations of improvements. Of particular importance is the distance between the easterly property line and the proposed face of curb since buffer relief is being requested. Proposed dimensioning can be provided with resolution compliance submission. 7. As indicated previously, a four hundred seventeen (417) space parking lot is being proposed for the two (2) schools. However, the count is overestimated since seven (7) existing handicapped spaces and their adjacent pedestrian access aisles are all being shown as existing parking spaces. Five (5) handicapped spaces are being proposed in front of the high school. The applicant's engineer shall indicate the existing handicapped parking spaces and pedestrian access aisles for the Bais Tova School and confirm the correct number of spaces proposed for the complex. We also note there are other existing and proposed rooms within the complex that require off-street parking spaces which are not shown in the parking requirements. For example, the previous approval for the Bais Tova School required one hundred eleven (111) off-street parking spaces for all the qualifying rooms. Even considering the additional unaccounted for rooms, the proposed number of off-street parking spaces would far exceed those required per UDO standards. The Parking Requirements Table should be updated. Plan revisions can be provided with resolution compliance submission. 8. Detectable Warning Surface must be proposed throughout the site. Existing curb ramps are missing detectable warning surface. Some existing handicapped signage is also missing. Plan revisions can be provided with resolution compliance submission. 9. Testimony should be provided by the applicant's professionals as to whether the students will be allowed to park on-site. Testimony should also be provided as to the maximum number of staff professionals at the site during school operations. 10. A nineteen (19) space bus parking area is proposed on the east side of the existing Bais Tova School. A ten (10) space one-way bus drop off area, which is included in the proposed parking area, runs parallel to Oak Street in front of the high school. Although it appears that adequate turning movements will be provided for the proposed bus parking, bus drop off area, refuse collection, and deliveries, a vehicle circulation plan should be provided as confirmation. The circulation plan can be provided with resolution compliance submission. 11.

Testimony is necessary from the applicant's professionals regarding how the proposed bus parking and bus drop off areas will be used, including but not limited to times, sizes, and types of vehicles anticipated (i.e., buses, vans, cars, others).

12. A proposed refuse enclosure is depicted on the eastern side of the site for the high school. A refuse enclosure for the Bais Tova School is required. The existing dumpsters being used by the Bais Tova School do not have a designated area. Testimony is required from the applicant's professionals addressing who will collect the trash. If Township pickup is proposed, approval from the DPW Director is necessary. The waste receptacle areas shall be screened and designed in accordance with Section 18-809.E., of the UDO. Plan revisions can be provided with resolution compliance submission.

13. Retaining walls, in some cases with safety railing, are proposed throughout the site. There is an Allan Block Retaining Wall call out for the storm water management basin in an area without a proposed wall. Plan revisions can be provided with resolution compliance submission.

14. The proposed shade tree and utility easements and the proposed sight triangle easements from the previously approved Bais Tova Site Plan are not shown on the survey or this set of site plans. The applicant's professionals must address this matter, including any modified or additional easements required for the latest project. Plan revisions can be provided with resolution compliance submission.

B. Architectural

1. Architectural plans have been provided for the proposed high school for Shiras Devorah and proposed link and gymnasium for Bais Tova. The set includes floor plans and elevations for both buildings. The front elevation for the proposed Shiras Devorah high school indicates a mean height of 39'-5.25" from average grade on the east side of the building. The elevations for the proposed Bais Tova link and gymnasium indicates a maximum height of thirty-six feet (36'). Testimony is required on whether the building height complies with the UDO or whether a variance is necessary. The allowable building height is thirty-five feet (35').

2. There is a discrepancy on the rear elevation for the high school which shows a proposed basement depth of thirteen feet (13') instead of fifteen feet (15') below the first floor. Seasonal high water table information substantiates the proposed basement floor elevation. Corrected architectural plans can be provided with resolution compliance submission.

3. As noted on the proposed architectural plans, the basement for the Shiras Devorah high school is finished and contains numerous facilities. The first floor for the high school is mainly classrooms, offices, and a prayer room with stage. The second floor for the high school contains mostly classrooms and offices. A gymnasium for the high school is connected behind the main building, six feet (6') lower than the first floor elevation. An elevator is proposed to make all floor levels handicapped accessible. The gymnasium addition for Bais Tova will be linked to the east side of the main building and set a few feet lower than the first floor elevation. A ramp is proposed within the link to make the addition handicapped accessible.

4. Proposed water and sewer connections will be required for the proposed Shiras Devorah high school building. It appears additional water and sewer connections will not be required for the proposed Bais Tova gymnasium addition. A sprinkler room is shown for the proposed Shiras Devorah high school building. The Utility Plan shows a separate fire service line.

5. We recommend that the location of proposed HVAC equipment be shown. Said equipment should be adequately screened. Revised architectural plans can be provided with resolution compliance submission.

6. We recommend that color renderings be provided for the Board's review and use prior to the public hearing, at a minimum.

C. Grading

1. Per review of the proposed grading plan, the design concept is feasible. Final grading can be addressed during compliance review if/when approval is granted.

2. Per review of the existing elevations and per review of site conditions during our 4/17/12 site inspection, on-site grades generally slope to the east.

3. The proposed grading must be coordinated with the architectural plans as final plans are developed. Revised plans can be provided with resolution compliance submission.

4.

Profiles are required for proposed storm sewer. These can be provided with resolution compliance submission. 5. The surface elevations shown for the test pits are not consistent with the existing topography. We presume this discrepancy is due to prior site disturbance from the previously approved Bnos Rivka project which was not completed. The seasonal high water table information provided justifies the proposed basement elevation of the high school and the depth of the storm water management basin. D. Storm Water Management 1. To mitigate the increase in runoff expected from the construction of the proposed improvements, an extended detention/infiltration basin has been designed. The proposed multi-component basin will provide water quality, water quantity, and peak discharge controls. 2. A design must be finalized for the storm water collection piping for the roof of the proposed high school building. This can be supplied with resolution compliance submission. 3. Per review of the submitted information, the proposed system appears to be adequate for storm water management of the proposed improvements. A final storm water management review will be performed during compliance review. 4. A Storm Water Management Facilities Operation and Maintenance Manual must be provided. Confirming testimony shall be provided that the operation and maintenance of the proposed storm water management system will be the responsibility of the applicant. The O & M Manual can be provided with resolution compliance submission. E. Landscaping and Lighting 1. A dedicated Landscape Plan is provided with the submission; proposed landscaping is depicted on Sheet 7 of the plans. 2. At this time only three (3) Pin Oak, seven (7) Red Maple, and five (5) White Oak shade trees are proposed for the project. Additional landscaping can be added for resolution compliance submission. 3. The Shade Tree Commission recommends the addition of coniferous trees six to eight feet (6-8') in height be installed around the extended infiltration/detention basin. Also, missing shade trees should be proposed within the shade tree and utility easements around the perimeter of the site. The additional landscaping can be provided with resolution compliance submission. 4. Testimony should be provided as to whether compensatory landscaping is proposed (or necessary). A Tree Protection Management Plan must be provided as a condition of approval to comply with new Tree Ordinance Chapter XIX. Due to previous disturbance there are few existing trees onsite. 5. Landscaping should be provided to the satisfaction of the Board. 6. A dedicated Lighting Plan is provided with the submission; proposed lighting is depicted on Sheet 8 of the plans. 7. The Lighting Plan proposes six (6) pole mounted lights with double fixtures and eleven (11) pole mounted lights with single fixtures to be added for the project. The point to point diagram indicates the improvements for the new section of the proposed project will not be adequately illuminated by the design. Additional proposed lighting is required since illumination in many areas will only be 0.1 foot-candles. The additional lighting can be provided with the resolution compliance submission. 8. Lighting should be provided to the satisfaction of the Board. F. Utilities 1. The plans indicate the site will be served by public water and sewer. 2. A proposed water main is being extended to the high school building from an existing water main in Bellinger Street. A proposed domestic water service and a separate fire suppression line are being connected to the high school building. A fire hydrant is proposed near the high school building. 3. A proposed sanitary sewer lateral for the new high school is indicated to connect to an existing pump station on the east side of the site. The pump station was constructed to service the previously approved Bnos Rivka and the neighboring Tiferes Bais Yaakov. 4. Approvals will be required from the New Jersey American Water Company for water and sewer since the project is within their franchise area. G. Signage 1. Other than limited signage shown on the elevations of the architectural plans, no signage information is provided. A full signage package for free-standing and building-mounted signs identified on the site plans (requiring relief by the Board) must be provided for review and approval as part of the site plan application. 2. All signage

proposed that is not reviewed and approved as part of this site plan application, if any, shall comply with Township ordinance. H. Environmental 1. An Environmental Impact Statement was provided for review. The author concludes that since the proposed project will result in development of a previously-disturbed area, no significant adverse environmental impacts will occur if proper construction measures are followed. Despite the proposed parking lot size, the project is exempt from CAFRA permit requirements as an educational facility. 2. Virtually no existing trees with a diameter of ten inches (10") or greater can be saved during construction. A Tree Protection Management Plan must be supplied with resolution compliance submission, if approved, to comply with new Tree Ordinance Chapter XIX. I. Construction Details 1. All proposed construction details must comply with applicable Township and/or applicable standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete. A detailed review of construction details will occur during compliance review; if/when this application is approved. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following a. Developers Agreement at the discretion of the Township; b. Township Tree Ordinance (as applicable); c. Ocean County Planning Board; d. Ocean County Soil Conservation District; e. Water and sewer utilities, prior to occupancy permits; and f. All other required outside agency approvals.

Mrs. Miriam Weinstein, Esq. on behalf of the applicant stated that they are requesting a waiver for perimeter landscape buffer. The land to the east is non-residentially developed, while zoned residential. They are also asking for a waiver from extending Bellinger Street the last 125' feet across the property frontage and providing sidewalk along the entire Bellinger Street frontage of the site, as well as at its intersection with Funston Avenue.

Mr. Vogt stated that to clarify, these are waivers, not submission waivers that you typically act on at a plan review meeting. Typically you would act on these at the public meeting.

Mr. MacFarlane stated that all access to the school is from Oak Street. Bellinger is on the back side of the property.

A motion was made and seconded to advance the application to the May 15, 2012 meeting. No further notice is required.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Neiman, Mr. Follman, Mr. Rennert, Mr. Percal, Mr. Schmuckler

- 3. SD 1843** (No Variance Requested)
Applicant: Yehoshua Frankel
Location: Northwest corner of Linden Avenue & Sterling Avenue
Block 189.01 Lots 152 & 190
Minor Subdivision to create four zero lot line lots (two duplexes)

Project Description

The applicant proposes to subdivide two (2) existing lots into four (4) new zero lot line properties with two (2) duplex buildings. Existing Lots 152 and 190 in Block 189.01 would be subdivided into proposed Lots 152.01, 152.02, 190.01, and 190.02 as designated on the subdivision plan.

There is an existing dwelling on each of the original properties. All existing structures on the tract are to be removed. Public water and sewer is available. The site is situated in the north central portion of the Township on the northwest intersection of Stirling Avenue and Linden Avenue. The surrounding area is predominantly single-family residential. Stirling Avenue is a paved road in fair condition with curb in fair condition and no sidewalk. Stirling Avenue has an existing right-of-way width of forty feet (40'). Linden Avenue is a paved road with the gutter in poor condition, curb in fair condition, sidewalk in poor condition, and utility poles immediately behind the curb. Linden Avenue has an existing right-of-way width of forty feet (40'). New sidewalk is proposed along both property frontages. The existing property which would be subdivided falls within the R-10 Single Family Residential Zone. We have the following comments and recommendations: I. Zoning 1. The property is located within the R-10 Single-Family Residential Zone District. Zero lot line duplex housing is a permitted use in the zone. 2. A Lot Width bulk variance is required for proposed Lot 190.02. A lot width of thirty-six feet (36') is proposed where the ordinance requires 37.5 feet. However, we recommend revising the proposed zero lot line location to provide a continuous forty foot (40') lot width for new Lot 190.02. This will eliminate the required variance and equalize the proposed lot areas for new Lots 190.01 and 190.02. 3. The Maximum Building Coverage for proposed Lots 152.02 and 190.01 exceed twenty-five percent (25%). However, it should be noted the Maximum Building Coverage for the combination of proposed Lots 152.01 and 152.02, as well as for the combination of proposed Lots 190.01 and 190.02 does not exceed twenty-five percent (25%). 4. No right-of-way dedications or road widening easements are proposed. It should be noted that if the Board requires five foot (5') wide right-of-way dedications, lot area variances will be required for the project. At a minimum, the Board should require road widening easements. Under the current configuration, the utility poles on Linden Avenue will not permit adequate pedestrian circulation for the proposed sidewalk on Linden Avenue. 5. The applicant must address the positive and negative criteria in support of any requested variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. II. Review Comments 1. The Survey Certification indicates that a Survey was prepared by Harry W. Mager, Jr., P.L.S., dated 3/22/11. A signed and sealed copy of this survey must be provided. 2. General Note #6 should be corrected to indicate "vertical elevations based on NGVD 1929". A bench mark must be provided. 3. General Note #12 indicates the entire property to be irrigated. Confirming testimony should be provided. 4. General Note #13 references architectural plans. However, no architectural plans have been provided. 5. The NJ R.S.I.S. requires 2.5 off-street parking spaces for unspecified number of bedroom single-family dwellings. The zoning schedule indicates that four (4) off-street parking spaces are required and will be provided for the proposed future dwellings. The applicant should provide testimony detailing the number of bedrooms proposed for the future dwellings. Parking must be provided to the satisfaction of the Board. 6. Testimony should be provided whether basements will be proposed for the future dwellings on proposed Lots 152.01, 152.02, 190.01, and 190.02. The General Notes imply basements will be proposed and a minimum of four (4) off-street parking spaces would be required to comply with the Township Parking Ordinance. 7. If basements are proposed, seasonal high water table information will be required. The General Notes indicate seasonal high water table information will be provided with plot plan submissions. 8. The Minor Subdivision Plan shows new lot numbers were assigned by the tax assessor's office. If approved, the map shall be signed by the tax assessor. 9. The site location needs to be corrected on the Zone Map. 10. The Secretary's Certification shall reference the Planning

Board, not the Zoning Board. 11. The Required Minimum Lot Areas for duplexes in the Zoning Data shall be corrected to twelve thousand square feet (12,000 SF) and six thousand square feet (6,000 SF) respectively, since the project is in the R-10 Zone. 12. Six foot (6') wide shade tree and utility easements dedicated to the Township are proposed along the property frontages of new Lots 152.01, 152.02, 190.01, and 190.02. Bearings and distance must be completed for the proposed easement on Lot 152.01. 13. Bearings and distances must be added to the proposed Sight Triangle Easement. 14. The Improvement Plan proposes sanitary sewer to be extended on Linden Avenue to serve the proposed units. The existing dwelling to be removed from old Lot 190 must be on septic. Therefore, Ocean County Board of Health approval will be required for its removal. 15. Proposed water and sewer connections are incorrectly shown on Linden Avenue. 16. The combination of sanitary sewer installation and utility connections will disturb more than twenty percent (20%) of Linden Avenue in front of the site. Therefore, the appropriate road restoration details must be added, including a final overlay at completion. 17. The existing curb grades indicate a low point in Linden Avenue near the intersection of Stirling Avenue. Proposed storm drainage will be required. 18. Testimony is required on the disposition of storm water from the development of the proposed lots. The property slopes toward the existing streets. 19. Testimony should be provided on proposed site grading. No proposed grading is indicated on the plan. The General Notes indicate that proposed grading will be included on the plot plan submissions. 20. Seven (7) October Glory Maple street trees are proposed along the property frontage of new Lots 152.01, 152.02, 190.01, and 190.02. Landscaping should be provided to the satisfaction of the Board, and should conform to recommendations (if any) from the Township Shade Tree Commission as practicable. Our site investigation on 4/23/12 indicates there are few existing trees on the property. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review for proposed Lots 152.01, 152.02, 190.01, and 190.02. 21. The applicant proposes to construct sidewalk and driveway aprons along the property frontage of the new lots. We recommend the proposed sidewalk be five feet (5') wide and setback two feet (2') behind the back of curb. A proposed curb ramp is required at the intersection. 22. Due to no construction proposed at this time, the Board may wish to require the cost of improvements to be bonded or placed in escrow to avoid replacing them in the future. 23. Monuments shall be added to the outbound property corners of the existing lots. 24. The Monument Certification has not been signed and the monuments shown as set have not been installed. 25. Compliance with the Map Filing Law is required. 26. Final review of construction details will be conducted during compliance if approval is given. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance (as applicable); b. Ocean County Planning Board; c. Ocean County Soil Conservation District; d. Ocean County Board of Health (septic system removal); and e. All other required outside agency approvals.

Mr. Lines, P.E. stated that they will be eliminating the variance for lot width bulk. They will be providing a right-of-way easement rather than a dedication.

A motion was made and seconded to advance this application to the June 26, 2012 meeting. No further notice required.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Neiman, Mr. Follman, Mr. Rennert, Mr. Percal, Mr. Schmuckler

4. **SD 1844** (Variance Requested)
Applicant: Melville Properties
Location: Northeast corner of County Line Road East & North Apple Street
Block 172.02 Lots 4 & 5
Preliminary & Final Major Subdivision to create thirteen lots

Project Description

The applicant is seeking a Preliminary and Final Major Subdivision approval. The applicant proposes the subdivision of two (2) existing lots to create thirteen (13) proposed lots. Three (3) of the proposed lots would be developed with single-family dwellings. Ten (10) of the proposed lots would be developed as zero lot line properties with five (5) duplex structures. The existing two (2) lots known as Lots 4 and 5 in Block 172.02 are proposed to be subdivided into proposed Lots 5.01 – 5.08 and 4.01 – 4.05 on the Major Subdivision Plan. The subdivision would create a cul-de-sac for the project, which is proposed to be called Posh Court, upon which all residential lots would front. The subject property is located on the easterly side of North Apple Street, a municipal road, in the north central portion of the Township between two (2) County right-of-ways. Kennedy Boulevard East, an unimproved County right-of-way borders the tract to the north. County Line Road East, an improved County road borders the site to the south. The proposed development is also immediately west of Conrail's Main Line – New Jersey Southern Branch. Curb only exists at the intersection of North Apple Street with County Line Road East. There is no existing sidewalk along any site frontage. Curb and sidewalk along North Apple Street and County Line Road East are proposed with the development of the project. The site is currently occupied by four (4) existing dwellings. All existing improvements will be removed to make way for the proposed residential subdivision. The land generally slopes from north to south. There is a prominent existing bank along the north side of County Line Road East. Proposed storm water management facilities and utilities are associated with this project. An underground recharge system is proposed for Posh Court. Proposed sanitary sewer will connect to an existing system in North Apple Street. Proposed potable water for the subdivision will be extended from an existing main on the north side of County Line Road East. Four (4) off-street parking spaces are proposed for each unit. The number of bedrooms for the units is not specified on the subdivision plans. The project is also proposing curb and sidewalk for the proposed cul-de-sac. The subject site is located within the B-4 Wholesale Service Zone District. Excluding multi-family residential, all principal uses permitted in the B-3 district are permitted in the B-4 district. The B-3 district allows all principal uses permitted in the B-1 district, except multi-family dwellings. Therefore, single-family and zero lot line duplex housing are permitted uses in the zone district using seven thousand five hundred square foot (7,500 SF) minimum lot areas for single-family and ten thousand square foot (10,000 SF) minimum lot areas for duplex structures. The site is situated within a mixed use area. We have the following comments and recommendations: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. B2 - Topography within 200 feet thereof. 2. B4 - Contours of the area within 200 feet of the site boundaries. 3. B10 - Man-made features within 200 feet thereof. 4. C13 - Environmental Impact Statement. 5. C14 - Tree Protection Management Plan. Topographic features, contours, and man-made features are shown on the site and all adjoining roads. We support the granting of the requested B-Site Features waivers, the Environmental Impact Statement waiver, and the Tree Protection Management Plan waiver for completeness purposes. Additional survey work will be necessary on North Apple Street and County Line Road East for final design. A Tree Protection Management Plan should be required as a

condition of approval. II. Zoning 1. The site is situated within the B-4, Wholesale Service Zone District. As stated previously, "Single-Family and Two-Family Housing, with a minimum lot area of seven thousand five hundred square feet (7,500 SF) for single-family and ten thousand square feet (10,000 SF) for two-family structures" are listed as permitted uses. Zero lot line subdivisions for duplexes are permitted in the Zone. 2. According to our review of the Major Subdivision Plan and the zone requirements, the following variances are required for the subdivision approval requested: • Minimum Front Yard Setback – The proposed decks encroach into the front yard setback along Kennedy Boulevard East for Lots 5.01 and 5.05. A minimum front yard setback of twenty-five feet (25') is required. • Minimum Lot Width – Proposed lot widths for Lots 5.07 and 5.08 are forty-one feet (41'), where fifty feet (50') is required. • The existing billboard shown to remain is a prohibited sign. 3. A waiver is required to permit a fence height of eight feet (8') within a front yard setback. Section 18-803F.4., of the UDO states that "a fence within the front yard setback area of any lot shall not exceed four feet (4') in height". 4. The applicant must address the positive and negative criteria in support of the requested variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. III. Review Comments A. General 1. The General Notes state that Boundary and Topographic information is taken from a survey prepared by Mager Associates. A signed and sealed copy of this Survey must be submitted. 2. Off-street parking: According to the plans provided, the applicant is proposing four (4) off-street parking spaces per unit which is enough to be in compliance with the RSIS standards of three (3) off-street parking spaces for unspecified number of bedroom units. Up to six (6) bedrooms per unit with an unfinished basement will be permitted for this project to also comply with parking ordinance 2010-62. 3. The applicant shall confirm that trash and recyclable collection is to be provided by the Township of Lakewood. Each unit shall have an area designated for the storage of trash and recycling containers. 4. A new road name, Posh Court, has been proposed for the project. 5. The applicant's professionals indicate the proposed lot numbers have been approved by the Tax Assessor. The Final Plat shall be signed by the Lakewood Tax Assessor. 6. The requirements in 18-821 (Building Uniformity in Residential Developments) must be addressed. A minimum of four (4) basic house designs are required for developments consisting of between seven (7) and fifteen (15) homes. 7. Per Subsection 18-911 F (2 (a-g)) of the zero lot line ordinance, a written agreement signed by the owner of the property is required, including provisions to address items associated with the use, maintenance, and repair of common areas and facilities associated with the overall property. Said agreement must be filed as part of this application to obtain the zero lot line subdivision approval from Lakewood Township. B. Plan Review 1. Proposed Sight Triangle Easements at the intersection of Posh Court with North Apple Street shall be corrected to 25' X 25'. A sight triangle easement may be required by the County of Ocean at the intersection of North Apple Street and Kennedy Boulevard East even though the County right-of-way is unimproved. 2. The General Notes on the Construction Plans must be expanded to include at least the information provided by the General Notes on the Final Plat. 3. The plans shall be corrected to indicate the project is in the B-4 Zone. 4. The General Notes shall be corrected to indicate the property is shown on Sheet 37 of the Tax Maps. 5. The General Notes shall indicate "vertical elevation based on NGVD 1929". NGVD is National Geodetic Vertical Datum. A bench mark must be indicated. Horizontal Datum shall be addressed. 6. The General Notes shall address the ownership of the various components of the proposed storm water management system. 7. Proposed off-street parking spaces shall be provided with minimum dimensions. 8. Dimensions should be provided for all the proposed building boxes. Based on scaling of the proposed building boxes it appears the

units will comply with the maximum lot coverage of thirty percent (30%). 9. Curb and sidewalk is proposed throughout the development. Curb only exists at the intersection of County Line Road East and North Apple Street. Proposed sidewalk should be increased to a width of five feet (5'), unless pedestrian passing lanes are provided. Proposed sidewalk width shall be dimensioned along with distances from face of curb and right-of-ways. 10. Proposed curb ramps shall be added to the intersection of North Apple Street and Posh Court. C. Grading 1. Grading is provided on a Grading & Drainage Plan which is Sheet 4 of 8. A storm sewer collection system is proposed to collect runoff and recharge it within the proposed right-of-way of Posh Court. 2. Proposed finished floor and building corner elevations must be added. 3. A profile has been provided for proposed Posh Court. The following revisions are required: a. The proposed grading shall be designed to intersect the proposed gutter station and elevation of North Apple Street. b. The proposed gutter station of North Apple Street should be corrected to station 0+15. b. Proposed horizontal control points should be added. c. The proposed vertical curve should be shortened to fifty feet (50') to minimize runoff collecting in the gutter at the crest. d. Proposed utilities must be added. 4. Profiles are required for North Apple Street and County Line Road East for road widening design. 5. A detailed review of the grading can be completed during compliance submission; if/when this subdivision is approved. D. Storm Water Management 1. A proposed storm sewer collection system has been designed to convey storm water runoff into a proposed recharge system. The proposed recharge system is located under the site access road. Testimony should be provided on whether the ownership of the storm water management system will be the Township. If so, the applicant's engineer should meet with the Department of Public Works to review the project. 2. Our review of the project indicates it will be classified as Major Development since more than a quarter acre of impervious surface will be added and over an acre of disturbance will take place. As a result, the project must meet water quality and water quantity reduction rate requirements. 4. Soils information must be provided within the proposed project to confirm the seasonal high water table. Permeability testing is required for use in the recharge calculations. 5. The Storm Water Management Report and Design will be reviewed in detail after revisions to the project are made. E. Landscaping 1. Shade trees have been provided on Sheet 7 of 8. 2. The overall landscape design is subject to review and approval by the Board and should conform to recommendations from the Shade Tree Commission as practicable. The Shade Tree Commission suggests foundation plantings for each residence. Per our site inspection of the property, existing tree locations are sporadic throughout the site. 3. Landscaping shall be reviewed in detail after compliance submission should subdivision approval be granted. F. Lighting 1. Lighting has been provided for the proposed cul-de-sac on Sheet 7 of 8. 2. Proposed lighting has been provided for the cul-de-sac area. The Plan indicates seven (7) pole mounted fixtures are proposed. A detail shows the proposed height of the fixtures to be sixteen feet (16'). 3. A point to point diagram must be provided to verify the adequacy of the proposed lighting. 4. A Note states that all lighting will be owned and maintained by the owner after installation. Testimony should be provided regarding street lighting ownership. There is no indication a Homeowners Association is proposed. 5. Lighting shall be reviewed in detail after compliance submission should subdivision approval be granted. G. Utilities 1. Potable water and sanitary sewer service will be provided by the New Jersey American Water Company. The project is within the franchise area of the New Jersey American Water Company. 2. The proposed sanitary sewer will connect to an existing system in North Apple Street. Only a preliminary layout has been designed with a proposed slope less than the allowed minimum. 3. Potable water is proposed to be extended from an existing main on the north side of County Line Road East. 4. The plans state that all proposed utilities to be provided underground. H. Signage 1. Proposed regulatory signage has not been shown on the

plans and should be added. Regulatory sign details have been provided. 2. No project identification signs are proposed. 3. All signage proposed that is not reviewed and approved as part of this application, if any, shall comply with Township ordinance. I. Environmental 1. Site Description Per review of the site plans, aerial photography, and a site inspection of the property, the tract has four (4) existing residential dwellings located on the property. The site contains sporadically located treed areas. The existing on-site topography slopes from north to south towards County Line Road East. There is a steep pronounced bank along County Line Road East. The existing pavement edge along North Apple Street is poorly defined. Telephone poles front the site along North Apple Street and County Line Road East. 2. Environmental Impact Statement A waiver was requested from submitting an Environmental Impact Statement (EIS) for the project. 3. Tree Management As a condition of approval, a Tree Protection Management Plan in accordance with the current ordinance shall be submitted. J. Construction Details 1. Construction details are provided on Sheet 8 of 8. 2. All proposed construction details must comply with applicable Township or NJDOT standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete. 3. Final review of construction details will take place after compliance submission, if/when this project is approved by the Board. K. Final Plat (Major Subdivision) 1. The General Notes require corrections. 2. The proposed Shade Tree and Utility Easement Data shall be corrected for proposed Lots 40.01 – 40.05. 3. The proposed Sight Triangle Easements dedicated to the Township of Lakewood should be corrected to 25' X 25'. 4. A dedication to the Township of Lakewood complete with distances and an area should be provided at the intersection of North Apple Street and County Line Road East. 5. The proposed lot areas of new Lots 5.07 and 5.08 require corrections. 6. Curves labeled C10 – C15 for the Shade Tree and Utility Easement shall be labeled C11 – C16. 7. A monument shall be added at the intersection of North Apple Street and Kennedy Boulevard East. 8. Compliance with the Map Filing Law is required. 9. The Final Plat will be reviewed in detail after design revisions are undertaken for the project. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Developers Agreement at the discretion of the Township; b. Township Tree Ordinance; c. Ocean County Planning Board; d. Ocean County Soil Conservation District; and e. All other required outside agency approvals. New Jersey American Water Company will be responsible for constructing potable water and sanitary sewer facilities.

Mr. Vogt stated they are requesting waivers including Topography within 200 feet thereof, Contours of the area within 200 feet of the site boundaries, Man-made features within 200 feet thereof, Environmental Impact Statement and Tree Protection Management Plan. They recommend to conditionally grant the waivers with the understanding that additional survey work will be provided for North Apple, County Line Road at time of final design. Secondly, if the project is approved, it will be incorporated with a tree projection management plan.

A motion was made by Mr. Percal, seconded by Mr. Follman to grant the waivers.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Neiman, Mr. Follman, Mr. Rennert, Mr. Percal, Mr. Schmuckler

Mr. Vogt stated hat variances are being requested for minimum yard setback and minimum lot width.

Mr. Lines stated that the decks extend approximately 5 feet into the front setback. It's the front setback to the undeveloped portion of Kennedy Boulevard and the plan for Kennedy from another developer is to build the roadway on the far side of the 120 foot right-of-way. They have 80 feet from their property line and where Kennedy Boulevard will be constructed in the future.

Mr. Vogt stated that they are asking for a reverse frontage when that is developed.

Mr. Neiman asked that the drainage on North Apple be address at the public meeting.

The applicant agreed to reach out to the neighbors to discuss any issues.

A motion was made and seconded to advance this application to the June 26, 2012 meeting. No further notice required.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Neiman, Mr. Follman, Mr. Rennert, Mr. Percal, Mr. Schmuckler

5. **SD 1845** (Variance Requested)
Applicant: Michael Herzog
Location: Negba Street, between East Fourth Street & East Fifth Street
Block 241 Lot 9
Minor Subdivision to create two single family & one duplex

Project Description

The site is located within two (2) zoning districts. The northern portion of the tract is situated in the R-7.5 Single-Family Residential Zone. The southern portion of the property is within the B-2 Central Business Zone. The applicant seeks minor subdivision approval to subdivide existing Lot 9 in Block 241 into four (4) lots. Proposed Lots 9.01 and 9.02 will become new zero lot line properties for a proposed duplex within the R-7.5 Zone. Proposed Lots 9.03 and 9.04 will become single-family properties within the B-2 Zone. The site is vacant with remnants of an old service station island. All existing improvements will be removed. Public water and sewer is available. The site is situated in the northern portion of the Township and has multiple street frontages. The tract is an irregular "L-shaped" property. The existing lot is on the west side of Negba Street spanning the entire length between East Fourth Street and East Fifth Street. East Fourth Street fronts the south side of the property and East Fifth Street fronts the north side of the site. All surrounding roads are municipally owned. Negba Street has a twenty foot (20') right-of-way with virtually the same pavement width. The existing pavement of Negba Street is in good condition with no curb and sidewalk along the project frontage. East Fourth Street has a thirty-three foot (33') right-of-way with a 28.5 foot pavement width. The existing pavement of East Fourth Street is in good condition, as well as the existing curb and sidewalk along the property frontage. East Fifth Street has a forty-three foot (43') right-of-way with a twenty-five foot (25') pavement width. The existing pavement of East Fifth Street is in poor condition, as well as the existing curb and sidewalk along the site frontage. The Minor Subdivision shows a three and a half foot (3.5') wide dedication is proposed for East Fifth Street. This dedication would increase the half right-of-way width in front of the project to twenty-five feet (25'). The plan indicates a seven foot (7') wide Road Widening Easement is proposed along Negba Street. The plan also indicates a ten foot (10') wide Road Widening Easement is proposed along East

Fourth Street. Furthermore, a six foot (6') wide Public Access Easement is proposed behind the Road Widening Easement on Negba Street. The surrounding area is predominantly residential. Variances are required to create the proposed subdivision. The property is situated within the R-7.5 Single-Family Residential and B-2 Central Business Zones. We have the following comments and recommendations: I. Waivers The survey information for the project was obtained from a map entitled "Survey of Property, Lot 9 - Block 241, situated in Lakewood Township, Ocean County, NJ", prepared by Flannery, Webb & Hansen, P.A., and dated 9/16/03. The survey is old and an updated survey should be provided, especially since we observed the construction activity from adjoining Lot 8 encroaching onto the project site. We recommend the Board require the submission of an updated survey as a condition of approval. II. Zoning 1. The project is located in the R-7.5 Single-Family Residential and B-2 Central Business Zone Districts. Zero lot line duplex housing is proposed and is a permitted use in the R-7.5 Zone. Single-Family housing is proposed and is a permitted use in the B-2 Zone. 2. The right-of-way widths of all surrounding roadways are less than fifty feet (50'). A proposed right-of-way dedication for East Fifth Street brings the half right-of-way width to the proper dimension of twenty-five feet (25'). Road Widening Easements are proposed for Negba Street and East Fourth Street. Testimony must be provided justifying the proposed road widening easement widths. 3. Minimum Front Yard Setback variances are requested for proposed Lots 9.01 and 9.02. A minimum front yard setback of fourteen feet (14') is proposed from Negba Street, where twenty-five feet (25') is required. 4. Minimum Rear Yard Setback variances are requested for proposed Lots 9.01 and 9.02. A minimum rear yard setback of seven feet (7') is proposed, where fifteen feet (15') is required. 5. A variance from providing Minimum Lot Area has been requested for proposed Lot 9.03. A 5,653 square foot lot area is proposed, where a seven thousand five hundred square foot (7,500 SF) lot area is required. 6. A Minimum Front Yard Setback variance is requested for proposed Lot 9.04. A minimum front yard setback of twenty-four and a half feet (24.5') is proposed from East Fourth Street, where twenty-five feet (25') is required. 7. Waivers are required from providing shade trees, as well as shade tree and utility easements. It is not clear whether waivers are being sought from constructing curb and sidewalk along Negba Street. 8. The applicant must address the positive and negative criteria in support of the requested variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. III. Review Comments 1. The General Notes reference a Survey from 2003. An updated survey must be provided to reflect the current site conditions. 2. Proposed areas should be provided to the hundredth, especially since many of the values have been rounded. 3. The Required Minimum Lot Width in the Zoning Requirements for the two-family duplex lots should be corrected to twenty-five feet (25'). 4. The proposed Side Yard Setbacks in the Zoning Requirements for the two-family duplex lots should be corrected to not applicable for Lot 9.01 and seven feet (7') for Lot 9.02. 5. There is existing sidewalk and curb along the East Fourth Street and East Fifth Street frontages of the project. Proposed curb ramps with detectable warning surfaces are required at the Negba Street/East Fourth Street and Negba Street/East Fifth Street intersections. Testimony shall be provided clarifying the extent of improvements proposed for the frontage of Negba Street since none are shown. 6. Proposed curb and sidewalk replacement is required on East Fifth Street because of the poor condition of the existing curb and sidewalk. Furthermore, a note shall be added that any existing curb and sidewalk damaged during construction will be replaced as directed by the Township Engineer. 7. The plans indicate a minimum of two and a half (2.5) off-street parking spaces are required for each dwelling. The General Notes of the subdivision plan proposes providing four (4) off-

street parking spaces per dwelling. Testimony is required on the number of proposed bedrooms for each unit. Our review of the plan questions where the off-street parking spaces could be located for the zero lot line properties. No off-street parking spaces are indicated. 8. If basements are proposed for the dwellings on proposed Lots 9.01 - 9.04, then seasonal high water table information should be submitted. 9. A 30' X 30' sight triangle easement is proposed at the intersection of East Fourth Street and Negba Street. A 12' X 30' sight triangle easement is proposed at the intersection of East Fifth Street and Negba Street. Testimony should be provided on the size of the proposed sight triangle easement at the intersection of East Fifth Street and Negba Street. 10. Unless a waiver is granted, proposed shade tree and utility easements are required along the property's frontages. Survey data must be provided and easement areas for the proposed individual lots must be completed. 11. Unless a waiver is granted, shade trees are required for the project. Proposed shade trees shall not be located within any proposed sight triangle easements. Landscaping should be provided to the satisfaction of the Board, and should conform to recommendations from the Township Shade Tree Commission as practicable. Our site investigation on 4/23/12 noted a few large existing trees within the site. Most of the existing trees are small. Some of the existing trees will be removed at time of construction. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan Review for the proposed lots. 12. Testimony is required on the disposition of storm water runoff from development of proposed Lots 9.01 – 9.04. The increase in impervious area will be significant since the existing lot is vacant. 13. Testimony is required on grading from the development of proposed Lots 9.01 – 9.04. Our observations note the property to be relatively flat. 14. The graphic scale shall be corrected to one inch equals thirty feet (1"=30'). 15. Proposed lot numbers must be approved by the tax assessor's office. 16. The Legend shall be revised from "monument set" to "monument to be set". The proposed monuments are shown at the intersection of lot lines with easement lines to keep them from conflicting with curb and pavement. 17. Corner markers are required for all outbound corners. 18. Compliance with the Map Filing Law is required. 19. Improvement Plans with construction details should be required as a condition of Minor Subdivision approval. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance (as applicable); b. Ocean County Planning Board; c. Ocean County Soil Conservation District; and d. All other required outside agency approvals.

Mr. Vogt stated that variances are being sought for minimum front yard setback, minimum rear setback, minimum lot area for lot 9.03, and minimum front yard setback for proposed lot 9.04.

Mr. Brian Flannery stated that will address the variances at the public meeting. He believes the variances are conforming with the area. They will provide an update survey so they will no longer be requesting a design waiver.

A motion was made and seconded to advance this application to the June 26, 2012 meeting. No further notice required.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Neiman, Mr. Follman, Mr. Rennert, Mr. Percal, Mr. Schmuckler

6. **SD 1846** (Variance Requested)
Applicant: Shoshana Flohr
Location: Northwest corner of Somerset Avenue & Ridge Avenue
Block 223 Lots 72, 73, 74, 76, 77 & 102
Minor Subdivision to create four new lots with an existing six lots for a total of ten lots

Project Description

The applicant seeks minor subdivision approval to subdivide six (6) existing lots totaling 1.548 acres in area known as Lots 72, 73, 74, 76, 77, and 102 in Block 223 into nine (9) new residential lots. The subdivision proposes to provide for four (4) duplex buildings on eight (8) zero lot line properties, and one (1) duplex building on one (1) lot. The proposed lots are designated as Lots 72.01 through 72.09 on the subdivision plan. Proposed Lot 72.07 will contain the duplex building on a single lot. Proposed Lots 72.01 through 72.06, and proposed Lots 72.08 and 72.09 will contain the four (4) duplex buildings on zero lot line properties. Public water and sewer is available. The site contains existing dwellings, garages, fences, and sheds. The plans state that all existing structures within the subdivision are to be removed. The site is situated in the north central portion of the Township on the northwest corner of Ridge Avenue and Somerset Avenue. The existing right-of-way width of Ridge Avenue in front of the site is thirty-three feet (33'). A variable width right-of-way exists for Somerset Avenue, varying in width from fifty feet (50') to sixty feet (60'). A waiver from additional right-of-way dedication on Ridge Avenue was granted for the subdivisions approved on the opposite side of the street. An eight and a half foot (8.5') wide right-of-way easement was granted for those projects since the existing right-of-way was only thirty-three feet (33') wide. This project proposes a similar eight and a half foot (8.5') wide right-of-way easement. Ridge Avenue is a narrow paved road in poor condition, curbing and sidewalk in fair condition exists along the property frontage. Somerset Avenue is a paved road in poor condition. Curbing along Somerset Avenue is in poor condition and has been displaced by the existing trees growing immediately behind the curb. No sidewalk exists along the property frontage of Somerset Avenue, but is proposed. The surrounding area to the west of Somerset Avenue is predominantly residential. The surrounding area to the east of Somerset Avenue consists of school and recreational sites. Variances will be required to create this subdivision. The lots are situated within the R-10 Single Family Residential Zone. We have the following comments and recommendations: 1. Zoning 1. The parcels are located in the R-10 Single-Family Residential Zone District. Duplex housing with a minimum lot size of twelve thousand square feet (12,000 SF) and zero lot line subdivisions for duplexes are permitted uses in the zone. 2. Per review of the Subdivision Map and the zone requirements, the following variances are required for the proposed duplex on Lot 72.07: • Minimum Lot Width – 64.10 feet proposed, 75 feet required – proposed condition. It should be noted the minimum lot width is met at the proposed front building setback. The proposed lot width decreases towards the rear of the property which makes the average lot width nonconforming. • Minimum Side Yard Setback – 7.5 feet proposed, 10 feet required – proposed condition. • Minimum Aggregate Side Yard Setback – 15 feet proposed, 25 feet required – proposed condition. • Minimum Rear Yard Setback – 10.1 feet proposed, 20 feet required – proposed condition. • Maximum Building Coverage – 25.3% proposed, 25% allowed – proposed condition. 3. Per review of the Subdivision Map and the zone requirements, the following variances are required for the proposed zero lot line properties: • Minimum Lot Width (proposed Lots 72.02 and 72.09 – 37.08 feet and 35.72 feet proposed, 37.5 feet required) – proposed condition. It should be noted the minimum lot width is met at the proposed front building setback for Lot 72.09. The

proposed lot width decreases towards the rear of the property which makes the average lot width nonconforming. • Minimum Side Yard Setback (proposed Lots 72.02 through 72.06, 72.08, and 72.09 – 7.5 feet proposed, 10 feet required) – proposed condition. • Minimum Rear Yard Setback (proposed Lots 72.03, 72.04, and 72.06 – 16.4 feet, 8.5 feet, and 7.8 feet proposed, 20 feet required) – proposed condition. • Maximum Building Coverage (proposed Lots 72.02 through 72.06 – 37.1% for Lot 72.02 and 28.6% proposed for the other lots, 25% allowed) – proposed condition. 4. The applicant must address the positive and negative criteria in support of the required variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. II. Review Comments 1. A Survey of the property with aerial topography has been provided. The survey shows a fence encroachment from adjoining Lot 9.07. This encroachment must be addressed. The title of the survey should be revised to exclude Lot 75. 2. Horizontal datum has been assumed and vertical datum is NGVD 1929. A bench mark should be provided. 3. During our site investigation on 4/23/12 we noted some large trees of significance located on the site. These large trees have been indicated on the survey. We recommend removing all the existing trees along Somerset Avenue since they are displacing the curb. 4. General Note #1 should be revised to include Lot 77. 5. General Note #2 and the Surveyor's Certification should note the updated survey date of 3/14/12. 6. Some of the proposed lot areas shown on the plan do not match lot areas listed in the Schedule of Bulk Requirements. 7. A proposed lot width variance is incorrectly requested for Lot 72.08. 8. A proposed rear yard setback variance is required for Lot 72.07. The proposed lot line with a distance of 171.06 feet is a rear property line. A proposed rear setback line of twenty feet (20') should be shown parallel from this property line 9. Four (4) off-street parking spaces will be provided per unit. This exceeds the three (3) off-street parking spaces which are required for units with five (5) bedrooms to comply with the NJ R.S.I.S. parking requirements. The proposed architectural plans show five (5) bedroom units with unfinished basements. Based on the Township parking ordinance this increases the number of proposed bedrooms to seven (7) which requires the four (4) off-street parking spaces per unit. However, the proposed architectural plans indicate finished attics, but no floor plans have been provided for the attics. Therefore, there could be additional proposed bedrooms which would necessitate the need to provide more off-street parking or receive a variance from the Board. Parking should be provided to the satisfaction of the Board and comply with ordinance 2010-62. 10. Basements are proposed for the future dwellings on Lots 72.01 through 72.09, seasonal high water table information will be required. 11. For the subdivision projects approved on the opposite side of Ridge Avenue, the Planning Board required an eight and a half foot (8.50') wide road widening easement and a physical widening of Ridge Avenue to a sixteen foot (16') half pavement width. The Board should instill the same requirements for this subdivision because of the narrow existing pavement width on Ridge Avenue. Should the Board require the road widening, Improvement Plan layout revisions will be necessary. 12. Proposed ten foot (10') wide shade tree and utility easements are shown on the subdivision plan. The proposed easement along the Ridge Avenue frontage overlaps the road widening easement. The proposed shade tree and utility easement shall be located behind the road widening easement and may be reduced to a width of six feet (6'). Survey data with easement areas to the hundredth of a foot for the proposed individual lots should be completed. 13. No sight triangle easement has been provided at the intersection of Ridge Avenue and Somerset Avenue. 14. The concrete curb which is in poor condition along Somerset Avenue should be replaced. Concrete sidewalk is proposed along Somerset Avenue and should be widened to five feet (5') unless pedestrian passing lanes are added. Proposed curb and sidewalk should be provided

along Ridge Avenue. A proposed curb ramp is necessary at the intersection of Ridge Avenue and Somerset Avenue. 15. Should proposed utility connections on Ridge Avenue disturb more than twenty percent (20%) of the road length in front of the site, an overlay would be required. 16. Proposed lot numbers must be approved by the tax assessor's office. 17. Two (2) Willow Oak and six (6) Autumn Flame Maple shade trees are proposed within the shade tree and utility easements for the project. Landscaping should be provided to the satisfaction of the Board, and should conform to recommendations (if any) from the Township Shade Tree Commission as practicable. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan Review for the proposed lots. 18. Proposed grading is required on the Improvement Plan. Coordination of proposed grading is necessary because of the numerous lots proposed. 19. Storm water management from development of proposed Lots 72.01 through 72.09 must be addressed. The project is major development since over a quarter acre of impervious surface will be added and over an acre of disturbance will occur. 20. Water and sewer service is to be provided by New Jersey American Water Company since the project is within their franchise area. 21. The monument certification has not been signed and the monuments have yet to be set. 22. Monuments should be proposed at the intersections of the road widening easement and proposed property lines. 23. Compliance with the Map Filing Law is required. 24. The Improvement Plan must be revised to include grading, drainage, and construction details as required. This Improvement Plan may be provided during compliance if approval is given. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance; b. Ocean County Planning Board; c. Ocean County Soil Conservation District; and d. All other required outside agency approvals.

Mr. Vogt stated that the applicant is requesting variances for minimum lot width, side yard setback, aggregate side yard setback, rear yard setback, building coverage, for certain lots minimum lot width, minimum side yard setback, minimum rear setback and maximum building coverage.

Mr. Flannery stated that there is one lot width variance that they will eliminate. On the duplex lots, they all conform with the area and the lot widths. Some of the variances associated with the widths of the lots are because of the unusual shapes of the lots. What they are requesting is side yard setbacks consistent with the R 7.5 zone and the master plan for this area does indicate that the zone should be changed to R 15. The subdivision across the street was granted with R 15 side setbacks.

A motion was made and seconded to advance this application to the June 26, 2012 meeting. No further notice required.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Neiman, Mr. Follman, Mr. Rennert, Mr. Percal, Mr. Schmuckler

7. **SD 1847** (Variance Requested)
Applicant: Arthur Gestetner & Nachman Steger
Location: Columbus Avenue, north of Central Avenue
Block 12.04 Lot 38
Minor Subdivision to create two lots

Project Description

The applicant seeks minor subdivision approval to subdivide an existing lot totaling 0.47 acres in area known as Lot 38 in Block 12.04. The project proposes to provide for two (2) new single-family residential lots designated as proposed Lots 38.01 and 38.02 on the subdivision plan. Proposed Lot 38.01 would be a 60' X 167.80' rectangular lot containing 10,068 square feet. Proposed Lot 38.02 would be a sixty-five foot (65') wide irregular lot containing 10,251 square feet. Public water and is available, public sewer is not available. The site contains an existing one-story frame dwelling and an existing shed. The plans state that all existing structures within the subdivision are to be removed. The site is situated in the western portion of the Township on the east side of Columbus Avenue, north of Central Avenue. The existing right-of-way width of Columbus Avenue in front of the site is forty-five feet (45'). No right-of-way dedication or road widening easement is proposed. Columbus Avenue is a paved road in fair condition. Curbing in good condition exists along the property frontage, but sidewalk does not. Sidewalk is proposed across the project frontage and will connect to existing sidewalk north of the site. The surrounding area is predominantly residential. Variances will be required to create this subdivision. The lots are situated within the R-12 Single Family Residential Zone. We have the following comments and recommendations: I. Zoning 1. The site is located in the R-12 Single-Family Residential Zone District. Single-family detached dwellings are a permitted use in the zone. 2. Per review of the Subdivision Map and the zone requirements, the following variances are required: • Minimum Lot Area (proposed Lots 38.01 and 38.02 – 10,068 SF and 10,251 SF proposed, 12,000 SF required) – proposed condition. • Minimum Lot Width (proposed Lots 38.01 and 38.02 – 60 feet and 65 feet at the front setback proposed, 90 feet required) – proposed condition. • Minimum Aggregate Side Yard Setback (proposed Lots 38.01 and 38.02 – 20 feet proposed, 25 feet required) – proposed condition. 3. Unless provided, a waiver from a right-of-way dedication along Columbus Avenue would be required. 4. The applicant must address the positive and negative criteria in support of the requested variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. II. Review Comments 1. An Outbound Survey of the property with topography has been provided. The survey shows some fence encroachments from adjoining properties. The General Notes indicate that all encroachments caused by the proposed subdivision shall be removed from proposed lots. 2. The General Notes reference the survey provided. Horizontal and vertical datum is assumed. A bench mark must be provided. 3. During our site investigation on 4/23/12 we noted few trees of significance located on the site. 4. The Schedule of Bulk Requirements indicates a proposed building coverage of less than twenty-five percent (25%) for Lot 38.01 and 18.2% for Lot 38.02. Based on the Overall Development Plan, the proposed building coverage is 17.9% for Lot 38.01 and 17.6% for Lot 38.02. 5. The Overall Development Plan shows garages and driveways large enough to provide four (4) off-street parking spaces per unit. This exceeds the 2.5 off-street parking spaces which are required for units with unknown number of bedrooms to comply with the NJ R.S.I.S. parking requirements. The General Notes indicate additional off-street parking spaces shall be provided in accordance with the UDO. Parking should be provided to the satisfaction of the Board and comply with ordinance 2010-62. 6. Testimony should be provided as to whether basements are proposed for the future dwellings on Lots 38.01 and 38.02, if so seasonal high water table information will be required. The General Notes indicate that test pits are to be conducted to determine depth to seasonal high water table prior to issuance of

building permits. 7. The General Notes state that concrete sidewalk shall be extended along the entire frontage of proposed Lots 38.01 and 38.02. The proposed sidewalk is to be depicted on plot plans submitted for building permit. 8. Concrete curb in good condition exists along the frontage of Columbus Avenue. However, the existing gutter slope along the north half of the site is poor. We recommend the curb be replaced with the gutter designed at a minimum slope of 0.40%. 9. Proposed lot numbers must be approved by the tax assessor's office. 10. A proposed six foot (6') wide shade tree and utility easement is shown on the subdivision plan. Survey data with easement areas for the proposed individual lots have been completed. 11. The General Notes indicate that shade trees shall be provided within the shade tree and utility easement along the entire property. The species type and locations shall be provided on future plot plans. Landscaping should be provided to the satisfaction of the Board, and should conform to recommendations (if any) from the Township Shade Tree Commission as practicable. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan Review for the proposed lots. 12. The proposed grading on the Overall Development Plan will require revision to eliminate a low point being created in the southeast corner of the site, unless drainage is added. 13. Testimony is required on the disposition of storm water from development of proposed Lots 38.01 and 38.02. There is no existing storm drainage in the immediate vicinity of the site. 14. Water service shall be provided by New Jersey American Water Company. 15. Sewer service shall be provided by individual subsurface disposal systems. The existing seepage ring on Lot 38 shall be abandoned in accordance with NJAC 7:9A. Ocean County Board of Health approval will be required. 16. There is a discrepancy between the Legend and the plan on whether the capped rebar have been set. 17. Compliance with the Map Filing Law is required. 18. The Overall Development Plan should be revised to include drainage and construction details. This Overall Development Plan may be provided during compliance if approval is given. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance; b. Ocean County Planning Board; c. Ocean County Soil Conservation District; d. Ocean County Board of Health; and e. All other required outside agency approvals.

Mr. Vogt stated that variances are being requested for minimum lot area, minimum lot width and minimum aggregate side yard setback. A waiver is being sought for the right-of-way dedication along Columbus Avenue. He assumes the applicant will be seeking an easement from the Township.

The Board would like to see a plan showing similar variances in the area.

Mrs. Miriam Weinstein, Esq. stated that they will comply with all the comments in the engineer's review letter.

A motion was made and seconded to advance this application to the June 26, 2012 meeting. No further notice required.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Neiman, Mr. Follman, Mr. Rennert, Mr. Percal, Mr. Schmuckler

5. CORRESPONDENCE

1. SD 1708 & SD 1709

Applicant: S&H Builders
Location: Hope Chapel Road & Clearstream Road
Block 2.01 Lots 24 & 25

Applicant requests administrative approval to revise previously approved minor subdivisions

Mr. John Doyle, Esq. stated that the notices went out before the plans were available so in fairness they would request that the application be carried.

A motion was made and seconded to carry this application to the June 12, 2012 meeting. No further notice required.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Neiman, Mr. Rennert, Mr. Percal, Mr. Schmuckler

6. PUBLIC PORTION

7. APPROVAL OF MINUTES

8. APPROVAL OF BILLS

A motion was made and seconded to approve.

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

9. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Sarah L. Forsyth
Planning Board Recording Secretary