

**1. CERTIFICATION OF COMPLIANCE**

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

**2. ROLL CALL**

Roll Call Mr. Herzl, Mr. Franklin, Mr. Arcchi, Mrs. Koutsouris, Mr. Banas, Mr. Neiman, Mr. Fink, Mr. Follman, Mr. Percal, Mr. Schmuckler.

**3. SWEARING IN OF PROFESSIONALS**

Mr. Terrance Vogt was sworn in.

**4. MEMORIALIZATION OF RESOLUTIONS**

**1. SP # 1932**

Applicant: Georgian Court University  
Location: Lakewood Avenue & 9<sup>th</sup> Street  
Block 44                      Lots 1, 25 & 26  
Block 45                      Lots 1 & 4  
Block 46                      Lot 1  
Block 47                      Lot 1  
Block 48                      Lot 1

General Development Plan – 156.3 acres (Resolution to deny)

Mr. Banas asked who will be the individuals that will vote for the memorialization. As my memory serves me correctly, two attempts were made, both ended in a 4 to 4 vote. Yet in past, and I think it's law but I'm not certain, but the only individuals who vote for a memorialization of a resolution are those who vote positively to the motion that was made at the public hearing. My question is simply, who will be voting on this?

Mr. Jackson responded “as usual Mr. Banas raises a very interesting issue. Ordinarily, only those members who have succeeded in their motion with the resolution, those 4 members who vote in favor of the approval of the resolution should vote, what we have here is kind of a nuance as far I know it is uncharted territory. As I recall Mr. Schmuckler made a motion to approve it with different configuration than GCU proposed. And that motion was 4 to 4 again so that did not carry, so that configuration of the motion that Mr.

Schmuckler made did not succeed. Then there was a motion, I forget who made it, to approve and that was also a 4 to 4 vote. So there was no majority on that one and that also was to not approve. I think Mr. Banas was correct to raise this. I think the issue is really more philosophical and academic than meaningful because I think if this matter is appealed the court will have the full record and the issues in front of them and who voted on the resolution is not an essential thing, so if it is 4 to 4 what I would recommend, is that I have a prepared resolution, that resolution was based on the motion to approve, therefore those members who voted against the approval would be the members that would vote for a form of that resolution.

Chairman Neiman asked to approve it entirely? Not the version of Mr. Schmuckler.

Mr. Jackson says correct. There was a motion to approve, that motion did not carry, because the motion to deny also did not carry.

Chairman Neiman stated that there was no motion to deny.

Mr. Jackson replied I'm sorry, you're right. But I thank Mr. Banas for raising the issue, who knows, maybe we'll find out what a judge will do. So I would recommend that the members who voted against the approval of the resolution. The approval as GCU submitted, which would have been the 2<sup>nd</sup>, I believe also there were some issues raised about the form of the resolution. I know there were a couple attorneys who asked me about it, there were some provisions, I think the resolution that I prepared adequately requests the board's determination, somebody who wants to be heard or wants something added to it, that would be the boards determination.

Chairman Neiman stated I think it should be mentioned in the resolution that there was also a motion to approve. But to approve everything except for entrances which will be heard later when they actually come for site planning, I mean that really was a big part of the testimony, that there's no issue with the buildings, no issue with the plan, with the lot, with anything. The whole issue was we felt that there wasn't enough testimony provided for the entrances, that was why I didn't want to approve the whole thing.

Mr. Jackson stated I think you raise a very good point, and since the posture of the appeal is based on the legitimacy of the board's rational, it might make sense to prepare another resolution with that analysis, and those members could also vote on that. Two separate resolutions, one for each motion. Then not vote until the next meeting.

Chairman Neiman agrees and says I think we should do them both at once, there's no reason to do this one today then, if that's okay with you John. I think we should have that mentioned in the resolution too and we'll vote on it, and we can all vote on the two separate resolutions then.

Mr. Jackson stated okay, then I will prepare another one.

Chairman Neiman asks if Mr. Banas is okay with it.

Mr. Banas responds yes it is completely what the thinking of the board was, it was really a torn between approving and not approving. There were factions that wanted to approve,

and factions that did not. So it seems that it would be appropriate to rewrite the resolution of memorialization.

Mr. Jackson stated I think there's council here who wanted to be heard on the resolution, I don't know if you wanted to hear them.

Chairman Neiman stated I think that were not going to vote on it tonight, we might as well, when we do vote on it, let's have council speak then.

Mr. Schmuckler stated if we wanted to have something added then let then do it so we could write it.

Chairman Neiman stated try to limit your concerns, since we are not voting right now, I think what Mr. Schmuckler said, is there anything else that you wanted in the resolution?

Mr. Dan Deponate says In the interest of time I can submit my comments to Mr. Jackson on the previous resolution that he's drafted, and I can submit comments on the new resolution as well and make myself available at the next hearing, or whenever that vote will be taken. If there are any questions from the board about my proposed revisions that didn't make it into the resolution, if that's acceptable to the board?

Chairman Neiman stated that is fine.

Mr. Jackson stated I was viewing this technically as in denial, so what I did was I compared the resolution in the context of sufficient proof to satisfy the Board.

Chairman Neiman stated yes it was denied, there was nothing denied for the interior, there was the whole issue was the two openings. Some board members felt it wasn't sufficient testimony or evidence to just allow that to be part of the GDP, at this point can wait for a site plan down the road, that was really the issue we had. Speaking for myself, I didn't have any issues with what was going on inside, I think that was fine, we were ready to vote on that. It was just the testimony regarding the entrances.

Mr. Jackson asked when is the next meeting?

Mr. Kielt stated when we will do the resolution it will be April 12<sup>th</sup>.

Mr. Jackson says okay I guess we should just avert to that date.

Chairman Neiman stated before we get to that, there was a gentleman who wanted to be heard so let's just hear what he has to say.

Mr. Thomas O'Malley spoke. I respect what your doing giving an opportunity to spend a few minutes hearing people like myself that have a comment on this, we keep coming back to the denial of a plan for a wonderful institution.

Mr. Jackson stated the board does entertain comments regarding the contents of the resolution but I think tonight there not going to go forward with that. So I don't know if it's appropriate to take public comments.

Chairman Neiman says it is always appropriate during a hearing, it's definitely appropriate, but this was closed to the public. It's just issues regarding the memorialization on that. I do feel bad that you came out tonight to voice something on that.

Mr. Schmuckler stated there's a gentleman who wants to talk about what's pertaining to what's written in the memorialization on what was something that you felt that should have been in the memorialization or is it regarding the application as a whole?

Mr. O'Malley says I actually came here for the comment really.

Chairman Neiman says okay then state your comment quickly.

Mr. O'Malley stated okay thank you, actually, I'm familiar with your procedures, I'm an elected official myself for many years, I've been in Lakewood for 11 years. And my problem is that I know what you're going through but I just don't see how anyone can deny this application. And I say that because in all fairness, it is an institute of learning, it's something that were all proud of. And our only intent is to educate those who need education, to ask for an extension of a ball field, a dormitory, classrooms, there's certainly something that no one should deny.

Chairman Neiman stated okay let me just answer that and then let's move on. This board did not deny any expansion that GCU wanted to do inside, they didn't. Ultimately that's what happened, but all this board did was they were going to approve the whole application, but the only question we had was regarding testimony, there was testimony that was supposed to be given by a traffic engineer regarding opening two new entrances which we felt that there was not enough testimony given to open up those entrances at this point, we said when you're ready to come back for a site plan then come back for the entrances. There was no intension at all to deny it. If you look at the minutes what GCU said, it was either all or none. So ultimately they're the ones who ultimately denied this application.

Mr. O'Malley stated he didn't get to that yet, but he understands your decision. However, I'm quoting the newspaper where it says it's been denied, that's the quote in the newspaper. And that's why I'm here. But if I may finish then I will sit down. My only point is that it is the most honorable intent, all of you should be proud, for those who maybe feel negative about this, it may be an inconvenience for some people in the area, but the whole town, you know this board has a history of bending for a lot of applications. How many times have people come before you where you have no problem approving an application for using streets for spaces for parking? Just to satisfy the applicant? How many times did you ever set back just to satisfy, I mean there's a satisfaction here for good and that's fine, but I can't imagine how anybody in God's name could deny an application for GCU, even for another entrance way into the community. It's a safety factor, I'm also on the board of the civil rights in this town, I mean people that are handicapped going to school there, lugging a crutch or wheelchair or whatever they need to get to class, how can we say no to improve a parking lot so they can get to classes? These are all the things that are paramount and important to this application. And I really do believe that those who voted against this should keep an open mind.

Chairman Neiman says I recommend and suggest in the future to come to these meetings so you could have heard the whole testimony from beginning to end, I mean there was a lot of testimony from the people living there regarding the entrances or regarding other issues. Most of it we were able to work out. And that's what I'm going to recommend, I think we should end it here. We heard and appreciate what you have said and I think in the future you should come to the meetings so you could hear all the testimony and you could provide testimony yourself at that time.

Mr. O'Malley says he is the vice president of the Republican Club and he resigned recently over situations like this, for legitimate denials that this township has denied for reasons that are beyond me, but I appreciate the opportunity to speak.

Chairman Neiman says okay lets go on, would you like to just announce it to the public when were voting?

Mr. Jackson stated we will look at the resolutions and we will just wait until the next hearing.

Mr. Jackson stated okay that will be April 12<sup>th</sup> meeting, members of the public who are interested. No further notice is required.

**2. SP # 1878A**

Applicant: Congregation Sanz of Lakewood  
Location: River Avenue, north of Sterling Place  
Block 423.14 Lots 13 & 77  
Preliminary & Final Site Plan for proposed synagogue

Moved by Mr. Schmuckler. Seconded by Mr. Percal.

Mr. Kielt stated just for the record this was approved approximately 2 years ago, it was never memorialized. It is now open for memorialization.

Roll call, Mr. Herzl, yes, Mr. Franklin, yes, Mr. Arecchi, yes, Mrs. Koutsouris, yes, Mr. Banas, yes, Chairman Neiman, yes, Mr. Fink, abstain, Mr. Follman, abstain, Mr. Percal, yes, Mr. Schmuckler, yes.

**3. SD # 1779**

Applicant: Lakewood Development Corp.  
Location: Clifton Avenue & Fifth Street  
Block 93 Lots 6.01 & 12.01  
Minor Subdivision & consolidation of 2 lots

Moved by Mr. Follman and seconded by Mr. Fink.

Roll call, Mr. Herzl, yes, Mr. Franklin, yes, Mr. Arecchi, yes, Mrs. Koutsouris, yes, Mr. Banas, yes, Chairman Neiman, yes, Mr. Fink, yes, Mr. Follman, yes, Mr. Percal, yes, Mr. Schmuckler, yes.

**4. SD # 1782**

Applicant: Lydig Land, LLC

Location: Adams Street, opposite McKinley  
Block 11                      Lots 45, 105, 106 & 133  
Block 8                        Lots 1 & 15

Minor Subdivision & variance to realign existing lots

Moved by Mr. Follman and seconded by Mr. Fink.

Roll call, Mr. Herzl, yes, Mr. Franklin, yes, Mr. Arecchi, yes, Mrs. Koutsouris, yes, Mr. Banas, yes, Chairman Neiman, yes, Mr. Fink, yes, Mr. Follman, yes, Mr. Percal, yes, Mr. Schmuckler, yes.

**5. SD # 1792**

Applicant: Tashbar of Lakewood

Location: Oak Street, west of Cypress Avenue  
Block 1011                      Lot 1  
Block 1012                      Lot 1  
Block 1013                      Lot 1

Consolidation & Minor Subdivision

Moved by Mr. Follman and seconded by Mr. Fink.

Roll call, Mr. Herzl, yes, Mr. Franklin, yes, Mr. Arecchi, yes, Mrs. Koutsouris, yes, Mr. Banas, yes, Chairman Neiman, yes, Mr. Fink, yes, Mr. Follman, yes, Mr. Percal, yes, Mr. Schmuckler, yes.

**6. SD # 1717**

Applicant: Nissim Sankary

Location: Whitesville Road, opposite Gudz Road  
Block 252                      Lots 3, 8

Preliminary & Final Major Subdivision – 4 lots

Moved by Mr. Follman and seconded by Mr. Fink.

Roll call, Mr. Herzl, yes, Mr. Franklin, yes, Mr. Arecchi, yes, Mrs. Koutsouris, yes, Mr. Banas, yes, Chairman Neiman, yes, Mr. Fink, yes, Mr. Follman, yes, Mr. Percal, yes, Mr. Schmuckler, yes.

**5. NEW BUSINESS**

**1. Discussion/recommendation of proposed amendment to the B-1 Zone.**

1. Chairman Neiman stated we want to discuss for the B-1 zone first.

Mr. Kielt stated yes, I had a discussion with Mr. Banas, who believes we have discussed this already, I believe it was a similar to another ordinance, but we'll leave it up to the board to see what they remember but this was just first read at the committee and they asked me to go ahead and get this to the planning board. So if everybody remembers talking about this? Basically it's a very short ordinance, what it states that in the B Zone, if you want to build a parking lot for anything that's not on the same piece of property as the building. For instance, you have an office building but you don't have adequate parking because there is no parking required in B zones, if you don't have adequate parking, you can buy a lot three doors away and build a parking lot, it becomes a permitted use. Right now if you do that you have to go to the zoning board because parking lots by themselves, are not a primary use. What this ordinance wants to do is they want to make this a primary use, from my perspective I think it's a good idea, the more parking the better.

Chairman Neiman stated yes it is a no-brainer, it's a great idea. Are there any comments from the board members?

Mr. Franklin replied yes, just one question. If you make a new parking lot and a great deal comes up and they can sell this for another building, are they going to be able to get rid of the parking lot? Once you make it a parking lot for that building, it should stay a parking lot for that building. Because we want to let them do that to make it a holding zone for a piece of property.

Mr. Kielt stated yes like Terri added, when I do the letter saying what the plan or the board of recommendation was, I could put in there that the feeling of the planning board that if it does get approved as a parking lot for specific buildings that in the event that it no longer becomes a parking lot or whatever the verbiage wants it to be.

Mr. Schmuckler stated if I'm building a supermarket and I have two lots now and I want to make a parking lot, I'm getting approved for the supermarket by the board and have in mind that the parking lot is for that supermarket. So what happens if I sell the parking lot to someone else who has a different building now and now the parking lot is not for my supermarket anymore? So we have to sort of link those two properties that are getting approved for a specific application it needs to be somehow linked or both the supermarket and parking lot have to come back to the board for approvals. It's not a

matter of changing the parking lot, it's a matter of changing ownership. It has to stay the same ownership together with the original building.

Mr. Franklin stated but we wouldn't want the original builder then to take it and build another building on the parking lot.

Mr. Schmuckler stated even if you sell the parking lot to another company that would be a problem because if they sell it to somebody else they can use the same parking lot.

Mr. Franklin stated it also becomes the towns problem because of the overload of cars.

Mr. Follman states if the original application was approved on the basis that the parking would be provided by this additional lot, if they do sell the lot they are depriving the original property of the parking that was required with the application.

Mr. Kielt states there are some cases that that is not the case, perhaps they purchased a lot 5 years ago, they got it approved because they either had parking or did not need parking in a B zone. They just want to go ahead and accommodate their tenants, so they built the parking lot. How do you link it at this late stage?

Mr. Follman stated if the parking was not required in order to approve the original application and in that case they would be free to dispose of it.

Chairman Neiman stated if I buy a building and I have a parking lot and I say I don't need it, why can't they sell it? There are no requirements in parking in a B 1 zone.

Mr. Jackson stated I think Mr. Franklin's concern is similar to apples and oranges, what they are saying is it is a permitted use in the zone so if someone has a vacant lot they are allowed to use it for parking. I think though that the board has to be aware that if an applicant says I am going to use a parking lot on fourth street, for example, what happens when that parking lot disappears and turns into a building?

Mr. Franklin states what if someone has a building and buys a lot six lots away to help his tenants? We could attach that to the approval.

Mr. Jackson stated what you are then doing is making the parking lots a conditionally permitted use. And you make it a lot harder for people to have parking lots now. If it's a permitted use now, they don't need a board of adjustments approval for a free standing lot because a lot is a use, so what you're allowing is parking lots as a use in that zone.

Mr. Franklin replied the more parking lots we can get, the better off we will be.

Mr. Schmuckler stated can we send a letter to the township committee stating overall it is not a bad idea, but these are our concerns, and then lay out our concerns.

Mr. Follman stated that if it is approved as a parking lot and it is being sold for any other use then it should have to come to the board again.

Mr. Keilt stated that he thinks it would have to come in front of the board anyways because if they are building a building they would need approval for that.

Chairman Neiman stated lets word it this way, that we do recommend making a parking lot a permitted use in a B1 zone. If the change of use happens down the road, the applicant would have to come before the board.

Roll call, Mr. Herzl, yes, Mr. Franklin, yes, Mr. Arecchi, yes, Mrs. Koutsouris, yes, Mr. Banas, yes, Chairman Neiman, yes, Mr. Fink, yes, Mr. Follman, yes, Mr. Percal, yes, Mr. Schmuckler, yes.

## 2. SP # 1948

Applicant: Yeshiva Orchos Chaim

Location: Corner of Cedar Bridge Ave, Oberlin Ave South & Syracuse Ct  
Block 1600 Lot 12

Amended Site Plan proposed addition to existing school

### Project Description

The applicant is seeking Preliminary and Final Site Plan approval for the construction of a three-story building addition to the existing school building for additional classrooms and educational facilities. Besides the 19,572 square foot addition footprint, a new access/drop-off driveway is proposed as well. The applicant is proposing 58,109 square feet of addition space among the vestibule and three (3) floors. The architectural plans are preliminary in nature so the breakdown of the existing and proposed layout has not been summarized. The plans indicate one hundred twenty-four (124) parking spaces will be required. A one-way drop-off looped driveway is proposed for the existing front access of the school and the proposed addition section. **We have the following comments and recommendations per testimony provided at the 3/1/11 Planning Board Plan Review Meeting, and comments from our initial review letter dated February 23, 2011:** (I) **Zoning** (1) The site is situated within the M-1, Industrial Zone. Quasi-public and private educational facilities are a "permitted use" per Section 18-903M. 1.m., of the UDO. The Zoning Requirements on the plans incorrectly list private school as a conditional use. **Statements of fact.** (2) No variances have been requested. Per review of the Site Plan and the zone requirements, it appears no variances are required for the proposed project. **Two (2) proposed ground signs have been added to the project. Additional information must be provided for the proposed signs. Per communications with the applicant, final sign designs will be compliant with the UDO.** (3) Per review of the site plans and application, the following design waivers are required: (a) No sidewalk has been proposed along any of the site frontages. This is consistent with other site plans in the Industrial Park (b) Any and all other design waivers deemed necessary by the Board. **The Board shall take action on the required design waivers.** (II) **Review Comments** (A) **Site Plan/Circulation/Parking** (1) As indicated previously, the

Zoning Requirements show one hundred twenty-four (124) off-street parking spaces are required and provided for the proposed project. One (1) off-street parking space is required for every Classroom, Tutor Room, Library, Meeting Room, or Office proposed. Testimony should be provided on the total number of Classrooms, Tutor Rooms, Libraries, Meeting Rooms and Offices that are proposed for the existing school building and proposed addition as described per Section 18-906C of the UDO. **The applicant's professionals indicate that testimony shall be provided.**

(2) Our review indicates one hundred twenty-six (126) normal parking spaces and fifteen (15) bus parking spaces will be provided. Except for the five (5) proposed angled parking spaces in front of the main building access and the handicapped spaces, the parking spaces are 10' X 20'. Many of the parking lot aisle widths are only twenty-two feet (22') wide. Therefore, we recommend the spaces be striped to 9' X 18' dimensions which would allow additional proposed spaces and wider aisles. Dimensions are required for the proposed bus parking spaces. **The parking count has been revised to show one hundred twenty-six (126) parking spaces and fifteen (15) bus parking spaces provided for this phase. The Master Plan has been revised to show our recommended parking space and aisle sizes for future Phase 2 of the project.**

(3) Handicapped parking must be proposed to the current code. **The applicant proposes to revise the handicapped parking during future Phase 2 of the project.**

(4) Testimony is necessary from the applicant's professionals regarding how the proposed drop-off area will be used, including but not limited to times, sizes, and types of vehicles anticipated (i.e., buses, vans, cars, others). **The applicant's professionals indicate that testimony will be provided.**

(5) The project has road frontage on three (3) sides of the site. Therefore, there is only one (1) side yard. The Zoning Requirements must be corrected accordingly. **The Bulk Requirements chart has been revised to indicate only one (1) side yard and no rear yard. The proposed seventy foot (70') side yard setback shown on the chart has not been identified on the plans.**

(6) 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. No waste receptacle area is shown. An enclosure shall be screened and designed in accordance with Section 18-809.E. of the UDO. **A waste receptacle area has been added at the end of the proposed loading and delivery area. The proposed area will be enclosed and screened. Per communications with the applicant, pick-up will remain with the Township.**

(7) Proposed curb radii have been shown for some of the layout. The proposed tangent points should be added. The limits of proposed and existing curb are not clear, especially within the existing parking area. **The proposed layout can be better clarified during compliance submission should approval be granted.**

(8) The proposed building addition is replacing an area that consists largely of asphalt. However, it is not clear whether the existing asphalt north of the proposed building addition is being removed. It is also not clear what the disposition of the existing temporary trailer areas to be removed will be. The proposed limits of work should be better defined on the drawings. **The applicant's professionals indicate the existing asphalt north of the building addition will be completely removed and grading during construction. The areas beneath the temporary trailer areas will be fine graded, stabilized, and seeded. The proposed limits of work can be better defined with compliance**

**submission should approval be granted.** (9) The existing curb island at the site's access with Oberlin Avenue South is proposed to be removed, paved, and striped. Testimony should be provided on the proposed revised site access. **The applicant's professionals indicate that testimony will be provided.** (10) No sight triangles associated with the proposed vehicular site access points have been indicated. **Sight triangles have been added. Existing vegetation conflicts with the sight triangle at the Oberlin Avenue South access and should be removed. Descriptions are required for review before eventual filing of sight triangle easements.** (11) A delivery area is proposed on the south side of the proposed building addition. **Grading within the delivery area has been revised to provide access to the proposed access points at this side of the building. A retaining wall has been added with a guard rail between the delivery area and Oberlin Avenue South because of the change in grade.** (B) **Architectural** (1) Conceptual architectural floor plans and elevations have been provided for the proposed school addition. The proposed building addition includes three (3) floors. Testimony should be provided on the proposed building height. The allowable building height is sixty-five feet (65'). **Testimony on the proposed building height should be confirmed by the project architect.** (2) Testimony should be provided on proposed building signage. No signage is shown on the conceptual architectural plans. **Confirming testimony on proposed building signage should be provided from the project architect.** (3) The architect should confirm whether an elevator is proposed to make all floor levels handicapped accessible. Testimony is required from the architect on the specific uses for the proposed individual floors, as well as the existing building. **Testimony should be provided from the project architect.** (4) We recommend that the location of proposed air conditioning equipment be shown. Said equipment should be adequately screened. **Testimony on proposed HVAC equipment should be provided from the project architect.** (C) **Grading** (1) Per review of the proposed grading plan, the design concept is feasible. However, additional proposed elevations and proposed contours are required to complete the grading design. Proposed elevations should be provided at control points, such as curb returns and corners, and building access points. Final grading can be addressed during compliance review if/when approval is granted. **Additional proposed elevations have been provided. Final grading can be addressed during compliance review if/when approval is granted.** (2) A low point is inadvertently being created northwest of the proposed addition and the existing building. **Additional drainage can be added during compliance since there is not enough proposed elevation difference to drain runoff around the proposed building expansion.** (3) Soil boring locations are indicated on the drawings. However, no boring logs or seasonal high water table information has been provided to justify the proposed depth of the storm water recharge system. **Soil boring logs have been added to the revised Storm Water Management Report. The seasonal high water table information justifies the proposed depth of the storm water recharge system.** (D) **Storm Water Management** (1) A two foot (2') vertical separation between the proposed bottom of the storm water management system and the seasonal high water table must be demonstrated. Permeability test results should be provided to justify the recharge calculations used for the project. **The seasonal high water table has been verified. Seasonal high water table**

**elevations and subsurface permeability test results are provided within the revised Storm Water Management Report to justify the recharge calculations.**

(2) A Storm Water Management Facilities Maintenance Plan 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. **An Operation and Maintenance Manual has been provided which will be reviewed during compliance should approval be granted.** (E) **Landscaping** (1) Buffer planting is proposed across the Oberlin Avenue South frontage of the property. Thirteen (13) Norway Spruces and eleven (11) Short Leaf Pines are proposed for the buffer. **The buffer planting has been revised to screen the trash storage area and avoid conflicts with proposed utility service lines. Fifteen (15) Norway Spruces and ten (10) Short Leaf Pines are proposed for the buffer.** (2) The remainder of the proposed landscaping consists of three (3) White Oaks, sixteen (16) Little Leaf Lindens, and thirty-five (35) Hetz Junipers. **The remainder of the proposed landscaping has been revised and consists of four (4) White Oaks, fifteen (15) Little Leaf Lindens, and forty-eight (48) Hetz Junipers. We recommend the proposed seven (7) Hetz Junipers for screening of the trash enclosure be replaced with coniferous trees.** (4) Testimony should be provided as to whether compensatory landscaping is proposed (or necessary). It should be noted that tree protection details are provided on the plans for mature vegetation that is salvageable during construction. **The applicant's professionals indicate that testimony will be provided.** (5) Landscaping should be provided to the satisfaction of the Board. **The Board should provide landscaping recommendations, if any.** (6) Landscaping will be reviewed in detail during compliance should approval be granted. **Statement of fact.** (F) **Lighting** (1) The location of the existing pole being moved along the existing access drive must be shown. **The new pole location must be added.** (2) Lighting should be provided to the satisfaction of the Board. **The Board should provide site lighting recommendations, if any.** (3) The concrete for the Pole Foundation Detail shall be Class B. **The concrete footing has been labeled as Class B Concrete. The strength value is incorrect and shall be removed.** (4) Lighting will be reviewed in detail during compliance should approval be granted. **Statement of fact.** (G) **Utilities** (1) Public water and sewer services will be provided by the Lakewood Township Municipal Utilities Authority. Proposed utility connections are shown for the building addition. A separate fire service line is proposed for the building addition. **Statements of fact.** (H) **Signage** (1) No signage information is provided, except for regulatory signage. 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. **Two (2) proposed ground signs have been added to the project, one (1) along Oberlin Avenue South and another within the island created by the drop-off loop in the interior of the site. More detailed information is required.** (I) **Environmental** (1) We recommend that all on-site materials from the proposed demolition activities be removed and disposed in accordance with applicable local and state regulations. **An appropriate note has been added to the plans.** (J) **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. **Review of construction details may be a condition of approval.** (IV) **Regulatory Agency Approvals** Outside agency approvals for this project may include, but are not limited to the following: (a) Lakewood Township MUA (water and sewer service); (b) Ocean County Planning Board; (c) Ocean County Soil Conservation District; and (d) All other required outside agency approvals.

Mr. Abraham Penzer, esq, for the applicant. Exhibit A1 is a master plan, colored. We came before you and we told you that we have come up with a new concept in schooling, we have an existing school, we have been there about 5 years where we have 40,000 square feet and we need more room. What I told my client is instead of coming back is to go for a wish list over 5 years of what the maximum phase out would be. The first phase that we are here tonight for would be a 3 story addition approx 20,000 sq ft per floor. The second phase would be the parking on the bottom of the exhibit that shows where the buses are going to be. We are proud of this because this is the first place that you can see of all the schools that has a staging area for where the buses will pick up the children and in addition to that, we have the parking area. The third phase would be a gymnasium of approx 10,000 sq ft all hopefully to be done in the next 5 years. The only thing that came different over here that I want to address is a surprise that I received from the industrial commission. They came up with certain comments and as the board is aware, they are only an advisory commission and have no jurisdiction this board makes the decisions. I would like to go over some of these parts.

Mr. Timothy P. Lurie, P.E, P.P, C.M.E., was sworn in.

Mr. Penzer stated the first item on their list is to change the entrance. We have been at this entrance for the last 5 years and their suggestion does not work for us at all, we cant do what they are suggesting.

Chairman Neiman stated why can't you do it?

Mr. Lurie stated we are lining up the entrance with Vasser Avenue, this gives us a line of safety and actually controls traffic in the intersection. Their way is on Syracuse and would not work. Also, for our bus travel lane, the buses will come in off of Syracuse and go out onto Vasser, this will separate the buses from the cars.

Chairman Neiman stated I hear what they are saying, that is a busy intersection, but I also hear what you are saying. I see a positive to have a separate entrance for cars and buses.

Mr. Penzer stated the other item they talked about was security. We are watching our children, this is a school that is micromanaged, they also state how accessible would the facility be to an emergency respondent. In event of a catastrophe, my answer would be if it is not Japan and it is not an earthquake, I don't think that is a problem, we have taken care of it. The fire commission has our application and has said nothing. The one thing we did learn from the commission is to check with the FAA to make sure we comply due to the height of the building. The last point that we have already gotten approval on,

waiving the hundred ft setback 251, therefore it's still best on the property and doesn't change anything. In Mr. Vogt's report, Mr. Banas brought up a good point on the first item in regard to the north arrow and that has been taken care of. The other point that Mr. Vogt brought up, which is a valid point, is that we did not have any signs, we will have 2 signs and they will comply so we will not need any variances.

Mr. Laurie stated we have 1 sign at the entrance of Oberlin Avenue. We have one sign over at Syracuse and we also have an interior sign right before you get to the drop off area.

Mr. Penzer stated one of the waivers we are asking for is for no sidewalks because in the industrial park, there are no sidewalks and truthfully we do not want the kids to walk around there, we want them contained on site.

Mr. Laurie stated we calculated the 124 parking spaces off the number of rooms in the existing building plus the 3 story addition, we came up with 124 spots. So in phase one we have 126 spaces total and in phase 2 we add about 38 spaces to bring us to 161 spaces. We have more than enough parking spaces and need no variances.

Mr. Penzer stated the garbage is being picked up by the township.

Mr. Laurie stated there are 2 dumpster sites, 1 by the 3 story addition and we also have one to the west of the proposed gymnasium.

Mr. Franklin stated we would have to check on the size of the dumpsters compared to the number of people to accommodate.

Mr. Penzer said no problem.

Mr. Vogt asked if Mr. Penzer could talk about the proposed drop off area.

Mr. Laurie stated the cars will come in off of Oberlin Avenue and then come around the loop area to drop off at the building and then go park in the parking area. We have an area for the buses to come in off of Syracuse and come right into the dedicated bus parking spots and then come right around and go back out Syracuse.

Mr. Vogt asked what time of day are the drop offs?

Mr. Penzer said the drop offs would be between 8 and 9 am and pick up is between 4 and 5 pm. Mr. Vogt also asked for confirmation that the asphalt to the north of the building would be completely removed during construction and it will be temporarily graded and stabilized.

Mr. Laurie stated that the curb island at the entrance of Oberlin will be removed.

Mr. Laurie stated we have no problem removing the site triangles from going into the existing vegetation.

Mr. Penzer stated in regard to the architectural, there will be an elevator allowing for handicap disability and the HVAC will be on the roof. All the other comments in regard to Mr. Vogt's letter can be met and we agree to all of these items.

Chairman Neiman asked if there were any comments or questions from the board.

Mr. Herzl asked how many children will be attending the school?

Mr. Penzer stated ultimately about 1,000. Over the 5 year phasing.

Chairman Neiman asked if anyone from the public wished to be heard, seeing no one he closed this portion of the application.

Motion to move was made by Mr. Banas, seconded by Mr. Follman

Roll call, Mr. Herzl, yes, Mr. Franklin, yes, Mr. Arecchi, yes, Mrs. Koutsouris, yes, Mr. Banas, yes, Chairman Neiman, yes, Mr. Fink, yes, Mr. Follman, yes, Mr. Percal, yes, Mr. Schmuckler, abstained.

### **3. SP # 1947**

Applicant: Congregation Pri Aharon

Location: East County Line Road, east of Somerset Avenue  
Block 208 Lot 12

Preliminary & Final Major Site Plan for proposed school

### **Project Description**

The applicant is seeking a two (2) phased Preliminary and Final Site Plan approval. Phase One will be for the construction of a one-story school building and associated parking. The existing dwelling towards the front of the site will remain, but the attached garage will be removed to allow access to the proposed school in the rear of the site. Phase Two will consist of the construction of a second story addition to the school building and the removal of the existing dwelling. The site plans and architectural plans indicate the first phase of the proposed school building will include an unimproved basement and a first floor with three (3) classrooms and three (3) offices. As clarified by the applicant's professionals at the March 1, 2010 workshop hearing, The next phase of the project will add a second floor addition which will result in no more than four (4) classrooms when completed. An interior parking area consisting of eight (8) parking spaces, one (1) being van accessible handicapped, and site improvements are also proposed within the property. The project includes a one-way circular driveway with a bus drop-off area. Access to the site is provided from East County Line Road, a County Road. The site is located in the northern portion of the Township on the south side of East County Line Road. The tract consists of an irregular somewhat rectangular shaped lot that totals 33,681 square feet (0.77 acres) in area. The property contains a one and a half story

dwelling and a couple of sheds. Few trees exist on the site. Road widening with curb and sidewalk is proposed across the entire frontage of the project. The proposed project would be serviced by sanitary sewer and potable water. The surrounding land consists of mainly residential uses with some sprinkled in commercial uses. **We have the following comments per review of the revised submission and our initial review letter dated February 22, 2010:** (I) **Zoning** (1) The parcel is located in the R-12 Single-Family Residential District. Single-family detached housing and private schools are permitted uses in the zone. Private schools shall be in accordance with the requirements of Section 18-906 of the UDO. **Fact.** (2) Per review of the Site Plan and the zone requirements, the following relief is required for proposed project: (a) In accordance with Section 18-906A of the UDO, a twenty foot (20') wide perimeter landscape buffer is required from residential uses and zones. The buffer is not being provided along the side property lines. The applicant is providing some combinations of six foot (6') high solid vinyl fencing and landscaping in both side yard areas to compensate for the necessary buffer. A partial design waiver is necessary. **Fact.** (3) The architectural plans indicate that three (3) classrooms and three (3) offices are proposed for the first phase of the facility. As stated above, a total of four (4) classrooms will be provided at the end of the project. A note has been added to the plans indicating that there will be a maximum of eight (8) offices and classrooms (total), for which eight (8) parking spaces are provided. Parking shall be provided to the satisfaction of the Board. (4) The applicant must address the positive and negative criteria in support of any required variances. **Per previous communications, no variances are requested at this time.** (II) **Review Comments (A) Site Plan/Circulation/Parking** (1) The Area Map on the Cover Sheet is upside down and needs to be rotated. The project site is actually on the south side of East County Line Road, west of Somerset Avenue. Zone Boundary Lines should also be added to the Area Map. **Fact.** (2) The General Notes state the Outbound and Topographic Survey have been prepared by Charles Surmonte, P.E. & P.L.S. A Topographic Survey has been included within the plan set. An Outbound Survey must also be provided. The wire fence encroachment shown along the south part of the east side line must be addressed. **Fact.** (3) Based on the configuration of the proposed parking lot and driveways, access through the site will be clockwise in a one-way direction with the entrance on the east side of the site and the exit on the west side of the lot. A vehicular circulation plan for a bus has been included on the Geometric Plan. **Fact.** (4) The General Notes indicate that all students will be bused, and no students will be permitted drive to and from school. The proposed grades for the school shall be from ninth through twelfth. The hours of operation will be Monday through Friday and Sunday from 7:30 AM to 9:00 PM. The total number of students projected is between sixty (60) and one hundred (100). **Fact.** (5) A one-way bus drop off area is within the proposed parking area. Testimony should be provided on proposed conflicting vehicular movements from the proposed parking spaces, bus drop off area, refuse collection, and deliveries. **Testimony should be provided at the public hearing.** (6) Testimony is necessary from the applicant's professionals regarding how the proposed bus drop off area will be used, including but not limited to times, sizes, and types of vehicles anticipated (i.e., buses, vans, cars, others). **Testimony should be provided at the public hearing.** (7) Sidewalk and curbing, along with road widening

is proposed across the frontage of the site. In accordance with our 2/9/11 site inspection, we note that no sidewalk and curbing exist along East County Line Road in front of the site or on the adjacent properties. A more detailed road widening design is required, including the relocation of existing facilities. **The revised plans provide a more detailed widening plan, including additional paving from the edge of East County Line Road into the proposed access drives. Additional paving work within the ROW as proposed is subject to County review, and will need to address impacts on the existing driveway and apron of adjacent Lot 5 and relocation of utilities, at a minimum. This issue can be addressed during compliance if/when approval is granted (and upon county review).** (8) A proposed refuse enclosure is depicted on the eastern side of the property. 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 area shall be screened and designed in accordance with Section 18-809.E. of the UDO. **Fact. A 6' high white vinyl trash enclosure fence and 4'-5' high Schip Laurel (a dense evergreen shrub) are proposed between the rear of the enclosure and the property line.** (9) The Schedule of Bulk Requirements shows that no variances will be required. Proposed building access points have been added to the site plans, and discrepancies between the site plans (building footprint) and architectural drawings addressed. **Fact.** (10) The location of the proposed sidewalk along East County Line Road encroaches on the property. Therefore, a sidewalk easement is necessary along the front property line. **Fact.** (11) A sight triangle easement is proposed at the exit drive. The easement shall be dedicated to the County of Ocean since East County Line Road is a County Road. **The final easement is subject to County review** (12) Parking must be addressed for the existing dwelling to remain during the first phase of the project. **Fact. Testimony should be provided regarding maintaining dwelling access during construction.** (13) Six foot (6') high decorative vinyl fencing is proposed for the west side of the property from the front yard setback to the rear yard setback limits. **Fact.** (14) Fencing is also proposed for a portion of the east side of the property. Testimony should be provided regarding the proposed fencing limits along the east side line. It is not clear whether a proposed dimension along the east property line is for the fence location. **Confirming testimony regarding the proposed fence limits should be provided.** (B) **Architectural** (1) Preliminary architectural plans have been provided for the proposed school. The plan sheet includes floor plans and elevations. After complete build out, the proposed building includes two (2) floors and an unfinished basement. The proposed building height must be confirmed by the architect. The allowable building height is thirty-five feet (35'). **Testimony should be provided.** (2) The elevations show an attic floor is proposed above the second story of the building. However, the proposed height of the attic seems too low to be useable for anything more than storage. Testimony should be provided on the proposed attic. **Fact.** (3) Testimony is required on ADA accessibility. It appears only the first floor is accessible. **Testimony should be provided.** (4) The proposed basement floor will be eleven feet (11') below the first floor level and six feet, four inches (6'-4") below finished grade. Seasonal high water table information has been provided to substantiate the proposed basement floor elevation. **Fact.** (5) Water and sewer connections are shown for the proposed school building. Testimony should be

provided as to whether the proposed building will include a sprinkler system. **Testimony should be provided.**

(6) We recommend that the location of proposed air conditioning equipment be shown. Said equipment should be adequately screened. **Fact.** (7) We recommend that color renderings of the building be provided for the Board's use at the forthcoming public hearing for the application. **Fact.** (C) **Grading** (1) Per review of the proposed grading plan, the design concept is feasible. However, corrections to the proposed elevations and proposed contours are required to complete the grading design. Proposed elevations must be provided at control points, such as building access points and landings. Final grading can be addressed during compliance review if/when approval is granted. **Fact.** (3) Per review of the existing elevations and per review of site conditions during our 2/9/11 site inspection, on-site grades generally slope to the south. **Fact.** (4) The proposed grading traps runoff on the adjoining property to the west. The proposed grading for the rear yard is also very flat. We recommend the cleanouts proposed for the roof drainage is replaced with yard inlets set low enough to alleviate these problems. **Drainage revisions were made in this area including two (2) proposed yard drains as previously recommended. A final review of grading and drainage will occur during compliance if/when approval is granted.** (5) The architectural plans indicate a four foot, eight inch (4'-8") elevation difference between the proposed first floor and finished grade. This elevation difference is reflected on the site plans. **Fact.** (6) A soil boring location is indicated on the drawings. Based on the soil log provided, the proposed basement floor elevation of 54.00 shown on the site plan is greater than two feet (2') above the seasonal high water table elevation of 50.8. **Fact.** (D) **Storm Water Management** (1) A proposed storm water management system has been designed to convey storm water runoff into a proposed underground recharge system. The proposed underground recharge system is located under the parking area. The proposed system consists of a network of thirty inch (30") perforated polyethylene (P.E.) pipe in a rectangular stone bed. As indicated in the Storm Water Management Report, new impervious area will be more than 0.25 acres. Revisions to the storm water calculations will be required during compliance review (if approved) to demonstrate that the proposed storm water management system is adequately-sized to meet the required quantity reductions and water quality requirements. **Fact.** (2) A storm water collection system for the roof of the proposed school building is provided. We recommend cleanouts be added at the bends and yard inlets replace the terminal cleanouts to alleviate trapped runoff. **Revisions were made as requested, and will be reviewed in detail during compliance if/when approval is granted.** (3) The revised storm water management design for the project (including additional collection piping) is generally well-designed, including additional collection basins proposed in the rear yard area as previously recommended. As indicated in the revised stormwater report, net (additional) impervious coverage is less than 0.25 acres; therefore this project is not "major development" as defined in the NJ Stormwater Rule. Therefore, the stormwater design as proposed exceeds applicable minimum standards. (4) Per the revised report, the applicant will maintain the proposed system. (5) A final review of the stormwater design will occur during compliance if/when approval is granted. (E) **Landscaping** (1) A dedicated Landscaping Plan is provided with the submission;

proposed landscaping is depicted on Sheet 5 of the plans. **Fact.** (2) A six foot (6') wide shade tree and utility easement is not proposed across the frontage of the property because the proposed sight triangle easement encompasses virtually all of this area. The Board should grant a waiver from providing the shade tree easement. **Fact.** (3) Landscaping should be provided to the satisfaction of the Board. **Fact.** (4) Landscaping will be reviewed in detail during compliance should approval be granted. **Fact.** (F) **Lighting** (1) A dedicated Lighting Plan is provided with the submission; proposed lighting is depicted on Sheet 6 of the plans. **Fact.** (2) The Lighting Plan proposes three (3) fourteen foot (14') high pole mounted lights and three (3) bollard lights. The proposed bollard lighting is too weak to adequately illuminate the area in front of the building. Additional proposed lighting is required. **Fact.** (4) Lighting should be provided to the satisfaction of the Board. **Fact.** (5) Lighting will be reviewed in detail during compliance should approval be granted. **Fact.** (G) **Utilities** (1) The plans indicate the site will be served by public water and sewer. Water service to the proposed school building from the north side of East County Line Road is depicted on the plan. A proposed sanitary sewer lateral for the new school is indicated from the building and connects to an existing main in the center of East County Line Road. **Fact.** (2) Approvals will be required from the New Jersey American Water Company for water and sewer since the project is within their franchise area. **Fact.** (H) **Signage** (1) No signage information is provided. **Fact.** (2) All signage proposed that is not reviewed and approved as part of this site plan application, if any, shall comply with Township ordinance. **Fact.** (I) **Environmental** (1) To assess the site for environmental concerns, our office performed a limited natural resources search of the property and surroundings using NJ Department of Environmental Protection (NJDEP) Geographic Information Mapping (GIS) system data, including review of aerial photography and various environmental constraints data assembled and published by the NJDEP. Data layers were reviewed to evaluate potential environmental issues associated with development of this property. No environmentally-sensitive areas exist per available mapping. **Fact.**(2) Testimony should be provided by the applicant's professionals as to whether there are any known areas of environmental concern (i.e. fuel tanks, fuel spills, etc.) that exist within the property. **Fact.** (3) We recommend that all on-site materials from the proposed demolition activities be removed and disposed in accordance with applicable local and state regulations. **Fact.** (J) **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 comprehensive review of construction details will occur during compliance; if/when this application is approved. **Fact.** (III) **Regulatory Agency Approvals** Outside agency approvals for this project may include, but are not limited to the following: (a) Ocean County Planning Board; (b) Ocean County Soil Conservation District; (c) NJAW (water and sewer service); and (d) All other required outside agency approvals.

Mrs. Miriam Weinstein, esq, on behalf of the applicant. I would just like to recap a little bit of what was put onto record at the technical meeting. This application is set up in phases with phase 1 to consist of construction of the lower level into 3 classrooms and

then the second phase in which the 2<sup>nd</sup> floor will be finished off. Just to clarify the applicant does intend to construct a 2 story building from the get go as it will be much more cost affective to construct the structure all at one time, however the 2<sup>nd</sup> floor is going to remain raw until the second phase of this project which we anticipate will be in 2 years time. This is a boys high school and there will never be more than 4 classes, at present there are 36 boys in this school in 2 classes, next year there will be a total of 60 boys. The first phase the house that is presently on the property will remain to house a caretaker for the property. The adjacent land owner had requested that the applicant erect an 8 ft vinyl fence along the western side of the property, rather than the 6 ft fence that was discussed at the tech meeting. The applicant has no problem with this request as long as it meets with board approval.

Mr. Banas asked how sturdy is a vinyl fence?

Mr. Franklin stated an 8 ft vinyl fence is very sturdy.

Mr. Charles Surmonte, P.E., was sworn in.

Mrs. Weinstein states that most of the concerns in Mr. Vogt's letter were addressed already at the tech meeting. I do note in the revised letter that testimony be provided regarding the circulation of the busing.

Mr. Surmonte stated they do not anticipate any more than 2 buses on the site and any one time, given the amount of students. It has been designed so that the 2 buses can almost line up parallel to the building and that will leave enough room to get in behind the buses to the parking stalls. So whoever needs to circulate the site can do so. The 8 ft fence will go from the rear of the property to the front yard setback.

Mr. Banas asked how will the buses be aligned in the area?

Mr. Surmonte stated the buses will be one behind the other, not next to each other.

Mr. Banas stated there may be a safety problem if the buses are one behind the other. Kids are kids and they will run.

Mrs. Weinstein stated these are high school kids, and although safety is an issue, the bus situation will be fine. If we could mark the exhibits, A1 is a colorized site plan and A2 is a rendering.

Chairman Neiman asked if there were any questions from the board members, seeing no one is opened this portion of the meeting to the public, seeing no one he closed to the public.

Motion to move was made by Mr. Percal, seconded by Mr. Fink.

Roll call, Mr. Herzl, yes, Mr. Franklin, yes, Mr. Arecchi, yes, Mrs. Koutsouris, yes, Mr. Banas, yes, Chairman Neiman, yes, Mr. Fink, yes, Mr. Follman, yes, Mr. Percal, yes, Mr. Schmuckler, abstained

#### **4. SP # 1945**

Applicant: Congregation Stolin Karlin  
Location: East Seventh Street & Cornelius Street  
Block 231 Lots 21 & 22  
Preliminary & Final Major Site Plan for proposed synagogue

### Project Description

The applicant is seeking Preliminary and Final Site Plan approval for the construction of a two-story synagogue, which includes an improved basement, within a 4,072 square foot footprint. The architectural plans indicate the proposed synagogue will contain 1,995 square feet of main sanctuary area. An interior parking area and a perpendicular row of parking consisting of twenty-two (22) parking spaces, one (1) being van accessible handicapped, and site improvements are also proposed for the site. A two-way access drive to the property is provided from Cornelius Street. An exit only drive from the property is proposed along East Seventh Street. **We have the following comments and recommendations per testimony provided at the 3/1/11 Planning Board Plan Review Meeting and comments from our initial review letter dated February 24, 2011:** (I) **Zoning** (1) The parcel is located in the R-7.5 Single-Family Residential District. Places of worship are a permitted use in the zone, subject to the provisions of Section 18-905. **Statements of fact.** (2) No variances or waivers have been requested or appear necessary from our review of the plans and application. **Statement of fact.** (3) 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) The status of the existing fence shown on the Boundary and Topographic Survey, which crosses the property lines between Lots 22 and 23, must be addressed on the site plan. **The applicant's professionals indicate that even though the existing fence encroaches onto the property by 0.8', it will not hinder the construction of the proposed six foot (6') high privacy fence.** (2) Existing sidewalk and curb will be removed for the proposed driveway area on East Seventh Street, and new curbs and handicapped ramps will be installed to cross the proposed pavement. An existing driveway apron on East Seventh Street should be removed and the depressed curb replaced with full height curb. A new code compliant handicapped ramp is required at the intersection of East Seventh Street and Cornelius Street. **The existing driveway apron on East Seventh Street is being removed and the depressed curb being replaced with full height curb. New curbs and handicapped ramps are proposed at all pavement crossings.** (3) Curb and sidewalk are proposed for the Cornelius Street frontage of the project. Sidewalk must be proposed across the entire frontage except where pavement is proposed for the parking spaces and access driveway. Curb ramps shall be provided at all pavement crossings. Proposed sidewalk locations should be dimensioned. **A curb ramp must still be added at the northern edge of the project. Dimensions are**

**required between the proposed sidewalk and property line, as well as the proposed sidewalk and curb line.** (4) The applicant's professionals indicate the congregation proposes to use curbside pickup by the Township. A proposed 4' X 16' concrete pad for trash can storage is depicted on the plans along the west wall of the building. The first floor building projection should be high enough to allow for trash and recyclable storage to fit below. **The proposed location of the trash can storage area has been coordinated with the building footprint.** (5) AASHTO lines of sight for sight triangle easements are shown for the exit drive on East Seventh Street and the intersection of Cornelius Street with East Seventh Street. However, a sight triangle easement is not proposed for the access drive on Cornelius Street. A 25' X 25' sight triangle is not being provided at the intersecting streets. Survey data and testimony shall be provided for sight triangle easements. Descriptions will need to be reviewed before filing any proposed easements with the County. **All sight triangles should be provided during compliance review if approved.** (6) Testimony should be provided regarding the proposed traffic circulation pattern. **Testimony is required on proposed traffic circulation.** (7) Proposed six foot (6') wide shade tree and utility easements shall be added to the site plan and labeled along with providing bearings, distances, and areas. Descriptions will need to be reviewed before filing the proposed easements with the County. **The proposed easements have been added and the required information must be completed.** (8) The site plan calls out a bituminous parking area with an underground storm water recharge system. However, no design information has been provided for the recharge system. **Recharge areas have been designed to address inadequacies of existing grading that dictate measures be installed to allow proper management of runoff.** (B) **Architectural** (1) The proposed building square footage needs to be corrected. The proposed square footage of the first floor is greater than the basement because of the building projections, yet the square footages are listed to be equal. **Either the proposed first floor and/or the proposed basement square footage require correction.** (2) The basement floor elevation has been set to provide at least a two foot (2') separation from the seasonal high water table shown on the soil log taken within the proposed building footprint. **The proposed basement floor elevation has been lowered, but is still at least two feet (2') above the seasonal high water table shown on the soil log taken within the proposed building footprint.** (3) Testimony is required on ADA accessibility. It appears only the first floor is accessible. **Testimony should be provided on ADA accessibility.** (4) Testimony should be provided as to whether the proposed synagogue will include a sprinkler system. **Testimony should be provided on fire safety.** (5) The disposition of storm water from the proposed roof of the building must be addressed. **Storm water from the proposed roof of the building will be piped to a proposed underground recharge system.** (C) **Grading** (1) Grading information is provided on Sheet 3 of the Site Plans. Coordination of proposed elevations is required between the architectural drawings and site plans to evaluate the grading. Corrected proposed elevations must be provided at control points, such as building corners, access points, and landings. **Additional proposed elevations have been added. However, a final grading review will be required during compliance.** (2) The architectural plans indicate a three foot six inch (3'-6") elevation difference

between the proposed first floor and finished grade. This elevation difference is not reflected on the site plans. Revisions are required and the plans must be coordinated. ***The applicant's professionals indicate the proposed grade differential is not firm. However, revisions to the access point elevations must be coordinated between the architectural plans and site plans during compliance.*** (3) Soil log locations are indicated on the drawings. Based on the soil log provided within the building footprint, the proposed basement floor elevation of 95.67 shown on the site plan is greater than two feet (2') above the seasonal high water table elevation of 92.5. The other soil log location is inaccurately shown within the footprint of an existing dwelling to be removed. ***The proposed basement floor elevation has been lowered to 94.97 which is still greater than two feet (2') above the seasonal high water table. The soil log location shown within the footprint of the existing dwelling has been corrected to outside the footprint.*** (4) A road widening design for Cornelius Street is required which also addresses proposed grading and the disposition of storm water runoff. ***Proposed grading and drainage has been added to Cornelius Street.*** (5) All of the above items can be addressed during compliance review should approval be granted. ***Statement of fact.*** (D) ***Storm Water Management*** (1) The increase in impervious coverage has been calculated at less than a quarter acre to determine that the project is not major development per NJAC 7:8. However, runoff from the proposed project is being directed to the existing streets in front of the site with no information on the final disposition of storm water runoff. We recommend the applicant's engineer contact our office for mitigating potential drainage impacts. ***Based upon limitations imposed by existing conditions, measures to promote recharge to groundwater of collected runoff is required in connection with the project. Two (2) separate recharge systems are proposed as depicted on the plans. One system will collect and recharge runoff from the building roof. This proposed on-site system will be owned and operated by the congregation. The other proposed system will collect and recharge runoff within Cornelius Street since existing topography does not provide for adequate disposition of runoff away from the project site. This proposed system will be owned and operated by the Township since it will be within the right-of-way of Cornelius Street. Justification of the permeability rates used for the proposed recharge systems must be supplied during compliance, if approved.*** (E) ***Landscaping and Lighting*** (1) Landscaping should be provided to the satisfaction of the Board. ***The Board should provide landscaping recommendations, if any.*** (2) Landscaping shall be reviewed in detail during compliance should site plan approval be granted. ***Statement of fact.*** (3) Shielding shall be provided to prevent light spillage onto adjoining properties. ***The applicant's professionals indicate that shielding will be provided to prevent light spillage onto adjoining properties.*** (4) Lighting should be provided to the satisfaction of the Board. ***The Board should provide lighting recommendations, if any.*** (5) Lighting shall be reviewed in detail during compliance should site plan approval be granted. ***Statement of fact.*** (F) ***Utilities*** (1) The applicant must receive necessary approvals from New Jersey American Water since the project is within their franchise area. ***The applicant's professionals indicate water and sewer services will be coordinated with NJAW.*** (G) ***Signage*** (1) 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. ***The applicant's professionals indicate that there is no ground mounted or free standing signage proposed for the project. Any proposed building mounted signage will conform to Ordinance requirements.*** (H) **Environmental** (1) We recommend that all on-site materials from the proposed demolition activities be removed and disposed in accordance with applicable local and state regulations. ***A note should be added to the plans during compliance revisions.*** (I) **Construction Details** (1) All proposed construction details must comply with applicable Township and/or applicable standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete @ 4,500 psi. ***Final review of construction details will be conducted during compliance submission.*** (III) **Regulatory Agency Approvals** Outside agency approvals for this project may include, but are not limited to the following: (a) Ocean County Planning Board; (b) Ocean County Soil Conservation District; (c) New Jersey American Water prior to occupancy; and (d) All other required outside agency approvals.

Mr. Samuel Brown, esq, for the applicant. Would like to have MacFarlane sworn in.

Mr. Graham MacFarlane, P.E., was sworn in.

Mr. Brown stated the general application speaks for itself, the applicant has taken pain to provide additional parking on this site. On the Cornelius Street side of the site. This is an application that has no variances associated with it. It is a permitted use within the zone. We have discussed the matter with the neighbors and the only items that need to be brought to your attention are a few improvements we will be making to the site.

Mr. MacFarlane stated the application is for a construction of a new shul located on east 7<sup>th</sup> street and Cornelius street, as shown on the site plan. The application requires the construction of 20 parking spaces in accordance with ordinance requirement for a main sanctuary of 1,995 sq ft. All of the spaces are located entirely on the site access will be provided by a 2 way drive way off of Cornelius street. And also an exit drive way out to east 7<sup>th</sup> street. There are an additional 7 spaces on Cornelius street pursuant to some input we have had from the neighbors we are going to make a slight change to the parking on Cornelius street. We will be moving them closer to east 7<sup>th</sup> street. We believe this will alleviate some of their concerns. We believe that this plan is the most appropriate plan for the arrangement. Cornelius street is a dead end street and we feel that this parking will alleviate members from having to make a K turn on Cornelius street. The applicant is fully conforming and not seeking any waivers and will abide by the technical comments as outlined in Mr. Vogt's letter. The handicap space that was proposed for the middle of the parking spaces, we will move to the end of the parking area pursuant to the neighbors input.

Mr. Franklin stated that by law it needs to be the closest space to the building.

Mr. MacFarlane stated it is the closest space because the handicap access is in the rear of the building.

Mr. Brown stated he intended to recommend to the township committee that the opposite side of the street be marked no parking. He asked for confirmation that the board would approve of this also.

Chairman Neiman stated that would be a good idea. He also asked are there sidewalks on the opposite side of Cornelius street?

Mr. MacFarlane stated there is no sidewalk opposite the property.

Mr. MacFarlane entered exhibit A1, an aerial view of the property showing there are no sidewalks across from the property.

Mr. Banas asked are there any buildings facing Cornelius street from the east?

Mr. MacFarlane said there is a corner lot fronting on east 7<sup>th</sup> street, nothing on Cornelius.

Mr. Banas stated it is difficult to understand how you can ask for no parking on that side of the street where there is no development.

Mr. Brown stated it is only a request and the township can do as it sees fit.

Mr. Banas asked what size are the lots on the undeveloped side?

Mr. MacFarlane stated the lot across the street, lot 17, is 50 by 150. So that is 7500 sq ft.

Chairman Neiman asked could the drive way on Cornelius be one way in and the traffic exit on east 7<sup>th</sup> street?

Mr. MacFarlane stated the geometric requirements, the drive way width would still have to be 24 ft so it would be very difficult and impractical to enforce but it could certainly be done. He then stated he would like the board to refer to the landscaping and tree protection plan that was prepared as exhibit A2. The plan shows the landscaping that is proposed in connection with the project as well as the privacy fencing that goes along the north property line and the west property line in accordance with ordinance requirements.

Mr. Keilt stated there are comments from the Shade tree commission that he will be giving to the applicant and ask them to take them into consideration for when they return the plans for compliance. These comments came in very late and they have not had time to look at them.

Mr. Brown stated looking at the comments he feels there is nothing that they can be compliant with.

Mr. Arecchi stated he did not see anything indicated for trash.

Mr. MacFarlane said on the left side of the building there is a 4 by 15 concrete pad for trash cans. The cans will be stored outside the building and wheeled to the curb on trash pick up day.

Mr. Percal stated he would suggest to the applicant before they go to the board about the new parking they should check with the new neighbors if they would like their lots

included in the no parking for their lots. If I had a shul coming in my block and I had adequate space in my drive way for my car or other cars I would tell you please include my lot in the no parking.

Mr. Brown stated in this case the lots are somewhat small so many of the residence find themselves parking where parking extra cars on the street. So no parking on the block would be a draconian impact on the residents.

Chairman Neiman opens this portion to the public.

Mr. Swadron is sworn in. He states that he thinks the point about the sidewalk across the street I don't think that should wait until it is done on the other side of the street because the kids are walking back and forth and people are backing up into the street and people will be backing up into the kids and it's a safety concern.

Chairman Neiman asked if across from the head on parking, there are no sidewalks? Are there any homes there currently? Mr. Swadron says yes. And then chairman Neiman asks if he can see from which lots are they coming from. Mr. Swodron points out on Exhibit 1 where the children are coming from

Chairman Neiman asks Mr. Brown to maybe take on part of the expense of putting in a sidewalk on that side.

Mr. Brown stated we are making an improvement with the sidewalks on one side of the street.

Chairman Neiman stated he would move it to the other side of the street.

Mr. Macfarlane stated we are here with an application to improve the site and we must be practical. We could request that these parking spaces be accessed by backing into the spaces so when they are exited they have to exit forward.

Mrs. Koutsouris agreed because when she lived in Queens there would be spaces that were angled and you would have to back in a certain way. She believes maybe if you angle them then they kind of have to back into them.

Chairman Neiman stated that he sees about 150 feet of sidewalk where it is not necessary for the project and asks the applicant if they can move the 150 feet to the other side of the street.

Mr. Brown stated you cannot but we will do it anyway. The client agrees as long as the homeowner is okay with it then we can put sidewalk so the children have a place to walk. But we do not know the homeowner and do not know if they will allow. But if it is within the public right of way then it works.

Chairman Neiman asks if Mr. Swodron has anymore questions.

Mr. Swodron did not.

Chairman Neiman closes to the public and asks for motion.

Motion made by Mr. Follman to approve with the specified parking, and seconded by Mr. Schmuckler.

Roll call, Mr. Herzl, yes, Mr. Franklin, yes, Mr. Arecchi, yes, Mrs. Koutsouris, yes, Mr. Banas, yes, Chairman Neiman, yes, Mr. Fink, yes, Mr. Follman, yes, Mr. Percal, yes, Mr. Schmuckler, yes.

**5. SP # 1946**

Applicant: Knesset Yisrael

Location: Cedar Street, south of Pine Street  
Block 777 Lot 8

Preliminary & Final Major Site Plan for proposed synagogue

**Project Description**

The applicant is seeking Preliminary and Final Site Plan approval for the construction of a two-story synagogue, which includes an exposed basement and a parking lot. The revised site plans indicate the proposed synagogue will contain 1,833 square feet of main sanctuary area. An interior parking area consisting of seventeen (17) parking spaces, one (1) being van accessible handicapped, and site improvements are also proposed within the property. Access to the site is provided from Cedar Street. ***We have the following comments and recommendations per testimony provided at the 3/1/11 Planning Board Plan Review Meeting and comments from our initial review letter dated February 23, 2011:*** (1) **Zoning** (1) The parcel is located in the R-10 Single-Family Residential District. Places of worship are a permitted use in the zone, subject to the provisions of Section 18-905. **Statements of fact.** (2) A variance is required for Maximum Building Coverage. A maximum building coverage of twenty-five percent (25%) is allowed. The proposed basic building of 50' X 75' contains three thousand seven hundred fifty square feet (3,750 SF), which is twenty-five percent (25%) of the fifteen thousand square foot (15,000) lot area. However, the covered access stoop and first floor projections cause the allowable building coverage to be exceeded. The actual building coverage should be provided, and variance requested. **The requirement for the Maximum Building Coverage variance of twenty-seven percent (27%) has been added to the Zoning Table. The Board shall take action on the required variance.** (3) According to Section 18-905 A. 2, relief is required for parking areas located closer than five feet (5') to any side property lines that are adjacent to residential zoned properties. The proposed parking area is two feet (2') from the side lot lines. A six foot (6') high vinyl fence is proposed along the front portion of the north side line of the project. **The Board shall take action on the relief required for parking areas located closer than five feet (5') to side property lines.** (4)

According to Section 18-905 B. 1. Perimeter Buffer: For properties adjacent to residential properties, if the site leaves a twenty foot (20') undisturbed area then there is no requirements for buffering. If the twenty foot (20') buffer is invaded or disturbed than requirements indicated in Section 18-905 B. 3 shall be put in place along the invaded area. A six foot (6') high vinyl fence is proposed along the front portion of the north side line of the project. **The Board shall take action on the relief required from providing the perimeter buffer.** (5) The Board shall take action on whether to accept an 8.5' wide easement for road widening purposes as opposed to a right-of-way dedication. Whatever the Board approves will require a description for review prior to filing with the County. **Board action is required on the proposed road widening easement.** (6) The applicant must address the positive and negative criteria in support of the required variance and justify relief where necessary. **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) General Note #5 indicates "Boundary and topography taken from survey by Charles Surmonte dated 12-10-09". A map entitled "Topographic Survey of Property, Lot 8, Block 777, Lakewood Township, Ocean County, New Jersey" consisting of one (1) sheet dated 12-31-09 prepared by Charles Surmonte P.E. & P.L.S., has been submitted. Coordination of the Survey data should be completed. **General Note #5 shall be revised to reference the new survey provided which is dated 3-02-11.** (2) As indicated previously, a seventeen (17) space parking lot with one (1) van accessible handicapped space is being provided for the proposed synagogue. The net sanctuary area must be coordinated between the site plans and architectural plans. The 7.5 required spaces shown on the site plans should also be corrected. **The net sanctuary area has been coordinated between the site plans and architectural plans. However, we interpret the correct number of required parking spaces to be eleven (11) and the plans must be revised.** (3) Testimony is required for the configuration of the proposed parking lot and driveways. Vehicles entering the site will be from a two-way driveway aisle with perpendicular parking on both sides. The proposed parking stalls to the north of the two-way aisle are double stacked. This requires vehicles to fill the northern most rows of spaces first and exit the site from a single one-way driveway. Do Not Enter signs are required for the exit driveway. **The testimony from the Plan Review Meeting should be reiterated at the Public Hearing. Do Not Enter signs have been added for the exit driveway.** (4) Sight triangle easements are proposed at the exit drives. Survey data and a description will be required for review prior to filing with the County. **The applicant's professionals have agreed to provide survey data and descriptions during compliance review should approval be granted.** (5) A proposed six foot (6') wide shade tree and utility easement dedicated to the Township is proposed across the frontage of the property, behind the proposed road widening easement. A description will be required for review prior to filing with the County. **The applicant's professionals have agreed to provide the description for review during compliance if approval is granted.** (6) Revisions are required for the Site Plans to match with the Architectural Plans for the proposed building. **The Engineering and Architectural Plans will be reviewed for**

**coordination during compliance should approval be granted.** (7) The plans show a wetlands line taken from a map entitled "Freshwater Wetlands Map, Block 777, Lot 8, Lakewood Township, Ocean County, New Jersey", prepared by Trident Environmental Consultants, dated 7-1-09. A copy of this map must be provided along with any Letter of Interpretation obtained. **The new survey by Charles Surmonte includes the flagged and surveyed wetlands line. As testified to at the Plan Review Meeting, a Letter of Interpretation is pending.** (8) A Buffer Line offset by fifty feet (50') from associated off-site wetlands is shown crossing the rear edge of the property. Survey data is required for this buffer line to insure there will be no encroachment from proposed improvements. **A fifty foot (50') transition area is shown, part of which has accompanying survey data. Survey data shall be added to the buffer line crossing the southwest corner of the property.** (B) **Architectural** (1) A useable sanctuary space of one thousand seven hundred forty square feet (1,740 SF) is shown for the proposed building. This figure should be coordinated with the site plan. Dimensions are required on the floor plan to confirm the proposed sanctuary space since it impacts the number of required off-street parking spaces. **The usable sanctuary floor area has been revised to 1,833 square feet and coordinated with the site plan.** (2) Testimony is required on ADA accessibility. It appears only the first floor of the proposed building is accessible. **The applicant's professionals indicate that testimony will be provided on ADA accessibility.** (3) Testimony should be provided as to whether the proposed synagogue will include a sprinkler system. **The applicant's professionals indicate that testimony will be provided on whether a sprinkler system will be provided.** (4) The location of proposed air conditioning equipment is shown on the site plan. Said equipment should be adequately screened. **Screening has not been provided on the revised site plan and is recommended.** (5) Proposed roof leaders must be added to the drawings since the storm water management narrative states that the roof leaders will be provided with stabilization measures to prevent erosion from the roof drains. **Final design of the roof leaders has not been completed, but can be addressed during compliance review should approval be given.** (6) We recommend that color renderings of the building be provided for the Board's use at the forthcoming public hearing for the application. **The applicant's professionals indicate that color renderings will be prepared for the Public Hearing.** (C) **Grading**

(1) Grading information is provided on Sheet 2 of the Site Plans. Coordination of proposed elevations is required between the architectural drawings and site plans to evaluate the grading. Proposed elevations should be provided at control points such as building access points and landings. **Additional grading information has been provided. Final grading review will be conducted during compliance should approval be given.** (2) The architectural plans generally indicate a nine foot (9') elevation difference between the proposed first floor and finished grade. This elevation difference is not reflected on the site plans. Revisions are required and the plans must be coordinated. **The engineering and architectural plans must be coordinated during compliance review should approval be granted.** (3) The gutter in front of the site traps runoff. However, there is not enough surrounding topography to recommend a solution. **Additional survey data has been provided with the new Outbound and Topographic Survey. The road**

**reconstruction design proposed must be revised to create a high point in the gutter in front of the site and be extended enough to provide positive gutter flow in both directions. This matter may be addressed during compliance review should approval be granted.**

**(D) Storm Water Management** (1) The increase in impervious coverage has been calculated at less than a quarter acre to determine that the project is not major development per NJAC 7:8. Therefore, no on-site storm water management system has been proposed. However, runoff from the proposed parking lot is being directed to the existing street in front of the site which appears to be an existing low point per the topography. Perhaps the site can be graded to direct runoff to the rear of the property and into the wetlands. **The applicant's engineer has indicated that testimony will be provided on storm water management.** (2) We recommend meeting with the applicant's engineer prior to the public hearing to address storm water concerns. **A meeting should still be undertaken prior to compliance revisions should approval be granted.**

**(E) Landscaping and Lighting** (1) Landscaping should be provided to the satisfaction of the Board. **The Board should provide landscaping recommendations, if any.** (2) Landscaping shall be reviewed in detail during compliance should site plan approval be granted. **Statement of fact.** (3) The Lighting design only shows one (1), sixteen foot (16') high pole mounted light in the proposed parking lot. Testimony should be provided on the adequacy of the proposed site lighting. Additional information is necessary including shielding. The photometric pattern on the site plan needs to match the 0.5 foot candle contour shown on the detail. **The applicant's engineer indicates that testimony will be provided on site lighting.** (4) Lighting should be provided to the satisfaction of the Board. **The Board should provide site lighting recommendations, if any.** (5) Lighting shall be reviewed in detail during compliance should site plan approval be granted. **Statement of fact.**

**(F) Utilities** (1) The plans indicate the site is served by public water and sewer. A proposed water service to the proposed building is shown from a water meter behind the curb in Cedar Street as depicted on the plan. A proposed sanitary sewer connection for the new building is indicated to an existing main shown in the approximate centerline of Cedar Street. **Statements of fact.**

**(G) Signage** (1) No signage information is provided other than traffic signage. 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. **The applicant's professionals indicate the only signage proposed is the building mounted signage and all signage will be in compliance with the UDO. However, no building mounted signage is shown.**

**(H) Environmental** (1) To assess the site for environmental concerns, our office performed a limited natural resources search of the property and surroundings using NJ Department of Environmental Protection (NJDEP) Geographic Information Mapping (GIS) system data, including review of aerial photography and various environmental constraints data assembled and published by the NJDEP. The data layers were reviewed to evaluate potential environmental issues associated with development of this property. Other than wetlands, no areas of concern are mapped. **An NJDEP Letter of Interpretation/Absence is pending.**

**(I) Construction Details** (1) All proposed construction details must comply with applicable Township and/or applicable standards unless specific relief is requested in the current application (and

justification for relief). Details shall be site specific, and use a minimum of Class B concrete @ 4,500 psi. ***Final review of construction details will be conducted during compliance submission should approval be granted.*** (III) **Regulatory Agency Approval** Outside agency approvals for this project may include, but are not limited to the following: (a) Ocean County Planning Board; (b) Ocean County Soil Conservation District; (c) NJDEP Letter of Interpretation/Absence; and (d) All other required outside agency approvals. New Jersey American Water will be responsible for constructing potable water and sanitary sewer facilities.

Mr. Samuel Brown on behalf of the applicant. There are a few minor matters that need to be addressed by waiver and one variance. There is a overhang on the 2<sup>nd</sup> floor.

Mr. Lines P. E. was sworn in.

Mr. Brown asks if there is anything from Mr. Vogt's letter that they cannot comply with?

Mr. Lines replied no, we can comply with all his comments.

Mr. Brown then asks if he can address the reason of the lot coverage variance.

Mr. Lines stated the footprint of the building is 3750 sq ft which is exactly 25% of the lot coverage. There is an overhang in the front by the sanctuary and at the front entrance is a raised porch with a roof over it. And with those things that puts us over the 25%. With regard to the waiver requesting parking within 5 ft of property line. We have a 100 ft wide lot and ended up with 6 extra parking spaces and it requires to make the parking lot a little wider. We do have a double stacked parking area where one aisle is exit only. We have provided a fence along the Northerly property line and we did talk to the owner of the property to the south and he did not object to not having a fence on his side.

Mr. Brown states this is otherwise a conforming application of a use that is conformant within the zone?

Mr. Lines replied yes.

Mr. Vogt asked for testimony if the building is ADA accessible and whether it's going to be sprinkled?

Mr. Brown says they have a ramp on the south side of the building for ADA accessible. And the first floor is ADA accessible as well. As far as fire sprinklers, I talked to the architect and he said they will meet whatever code is required.

Chairman Neiman asks if board members have any questions.

Mr. Schmuckler asked how are people going to be directed to do the parking configuration they have?

Mr. Lines stated it will be something they will get used to because it is the same people coming all the time.

Mr. Brown stated we can agree to figure out signs or arrows to direct people as well.

Mr. Schmuckler asked about the trash containers on the right side of the building.

Mr. Lines stated that the cans will be brought out to the curb.

Chairman Neiman asked if anyone from the public wished to be heard.

Mrs. Theresa Manuel, 62 Glen Terr. is sworn in.

Mrs. Manuel said she is concerned about the traffic. She says getting out onto pine is impossible after 2pm. And she also stated that the onsite parking is not always the case and when people park on the street then it is impossible to get through. With people parked on the street then two way traffic is not possible.

Mr. Vogt stated that the planning board needs to look at the application to see if it is meeting it's off street parking.

Mrs. Manuel said that there are no sidewalks and it is dangerous for people.

Chairman Neiman suggests maybe we could make a recommendation to the township to only park on one side of the street. It would make it a little easier.

Mr. Lines stated that the site requires 11 parking spaces and we have wiggled 17 spaces and that's the purpose of the waiver. We tried making this site accommodate as much as possible.

Chairman Neiman stated that maybe the township should do a survey of the surrounding streets to see if the street parking is a problem.

Mr. Schmuckler stated that it should come from us. Maybe we could give a push to do a traffic survey.

Mrs. Manuel said the whole area is backed up and popular.

Chairman Neiman agreed and stated that part of the resolution should be to at least eliminating parking on one side and then to recommend to the township to do an assessment on that whole area on parking.

Mr. Brown says he agrees and will make that request to the township.

Mrs. Noreen Gill, 192 Coventry Dr. was sworn in.

Mrs. Gill asked about the basement and says she just can't imagine building a synagogue for 17 people. She says that the safety is a big concern and we will only make things worse.

Mr. Jim Manuel, 52 Glen Terr, was sworn in.

Mr. Manuel stated he fully agrees with the two previous ladies. He says that he is concerned about the lot coverage plans and flooding. The storm water runoff has been a problem there before.

Mr. Lines stated that the parking lot is graded and the gutter flows down to the corner and over to the creek. The only thing that goes back to the wetlands is the side yards and the roof drainage and the DEP allows roof drainage.

Mr. Kielt asks if they can view the recommendations from the Shade Tree Commission.

Mr. Brown stated they will do their best to work that into the resolution compliance phase of the application.

Chairman Neiman stated that you really have to work with the township to at least eliminate one side of parking on the street and conduct a survey.

Mr. Brown stated that he would support the board's request to the township.

Chairman Neiman asks for motion.

Moved by Mr. Herzl, seconded by Ms. Koutsouris..

Roll call, Mr. Herzl, yes, Mr. Franklin, yes, Mr. Arecchi, yes, Mrs. Koutsouris, yes, Mr. Banas, yes, Chairman Neiman, yes, Mr. Fink, yes, Mr. Follman, yes, Mr. Percal, yes, Mr. Schmuckler, yes.

**6. SD # 1760**

Applicant: Pine Street Development

Location: Northwest corner of Vine Avenue & Pine Street  
Block 774.01 Lot 6

Minor Subdivision to create 3 lots

**Project Description**

The applicant seeks minor subdivision approval to subdivide an existing 41,742 square foot irregular lot known as Lot 6 in Block 774.01 into three (3) new residential lots. The proposed properties are designated as proposed Lots 6.01-6.03 on the subdivision plan. Duplex dwellings are under construction on new Lots 6.01 and 6.02, which would be created as "Zero Lot Line" subdivided lots as proposed under this approval. New Lot 6.03 is not proposed to be developed at this time. Public water and sewer is available. The site is situated on the northerly side of Pine Street at its intersection with Vine Avenue, which is undeveloped at this time. Curb exists along the Pine Street frontage, and sidewalk is proposed across the Pine Street frontage of the project. The lots are situated within the R-10 Single Family Residential Zone, with the northeasterly corner of proposed Lot 6.03 being zoned as R-7.5 Single Family Residential. Variances for proposed Lots 6.02 and 6.03 are required to create this subdivision. It should be noted that the aggregate size of proposed Lots 6.01 and 6.02 exceeds 12,000 square feet, which is the minimum size to construct duplex housing in the R-10 zone. Therefore, the proposed subdivision

as it affects the duplex units under construction is in general conformance with the Township's Zero Lot Line Residential Development ordinance (Section 18-911) ***The plans have been revised sufficiently for the Board's consideration of approval. If/when granted, remaining plat revisions identified below can be addressed during compliance.*** (I) **Zoning** (1) The parcels are located in the R-10 Single-Family Residential Zone District. Single-family detached dwellings and duplex housing on zero lot line properties are permitted uses in the zone. **Statements of fact.** (2) Per review of the Subdivision Map and the zone requirements, the following variances are required: (a) Minimum Lot Width for a Single-Family Lot (proposed Lot 6.03 – measured perpendicular to the side lines less than 50 feet proposed, 75 feet required) – proposed condition. (b) Minimum Side Yard Setback (proposed Lot 6.03 – 7 feet proposed, 10 feet required) – proposed condition. (c) Minimum Aggregate Side Yard Setback (proposed Lot 6.03 – 15 feet proposed, 25 feet required) – proposed condition. (d) Maximum Building Coverage (proposed Lot 6.02 – 26.2% proposed, 25% required). **The corrected information for the variances required shall be listed on the revised Bulk Requirements table during compliance (if/when approved by the Board).** (3) The Bulk requirement Table incorrectly notes a proposed Lot coverage of 30% for Lot 6.03. **We recommend that the Bulk Requirements table be revised to specify the 25% lot coverage limit allowed in the R-10 zone, otherwise additional relief is necessary.** (4) The applicant must address the positive and negative criteria in support of the requested variances. **Fact.** (II) **Review Comments** (1) Per the Bulk Requirements table on the plan, four (4) off-street parking spaces are being provided for each proposed lot. The proposed driveway/parking areas should be dimensioned to confirm that four (4) 9' x 18' foot spaces can be provided for each dwelling unit. **Both proposed units have been provided with 18' X 36' parking areas capable of parking four (4) vehicles. This item has been addressed.** (2) Sidewalk is proposed along the property's Pine Street frontage, but not Vine Avenue, presumably because it is undeveloped at this time. **Fact.** (3) Since specific information (house type, grading, drainage, utilities, etc) is not provided for the development of Lots 6.01 and 6.02, we assume a plot plan was (or will be) provided for review and approval by the Township Engineering Department as a condition of approval. Confirming testimony should be provided by the applicant's professionals. **Testimony shall be provided.** (4) The subdivision plat depicts a proposed 6 foot-wide Shade Tree Easement along the property's Pine Street frontage. Shade trees should be provided per the UDO, or waiver sought. **The Shade Tree Easements labels shall be revised to Shade Tree & Utility Easements. Easement dimensions and bearings should be provided during compliance if/when Board approval is granted. Shade trees are proposed along the Pine Street frontage of the subdivision.** (5) Proposed lot and block numbers must be approved by the Tax Assessor's office. **The plan indicates the proposed lot numbers have been approved. The plat shall be signed by the tax assessor (during compliance).** (6) Compliance with the Map Filing Law is required. At a minimum, a monument appears necessary where the proposed zero lot line meets the Pine Street ROW. **A Legend is required to differentiate the bonded and set monuments.** (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 for Lots 6.01 and 6.02. **Statement of fact.** (III) **Regulatory Agency Approvals**

Outside agency approvals for this project may include, but are not limited to the following: (a) Ocean County Planning Board; (b) Ocean County Soil Conservation District;; (c) New Jersey American Water (water & sewer); and (d) All other required outside agency approvals.

Mr. Brian Flannery P. E. on behalf of the applicant. Basically we were here before, we were asking for a variance with respect to the side setback. The 2 duplex lots are conforming, the only relief were requesting on the duplex lot is because of the zero lot line, the smaller lot is slightly over the coverage. With respect to the remainder lot, the applicant doesn't know what were doing with it at this point. The applicant will have to come back to the board. The variances were requesting with respect to this lot in Mr. Vogt's report, he mentions minimum lot width because we have a 50 ft section coming out to pine street. We don't need that lot width because we have 50 ft measured parallel to the front line. We would agree to satisfy the engineer.

Mr. Penzer stated that the other concern about the 4 spaces parking. We comply with that.

Chairman Neiman asks any questions from the board members, seeing no one he then asks if the public wishes to be heard, seeing no one he closes to the public.

Moved by Mr. Herzl, seconded by Mr. Schmuckler.

Roll call, Mr. Herzl, yes, Mr. Franklin, yes, Mr. Arecchi, yes, Mrs. Koutsouris, yes, Mr. Banas, yes, Chairman Neiman, yes, Mr. Fink, yes, Mr. Follman, yes, Mr. Percal, yes, Mr. Schmuckler, yes.

**7. SD # 1770**

Applicant: North Lake Realty

Location: Frontage on Lafayette Boulevard, Thorndike Avenue &  
Cedar Drive

Block 265 Lot 1

Minor Subdivision to create 3 lots

Application Tabled till April 12<sup>th</sup> Meeting

**8. SD # 1786**

Applicant: S&H Builders

Location: East County Line Road, east of Somerset Avenue  
Block 208.01 Lots 12 & 73

Preliminary & Final Major Subdivision to create 13 lots

Application Tabled till April 12<sup>th</sup> Meeting

**9. SD # 1789**

Applicant: Eli Schwab

Location: Dewey Avenue & Bruce Street with frontage on Route 88  
(Ocean Avenue)

Block 246                      Lots 42 & 52

Minor Subdivision to create 4 zero lot line lots & remaining portion

**Project Description**

The applicant seeks minor subdivision approval to subdivide two (2) existing irregular lots totaling 1.35 acres in area known as Lots 42 and 52 in Block 246 into five (5) new residential lots, designated as proposed Lots 42.01 and 52.01-52.04 on the subdivision plan. Existing Lot 42 contains an existing two-story dwelling with a detached garage to the rear. The property fronts Ocean Avenue (Route 88), a State Highway. The map also shows the tract contains a transition area associated with off-site freshwater wetlands on the eastern part of the back yard. Existing Lot 52 contains an existing dwelling, and the dwelling with all existing improvements will be removed. Existing Lot 52 fronts Dewey Avenue where it intersects Bruce Street. Public water and sewer is available. Curb and sidewalk exists along most of the street frontages. The lots are situated within the R-7.5 Single Family Residential Zone. No variances are requested to create this subdivision. ***We have the following comments and recommendations per testimony provided at the 2/1/11 Planning Board Plan Review Meeting and comments from our initial review letter dated January 26, 2011:*** (1) **Zoning** (1) The parcels are located in the R-7.5 Single-Family Residential Zone District. Single-family detached dwellings and duplex housing on zero lot line properties are permitted uses in the zone. **Statements of fact.** (2) The Board shall take action on whether to accept a five foot (5') wide road widening easement instead of a road widening dedication. It should be noted the Board accepted a road widening easement from the adjoining major subdivision project (SD1716) to the north. ***The Board shall take action on the proposed road widening easement.*** (3) Testimony should be provided on the unusual proposed minor subdivision configuration. Proposed Lot 42.01 will be highly irregular in shape and have double frontage, fifty foot (50') frontage on Ocean Avenue and fifty foot (50') frontage on Dewey Avenue. Proposed Lots 52.01-52.04 will all be irregular in shape. It appears the configuration is considering the future extension of Bruce Street and filling of freshwater wetlands. Should this be the applicant's future intent, we have the following recommendation with respect to the proposed layout: (a) Proposed Lot 52.04 will become a corner lot if Bruce Street is extended. Therefore, we recommend increasing the proposed side yard of 21.70

feet to twenty-five feet (25') to avoid having to request a future front yard variance. The additional area for proposed Lot 52.04 would be at the expense of area from proposed Lot 52.03. However, since the combined areas of the zero lot line properties would exceed ten thousand square feet (10,000 SF), no area variances would be necessary for these irregular lots even though proposed Lot 52.03 would be less than five thousand square feet (5,000 SF). Furthermore, the required minimum side yard of seven feet (7') could still be maintained for a smaller proposed Lot 52.03. **Proposed Lots 52.03 and 52.04 have been revised as recommended. The Zoning Data incorrectly lists proposed Lot 52.03 as requiring a lot area variance.** (4) No variances have been requested by the applicant or identified in our review. The applicant must address the positive and negative criteria in support of any variances that may be necessary. **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 General Notes indicate the coordinates are on an assumed datum. However, no coordinates are shown on the map. **Coordinates have been added at two (2) corners. Coordinates are required on a third corner.** (2) The Minor Subdivision is based on a Survey dated 12-18-10. A copy of the Survey must be provided. The Minor Subdivision Map does not show the existing driveway for the dwelling and garage on Lot 42. The Zoning Data proposes only two (2) off-street parking spaces for proposed Lot 42.01 which appears incorrect from our site investigation on 1/24/11; we are assuming these structures are intended to remain. **A copy of the Survey is still required to check the Minor Subdivision Map. The existing driveway and parking on Lot 42 has been added to the map. The Zoning Data has been revised to four (4) off-street parking spaces for proposed Lot 42.01 and the existing structures are shown to remain.** (3) Curb and sidewalk exist along most of the frontages of the project. The existing curb and sidewalk is being replaced in front of the proposed duplex lots. Unless a waiver is sought, the proposed sidewalk must be extended halfway around the curve of the intersection of Dewey Avenue and Bruce Street from the property line of proposed Lots 42.01 and 52.04. **The sidewalk has been extended and should be labeled as proposed for construction clarification.** (4) Proposed dimensions and elevations are required for the design of the curb and sidewalk replacement on Dewey Avenue. The existing pavement on Dewey Avenue is in poor condition from the construction of utility mains. The proposed curb replacement and utility connections will disturb enough of the pavement to warrant a half width overlay at the completion of the project. **The proposed curb and sidewalk has been designed holding the existing gutter grades. A note has been added that if road surface disturbance is more than twenty percent (20%), a half width overlay will be required.** (5) The Zoning Data requires corrections which we can review with the applicant's surveyor. **Some corrections have been made to the Zoning Data. The asterisk should be removed from the lot area of proposed Lot 52.03. The required lot widths should be corrected to fifty feet (50') and twenty-five feet (25') respectively.** (6) The Zoning Data indicates that four (4) off-street parking spaces per dwelling unit will be required. Four (4) off-street parking spaces per dwelling unit are proposed for the duplex lots. Testimony should be provided regarding the proposed number of

bedrooms and whether basements are proposed for the future dwellings on proposed Lots 52.01-52.04 to determine if additional off-street parking is required. Testimony should also be provided regarding off-street parking for proposed Lot 42.01. A variance would be required if only two (2) off-street parking spaces are proposed as currently shown in the Zoning Data. ***The applicant's professionals indicate that testimony will be provided.*** (7) If basements are proposed, seasonal high water table information is required. ***The applicant's professionals indicate that testimony will be provided.*** (8) A freshwater wetlands line with a fifty foot (50') transition area line is shown on the plan. A note indicates approved wetlands line from map entitled "Wetlands Delineation Plan of Lots 40, 41, 42, and 67, Block 246" prepared by Harry W. Mager, Jr., P.L.S., dated 11-14-2008, revised 1-7-2010. Future development must take place uplands of the approved buffer or NJDEP permitting may be necessary. ***The applicant's professionals indicate that no disturbance of the wetlands or buffer is proposed by this application. Survey data should be added for the buffer line.*** (9) The area of proposed Lot 52.04 requires correction. The plan also has missing and incorrect proposed lot dimensions. ***The 85.30' dimension along part of the proposed rear line of Lots 52.03 and 52.04 should not be an overall dimension. Proposed dimensions should be reviewed with our office because of the irregular configurations of the proposed lots.*** (10) A ten foot (10') wide Drainage Easement to the Township of Lakewood is shown on proposed Lot 52.04. The proposed Drainage Easement shall be increased in width to twenty feet (20'). A twenty foot (20') wide Drainage Easement should also be shown on proposed Lot 42.01 since the same storm sewer system is shown crossing this property. Proposed bearings, distances, and areas are required for the easements on a per lot basis. ***The proposed Drainage Easement has been revised to be twenty feet (20') in width and to cross proposed Lot 42.01. Proposed distances and areas are still required for the proposed easement on a per lot basis.*** (11) No outbound corners are shown on the Subdivision Map. Furthermore, the surveyor's certification on the plan has not been signed since outbound corners are not shown and the four (4) monuments to be set are not in place. ***Existing corner markers must be added to the Subdivision Map.*** (12) Five (5) October Glory Maple shade trees are proposed for the project in front of the Dewey Avenue duplex lots. No shade trees are proposed within the proposed shade tree and utility easement along the Ocean Avenue frontage of the project. Landscaping should be provided to the satisfaction of the Board. ***A shade tree has been proposed along the Ocean Avenue frontage of the project. A proposed shade tree in front of proposed Lot 52.04 should be eliminated since it will conflict with the proposed wider drainage easement.*** (13) The Plan does not indicate any existing trees on the site. Compensatory plantings should be provided in accordance with the Township Code (if applicable). Additionally, protective measures around mature trees to remain (e.g., snow fencing or tree wells at drip lines) should be provided. ***The applicant's professionals indicate that tree locations in accordance with the current ordinance will be provided to the Township Engineer when plot plans are submitted for approval.*** (14) The Improvement Plan indicates roof drains to be directed to the undisturbed rear of the property. ***Statement of fact.*** (15) Compliance with the Map Filing Law is required. ***Statement of fact.***

(16) Construction details are necessary for improvements required by the Board. A depressed curb detail is required based on the improvements already proposed. Final construction details will be reviewed during compliance submission should subdivision approval be granted. **Statements of fact.** (III) **Regulatory Agency Approvals** Outside agency approvals for this project may include, but are not limited to the following: (a) Ocean County Planning Board; (b) Ocean County Soil Conservation District; (c) New Jersey Department of Transportation (if necessary); (d) New Jersey American Water (water & sewer); and (e) All other required outside agency approvals.

Mr. Penzer stated we are composing a 5 lot sub division, one existing lot on Ocean Ave. and four lots on 2 zero lot line duplexes on Dewey Ave. We don't require any variances for the application. We can comply with all of the comments made in Mr. Vogt's letter.

Chairman Neiman asked to be shown the lot fronting on Ocean Ave.

Mr. Lines showed Chairman Neiman and then explains they are trading a portion of the back of lot 42 and making that part of lots 52.03 and 52.04 and the owner of 42 is getting a 50 ft wide piece that fronts on Dewey Ave.

Mr. Franklin asked about drainage from the site. Mr. Lines explained that there will be a recharge system in place.

Mr. Schmuckler stated that 52.03 has a variance.

Mr. Lines stated that 52.03 and 52.04 is a conforming lot before we do the zero lot line so its less than 5,000 sq. feet but because it's an odd shaped lot it complies with the zero lot line ordinance and doesn't actually require a variance for that. In total we comply.

Chairman Neiman asks if anyone from public wishes to be heard, seeing no one he closes to the public and asks for a motion.

Moved by Mr. Schmuckler and seconded by Mr. Follman.

Roll call, Mr. Herzl, yes, Mr. Franklin, yes, Mr. Arecchi, yes, Mrs. Koutsouris, yes, Mr. Banas, yes, Chairman Neiman, yes, Mr. Fink, yes, Mr. Follman, yes, Mr. Percal, yes, Mr. Schmuckler, yes.

## 10. SD # 1783

Applicant: Jechiel Weinfield

Location: Read Place, east of Albert Avenue  
Block 855.03 Lot 22

Minor Subdivision & variance to create 2 lots

### Project Description

The applicant seeks minor subdivision approval to subdivide an existing 193' X 230' property totaling 44,390 square feet (1.019 acres) in area known as Lot 22 in Block 855.03 into two (2) new residential lots, designated as proposed Lots 22.01 and 22.02 on the subdivision plan. The site contains an existing frame dwelling which will remain on proposed Lot 22.02 and two (2) existing sheds which will be removed from proposed Lot 22.01. Proposed Lot 22.01 will become a new residential building lot. Public water and sewer is not available. Therefore, private individual septic disposal systems and potable wells will be required. Proposed Lot 22.01 would be smaller than proposed Lot 22.02. The proposed lot line is being created based on maintaining the minimum lot width of one hundred feet (100') for proposed Lot 22.02. Proposed Lot 22.01 would be 93' X 230' comprising an area of 21,390 square feet. Proposed Lot 22.02 would be 100' X 230' comprising an area of 23,000 square feet. Curb and sidewalk does not exist along the street frontage, but both are proposed. The lots are situated within the R-20 Single Family Residential Zone. Variances are required to create this subdivision. **We have the following comments and recommendations per testimony provided at the 2/1/11 Planning Board Plan Review Meeting and comments from our initial review letter dated December 20, 2010:** (I) **Zoning** (1) The parcels are located in the R-20 Single-Family Residential Zone District. Single-family detached dwellings are a permitted use in the zone. **Statements of fact.** (2) Per review of the Subdivision Map and the zone requirements, the following variances are requested: (a) Minimum Lot Width (proposed Lot 22.01, 93.00 feet, 100 feet required) – proposed condition. (b) Minimum Side Yard (proposed Lot 22.02, 3.15 feet, 10 feet required) – proposed condition. **The Board shall take action on the requested variances.** (3) 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) The Minor Subdivision references a Topographic Survey dated 2/25/09 and a Land Survey dated 2/26/09. Copies of the surveys should be provided. Based on our field observations the Surveys must be corrected and/or updated to show the following: (a) Dimensions of the existing frame dwelling. **Some dimensions have been added.** (b) Existing spot shots and elevations along the centerline and existing edge of pavement on Read Place. **Existing elevations have been added along Read Place.** (c) An existing structure (garage/shed) southeast of the existing dwelling and its proposed status (to remain/to be removed). **Existing accessory structures have been added and noted to be removed. A copy of the Survey is still required to verify that the proposed side yard variance dimension is correct.** (2) Site improvements are proposed along the frontage of the project. The proposed improvements include concrete curb, concrete driveway aprons, concrete sidewalk, and shade trees. The proposed curb is set fifteen feet (15') from the centerline of Read Place. It is not clear whether road widening is required since the distance of the existing edge of pavement from the centerline of Read Place is not shown. **The topography provided indicates that runoff will be trapped in the gutter on the east side of the project. A road repair design and detail is required to drain the gutter westward towards Albert Avenue. The north arrow must also be corrected to eliminate confusion.** (3)

Proposed top of curb elevations are required for the design of the proposed concrete curb. **The proposed top of curb elevations must be revised to properly drain Read Place.** (4) The NJ R.S.I.S. requires 2.5 off-street parking spaces for unspecified number of bedroom single-family dwellings, such as the existing dwelling shown on proposed Lot 22.02. Proposed Lot 22.01 proposes a five (5) bedroom dwelling which requires three (3) off-street parking spaces according to R.S.I.S. standards. The Schedule of Bulk Requirements proposes four (4) off-street parking spaces for each proposed lot. Driveways are proposed for both properties which are not large enough to accommodate the proposed number of spaces. The plans must be revised to provide the minimum number of off-street parking spaces proposed. **The plans have been revised to propose three (3) off-street parking spaces for each proposed lot. Proposed driveways shall be dimensioned, but are shown large enough to accommodate three (3) off-street parking spaces.** (5) Testimony should be provided as to whether a basement is proposed for the future dwelling on proposed Lot 22.01. If so, seasonal high water table information will be required. Parking shall be provided to the satisfaction of the Board in accordance with Ordinance 2010-62. **The applicant is committing to not providing a basement since three (3) parking spaces are proposed for a five (5) bedroom dwelling.** (6) Proposed lot and block numbers must be approved by the tax assessor's office. **New lot numbers have been assigned and the map must be signed.** (7) Six (6) shade trees are proposed for the project, three (3) October Glory Maples and three (3) Pin Oaks. Landscaping should be provided to the satisfaction of the Board. **The Board should provide landscaping recommendations, if any** (8) The Plan does not indicate any existing trees on the site. Testimony should be provided regarding whether there are any specimen trees located on the property. Our site investigation on 12/17/10 noted mature trees on-site. Compensatory plantings should be provided in accordance with the Township Code (if applicable). Additionally, protective measures around mature trees to remain (e.g., snow fencing or tree wells at drip lines) should be provided. If this subdivision is approved, the final plot plan for proposed Lot 22.01 submitted for Township review should include tree protective measures to save mature vegetation where practicable. **The applicant's professionals indicate that tree locations in accordance with the current ordinance will be provided to the Township Engineer when the plot plan is submitted.** (9) Testimony is required on the disposition of storm water for proposed Lot 22.01. **The applicant's professionals indicate that testimony will be provided.** (10) Compliance with the Map Filing Law is required. **Statement of fact.** (11) Construction details must be corrected and additional details provided for improvements required by the Board. **A road repair detail is required and minor corrections are required to the depressed curb and tree planting details.** (III) **Regulatory Agency Approvals.** Outside agency approvals for this project may include, but are not limited to the following: (a) Ocean County Planning Board; (b) Ocean County Soil Conservation District (if necessary); (c) Ocean County Board of Health (well & septic); and (d) All other required outside agency approvals.

Mr. Glen Lines for the applicant.

Chairman Neiman asks if he could talk about the 2 variances. Minimum lot width and minimum side yard.

Mr. Lions states the 2 variances are created because the existing house is not quite centered on the lot, its off to one side. Proposal 22.01, we tried to get as much area on that lot as possible and ended up with 93 ft which is less than the 100 required and ended up with a side yard set back for the existing house of 3.15 ft. We anticipate most likely in the future someone will take that house down and build a new one but right now there is no plan to take it down. So we did request those two small variances.

Chairman Neiman asks if the side yard setback is for the existing house?

Mr. Lions says yes.

Chairman Neiman asks if the board has any questions, seeing no one he then opens to the public, seeing no one he closes to the public.

Moved by Mr. Herzl, seconded by Mr. Schmuckler.

Roll call, Mr. Herzl, yes, Mr. Franklin, yes, Mr. Arecchi, yes, Mrs. Koutsouris, yes, Mr. Banas, yes, Chairman Neiman, yes, Mr. Fink, yes, Mr. Follman, yes, Mr. Percal, yes, Mr. Schmuckler, yes.

**6. CORRESPONDENCE**

**7. PUBLIC PORTION**

**8. APPROVAL OF THE MINUTES**

- Minutes from March 1, 2011 Planning Board Meeting

Moved by Mr. Herzl, seconded by Mr. Schmuckler.

Roll call, Mr. Herzl, yes, Mr. Franklin, yes, Mr. Arecchi, yes, Mrs. Koutsouris, yes, Mr. Banas, yes, Chairman Neiman, yes, Mr. Fink, yes, Mr. Follman, yes, Mr. Percal, yes, Mr. Schmuckler, yes.

**8. APPROVAL OF BILLS**

Moved by Mr. Herzl, seconded by Mr. Schmuckler.

Roll call, Mr. Herzl, yes, Mr. Franklin, yes, Mr. Arecchi, yes, Mrs. Koutsouris, yes, Mr. Banas, yes, Chairman Neiman, yes, Mr. Fink, yes, Mr. Follman, yes, Mr. Percal, yes, Mr. Schmuckler, yes.

**9. ADJOURNMENT**

The meeting was hereby adjourned. All were in favor.

Respectfully submitted  
Margaret Stazko  
Secretary