

**LAKWOOD PLANNING BOARD
MINUTES
MARCH 20, 2007**

I. CERTIFICATION OF COMPLIANCE

Chairman Banas 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 Meetings Act:

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

2. ROLL CALL

Mr. Herzl, Mr. Neiman, Mr. Banas, Mr. Klein, Mr. Gatton

3. SWEARING IN OF PROFESSIONALS

Mr. Peters and Mr. Truscott were sworn in.

Mr. Kielt stated there were several changes to the agenda. **Item #1 – SD 1542 Rye Oaks LLC**, tabled until 4/24/07 no further notice required.

Motion made by Mr. Herzl, seconded by Mr. Neiman to table to April 24th 2007.

ROLL CALL: Mr. Herzl; yes, Mr. Neiman; yes, Mr. Banas; yes, Mr. Klein; yes, Mr. Gatton; yes

Items #9 through #14 tabled until April 17th 2007 6pm no further notice required.

Motion made by Mr. Neiman, seconded by Mr. Herzl to table item #9 through #14 to April 17th 2007.

ROLL CALL: Mr. Herzl; yes, Mr. Neiman; yes, Mr. Banas; yes, Mr. Klein; yes, Mr. Gatton; yes

Item #15 & #16 tabled until May 8, 2007 6 pm no further notice required.

Motion made by Mr. Herzl, seconded by Mr. Neiman to table item #15 and #16 to May 8th 2007.

ROLL CALL: Mr. Herzl; yes, Mr. Neiman; yes, Mr. Banas; yes, Mr. Klein; yes, Mr. Gatton; yes

Item #3 SD 1569 – Fairmount Investments will proceed ahead of #2.

4. NEW BUSINESS

1. SD # 1542 (NO VARIANCE REQUESTED)

APPLICANT: RYE OAKS LLC

Location: Ocean Avenue (Route 88) east of railroad
Block 536 Lots 1, 2 & 4

Preliminary & Final Major Subdivision for 40 townhouses and 1 retail center

Table until April 24th, 2007.

2. SP # 1851 (VARIANCE REQUESTED)

APPLICANT: CONDOR JACKSON LLC

Location: West Kennedy Boulevard @ east corner of Forest Avenue
Block 57 Lot 1

Preliminary & Final Major Site Plan for 2 story office building

Mr. Peters stated the applicant is seeking site plan approval to construction a 7,314 SF, two story office building and site improvements. The subject property, known as Block 57, Lot 1, lies at the intersection of Forrest Avenue and Kennedy Boulevard West, in the OT Zone. The property currently contains a one story multi-family dwelling. The Soil Erosion and Sediment Control Plan has been approved by the Ocean County Soil Conservation District. Ocean County Planning Board Approval will be required as a condition of final Site Plan Approval.

The applicant is requesting a variance for the number of parking spaces. The applicant has proposed 24 parking spaces where 25 are required. The applicant shall certify that there will be no medical, dental, personal service, or retail trade businesses in the building in order for the parking calculations to conform to Section 18-807B(3) of the UDO. This shall be note to the plans. The two small parking lots are not large enough to allow for the entering and existing movements needed to maneuver a vehicle. We recommend the building be moved to the southeast corner of the lot to allow for one large parking lot to the north and west. The applicant has revised the plans to show these lots will be for employee parting only, but has not revised the layout of the two lots. The two parking areas remain too small for proper maneuvering. The parking layout proposes too many curb cuts on Kennedy Boulevard West. The plan should be revised to show only one

curb cut along each frontage. Easements are proposed for sight rights and a portion of sidewalks located on the sight. Legal descriptions shall be provided to the planning board engineer for review and the wording of the easement agreements shall be provided to the planning board solicitor for review. The easement agreements shall be finalized as a condition of final approval. The remaining comments are technical in nature.

Mr. Truscott read from a letter dated February 1, 2007. The applicant requests preliminary and final major site plan and variance approvals to construct a two-story office building of 7,314 square feet and an associated 24-space off-street parking area. The property is a corner lot and has frontage on both Kennedy Boulevard West and Forest Avenue. The site is 13,880 square feet (0.319 acres) in area and contains a one-story multifamily dwelling, which will be razed. The surrounding land uses are a mixture of residential, office and commercial. The parcel is located in the OT Zone District. Offices are a permitted use in the OT Zone. The following bulk variances are requested: A rear yard setback of fifteen (15) feet is required and twelve feet is proposed. A total of 37 parking spaces are required for the OT Zone and 24 spaces are provided. Please note that the Office Transition Zone has a zone-specific parking standard for office space of one space per two hundred square feet. Therefore, the off-street parking requirement is 37 spaces (7,314 square feet /200) rather than twenty-four (24) spaces as shown on the site plan. A variance will be required for the deficiency of thirteen (13) parking spaces. Please note that the off-street parking requirement for “business and professional offices and banks other than medical or dental” uses is one space per 300 square feet of gross floor area, in accordance with Section 807 of the Lakewood Township UDO. Section 807 is the section of the UDO which establishes minimum parking standards for most of the permitted uses in the Unified Development Ordinance. The 2005 comprehensive UDO revision to the Office Transitional (OT) Zone did not modify the zone-specific parking standard. We are not aware if the lack of change was purposeful (i.e., intentional), or an oversight. We would request the Planning Board members offer any insight on this issue as appropriate. While it would appear that technically a variance is required, it would be our opinion that the Planning Board should measure the proposed off-street parking against the one space per 300 square feet of floor area such that 25 spaces are required (7,314 square feet io 300 = 24.4 spaces or 25 spaces). The applicant must address the positive and negative criteria for the requested variances. Two street trees are proposed on the Kennedy Boulevard frontage, but none on Forest Avenue. It appears that it would be difficult to plant any street trees based on the location of the parking areas as currently proposed. We have a concern about the parking area along Forest Avenue. The two (2) spaces alongside the building are restricted as far as backing out of the spaces. The same concern applies to the space in the front of the building (Kennedy Boulevard). The site plan has been revised to designate these spaces as “employee only.” If this is acceptable to the Planning Board, then we recommend that the parking identification include a small sign and pavement markings. We note that the entrance to the three (3) space parking area in front of the building is very close to the intersection of Forest Avenue and Kennedy Boulevard. We defer to the Board Engineer’s determination on this issue. The applicant’s engineer should provide testimony concerning the maneuverability of the end parking spaces (i.e., closest to the building) on the north and west side. The spaces should be wider or an indentation provided for backing maneuvers. Any approval should be conditioned on a limitation that medical or dental office uses within the proposed structure will require the review and approval of the Planning Board. The balance of the comments are technical in nature.

Mr. Brown Esq. appeared on behalf of the applicant. This matter was scheduled to go to the zoning board, but had significant opposition from the public. They have modified the plans to come in front of the planning board. There is one person in opposition to this plan and wants to make the building smaller. They came to some sort of agreement today. Hopefully, the board professionals review letters can still be discussed. There are only 21 parking spaces as shown on exhibit A-1 which depicts a tax map and survey overlay of the building and parking for this application. To the east of the building there is a parking lot to accommodate 17 spaces, and to the west of Forest Avenue there is small parking area which would accommodate an additional 4 parking spaces, which the applicant will designate as employee only so that issues of maneuverability, ingress and egress would be eliminated. The most significant feature to be eliminated is the second parking area which posed a significant level of concern to the professionals and through reducing the size of the building, that would be eliminated.

Mr. Banas asked if the board had plans in front of them that depicted these changes and was told no. Mr. Brown said anything approved within that building envelope (no greater than 6300 sf) would be adhered to. Mr. Banas said the board has never approved a project that they did not have plans for. Mr. Banas said it is not fair to the professionals and they have not had the opportunity to review plans.

Mr. Peters said hearing the agreements, sounds like they are heading in the right direction, but without plans they cannot review without seeing the new plans.

Mr. Jackson asked Mr. Flannery how he would describe the difference of the building. Mr. Miller tried to give the board a history of the application. He said the plans remain the same, the parking remains the same, etc. and Mr. Banas said no, the parking is different. Mr. Flannery explained the difference and Mr. Banas said Mr. Peters does not feel comfortable without seeing the plans. Mr. Peters said he is also concerned with the maneuverability of the parking lot on Forest Avenue and he is not sure if by making the building smaller, the lot could be deeper.

Mr. Neiman recommended moving it to another meeting with the revised plans. Mr. Kiert stated if the plans are revised the application can be tabled until the meeting of the 24th of April.

Motion was made by Mr. Neiman, seconded by Mr. Herzl, to table to the meeting of April 14th.

ROLL CALL:

Mr. Herzl; yes, Committeeman Miller; yes, Mr. Neiman; yes, Mr. Banas; yes, Mr. Akerman; yes, Mr. Klein; yes, Mr. Gatton; yes

3. SD # 1569 (NO VARIANCE REQUESTED)
APPLICANT: FAIRMONT INVESTMENTS LLC
Location: Hope Hill Lane
Block 11 Lot 90
Minor Subdivision to create 2 lots

Mr. Peters stated the applicant is seeking Minor Subdivision approval for the creation of a flag lot from existing Lot 90, Block 11. Lot 90 has an existing 2 story frame dwelling that will remain on proposed Lot 90.01. Proposed Lot 90.02 will have a two story frame dwelling constructed on it. The property is situated on Hope Hill Lane in the R-15 zoning district. It appears that no bulk variances will be required. Access to the flag lot is proposed to be provided by an access easement. The easement is permitted, although, a variance from NJSA Section 35 of MLUL will be required for the lot having no frontage on a public Right of Way. The board may wish to consider requiring the applicant make the flag pole portion of the rear lot a part of the lot in a fees simple arrangement. This will require a variance for side yard setback, Lot width, and Lot area for Lot 90.01. Ocean County Planning Board and Ocean County Soil Conservation District approvals will be required. Evidence of approvals should be made a condition of final subdivision approval. There is existing curb, sidewalk, and a six foot wide shade tree easement along property frontage. The adequacy of buffer should be decided by the Lakewood Township Planning Board. The proposed limit of clearing should be indicated on the Improvement Plan and the line type added to the legend. The remaining comments are technical in nature.

Mr. Truscott read from a letter dated February 2, 2007. The applicant seeks minor subdivision approval to subdivide existing Lot 90 (located within Block 11) into two (2) separate tax lots. Proposed Lot 90.02 will be located to the west of new Lot 90.01 and access will be provided by an access easement. Proposed Lot 90.01 fronts Hope Hill Lane. Hope Hill Lane is a cul-de-sac, and Lot 90 is located near the terminus of the street. A cursory review of Tax Map 9 reveals that existing Lot 90 is similar in dimensions to adjoining lots along Hope Hill Lane. The majority of the surrounding properties are unimproved and wooded, with single-family type residential structures comprising the balance. A two-story frame dwelling exists on proposed Lot 90.01 and will remain. Proposed Lot 90.02 is unimproved except for an existing shed, which will be removed. Lot 90 is located in the R-15 Residential Zone. Detached, single-family residences are a permitted use in the zone. As per Section 805.G.1, "Flag lots as herein defined and regulated shall be permitted in all residential districts." The application seeks no variances. Section 805.G.5 provides the following criteria for creating flag lots: "Flag lots shall be created only in conjunction with an overall development plan of the entire tract of which the flag lot is a part and the applicant shall demonstrate a need, consistent with good planning principles, for the creation of the flag lot and shall further demonstrate that normal subdivision techniques are not practical because of topography, lot or land configurations or other physical characteristics or constraints of the land related to the proposed development concept." The applicant should be prepared to discuss with the Board how this application complies with the above requirements. The applicant has submitted a Landscape Plan subsequent to the December 5, 2006 Plan Review meeting. Grading and retaining walls are indicated on the Landscape and Proposed Improvement plans, but an area for temporary storage of solid waste containers is not indicated and

must be provided. The proposed screening along the access easement is Compact Inkberry Holly, planted at an insufficient screening height of 1.5 to 2 foot. Due to the location of the retaining wall along the driveway in the easement, a wider access easement may be appropriate. Vegetative species with a greater height at maturity would also be appropriate. The plans for a proposed single-family residence on proposed flag Lot 90.02 (submitted as part of this application) indicates it will contain five (5) bedrooms and a nursery room on the second floor. Potable well water and septic system are utilized by the current structure and proposed residence. Current uses of the adjoining lots (vacant, retention basin) are indicated on the site plans, which also indicate that access to the flag lot is provided by an access easement. A performance guarantee should be posted for any improvements in the public right-of-way. Parking for both proposed lots must comply with NJ RSIS standards. Confirm that sufficient area is provided for three (3) vehicles for new Lot 90.02, and clarify the amount of spaces for Lot 90.01. The submitted plans indicate 3.5 spaces; 4 spaces are required. The balance of the comments are technical in nature.

Dennis Kelly Esq. from Levin Shea & Pfeffer appeared on behalf of the applicant. Brian Flannery is the engineer for the applicant. Mr. Flannery said the applicant would agree to do the flag portion as fee simple assuming the board would grant the variances required. They agree to add the proposed clearing to the plans and they will clear up some of the spot grades. In reference to Mr. Slachetka's letter Mr. Flannery stated the positive criteria for the flag lot and showed a rendered version of the subdivision and said this was the only way the land could be developed. They agreed to show the location of the solid waste containers, and that will be at the end of the flag pole portion of the lot along the right of way and they also testified the width of the flag pole portion complies with the ordinance and they would be happy to add landscaping on proposed lot 90.01 in addition to the flag pole and both sides of the driveway. They will post a performance guarantee. The driveways are long (50 ft) and clearly more than 4 spaces fit on the lots with a turn around and stacking.

Mr. Neiman asked about the C1 variance demonstration and why Mr. Flannery thought this was a good planning principle with a cul de sac. Mr. Flannery said congestion is because of the number of houses, not the number of flag lots. The adjoining 4 lots are owned by 2 people and he is working on applications for those people where they are not doing flag lots, they are looking at extending the cul de sac and get conforming lots. They conform to the ordinance and are providing housing opportunities. This will be the only flag lot you will see in this street. Mr. Neiman said he would like to see at least 4 off street parking spaces and the applicant agreed. Mr. Banas said they never allowed parking in the pole portion and Mr. Flannery said they have enough in the flag portion and if there were overflow, there was room. Mr. Neiman asked about the landscaping between the 2 lots and Mr. Flannery agreed to the standard landscaping buffers the board and the professionals feel appropriate.

Mr. Truscott asked Mr. Flannery about the variances requested with the fee simple lot and Mr. Flannery said the new lot width would be 85 ft. where 100 ft. is required. Side setback is ok. Area will be 12,160 sf where 15,000 sf is required.

Mr. Banas opened the microphone to the public.

Seeing no one, this portion was closed to the public.

Motion was made by Mr. Herzl, seconded by Mr. Klein, to approve this application, granting the variance and with all the recommendations stated.

ROLL CALL:

Mr. Herzl; yes, Mr. Neiman; yes, Mr. Banas; yes, Mr. Klein; yes, Mr. Gatton; yes

4. SD # 1571 (VARIANCE REQUESTED)

APPLICANT: WALTER LUCAS

Location: Newport Avenue @ corner of Bellevue Avenue
Block 499 Lot 19

Minor Subdivision to create four lots

Mr. Peters stated the Applicant is seeking Minor Subdivision approval to subdivide one lot into four lots. The subject property, known as Block 499, Lot 19, lies along Newport Avenue on the northeast side of Bellevue Avenue, in the R-40 Zone. Proposed lot 19.04 currently contains a two story frame dwelling which will remain. Proposed Lots 19.01, 19.02 and 19.03 are currently wooded, no new construction is proposed at this time. Proposed Lot 19.01 has frontage on both Newport and Bellevue Avenues. We recommend that the future development of Lot 19.01 front Newport Avenue to match the other three proposed lots. The Board should determine if a deed restriction will be needed on Lot 19.01. A variance will be required for the Lot Width of all four lots; Lot widths ranging from 136 feet to 145 feet are proposed where 150 feet is required.

The proposed lots will be serviced by individual well and septic systems. The Applicant shall provide testimony on the nearest public water and sewer. The Applicant should improve the Newport Avenue and Bellevue Avenue roadways to meet UDO 18-814 and N.J.A.C. 5:21- 4 standards. The Applicant should install curb and sidewalk along Newport Avenue and Bellevue Avenue frontages of the project that meets UDO 18-814. (M, N, &O) and N.J.A.C. 5:21-5 standards. A note has been added to the plans stating the curb and sidewalk will be installed at the direction of the township engineer. The note shall be removed from the plans and the roadway improvement design shown on the plan. The Applicant shall coordinate with the Township Engineer, the location and style of street lights to be provided by the Applicant along Newport Avenue. This shall be noted on the plans. The Applicant has provided a six (6) foot shade tree and utility easement dedicated to Lakewood Township along Newport Avenue and Bellevue Avenue. The Applicant has provided a sight triangle easement dedicated to Lakewood Township at the corner of Newport Avenue and Bellevue Avenue. There is a minor comment regarding the map filing law.

Mr. Truscott read from a letter dated February 6, 2007. The applicant seeks minor subdivision and variance approvals to subdivide existing Lot 19 (located within Block 499) into four (4) separate tax lots. A two-story frame dwelling exists on proposed Lot 19.04, with a septic system and potable well water. Proposed Lots 19.01, 19.02, and 19.03 are unimproved. Surrounding area: Lot 19 is located at the corner of Bellevue and Newport

Avenues. Much of the surrounding properties are unimproved and/or wooded. Several private residences currently exist near Lot 19. The drawings were revised subsequent to the December 5, 2006 Plan Review meeting to address comments of the Planning Board and its professionals. Lot 19 is located in an R-40 Residential Zone. Detached, single-family residences are a permitted use in this zone. As demonstrated in the following table, the applicant is requesting the following bulk variances:

Standards: R-40 Districts	Required	Proposed Lot 19.01	Proposed Lot 19.02	Proposed Lot 19.03	Proposed Lot 19.04
Minimum Lot Width (in feet)	150	144.44	136.05	136.05	143.83

The positive and negative criteria for the requested bulk variances should be addressed. The application is for minor subdivision approval for four (4) lots (3 new and one retained parcel). We note that Newport Avenue and Bellevue Avenue are not fully improved to Township standards. The Planning Board should consider improvements appropriate to the proposed development. Article VII, Design Standards, of the UDO provides standards for public streets and such standards should be addressed. The scope of the potential improvements to be considered include: Curb and sidewalk, Street lighting, Street pavement, Street trees, Stormwater management. We are in receipt of a letter from FWH Associates, PA, dated December 29, 2006, indicating that the plans have been revised to indicate that (prior to issuance of a Certificate of Occupancy) street lighting shall be installed at the direction of the Township Engineer; however, the comments added to the revised plans indicate curb and sidewalk. The applicant must clarify what is being proposed. The applicant should confirm if the proposed lots are of sufficient size as per Section 805.A, which specifies that lots requiring septic systems shall be of sufficient size to achieve required separation distances in accordance with New Jersey Department of Environmental Protection septic design regulations. Performance guarantees should be posted for all improvements in the right-of-way. NJ RSIS 1123 minimum parking requirements are included with the bulk table on the submitted plans. Three (3) parking spaces for Lots 19.01, 19.02 & 19.03 are noted on the plans; two (2) spaces for Lot 19.04 should be confirmed. The balance of the comments are technical in nature.

Mr. Banas asked the professionals why with 4 lots this was not a major subdivision and Mr. Kielt explained that a definition of a minor subdivision is 3 lots plus the remainder equals 4. Mr. Truscott said that was a recent change in the definition in the UDO within the last year.

Mr. Doyle, Esq. appeared on behalf of the applicant. He stated the need for safety and access for pedestrians. These lots meet the square footage and are consistently sized with the neighborhood. His client, his mother, and his daughter all live there. They seek design waivers that would normally require curbs, sidewalks and 30 ft paved roads. This is a unique neighborhood with old trees and in an established neighborhood. He called Walter Lucas as a witness who testified that the reason he is asking for the subdivision is to preserve the character of the neighborhood. His mother needs to sell because of her health and the taxes have doubled. No one wanted to live on 4 acres, but they found builders were interested but not all of them seem to address the concerns of the other people around. They are trying to save trees, save impervious surfaces and thought if they

could subdivide themselves and come up with 4 lots, their mother can stay on one and they could sell one at a time to someone who appreciates the wooded area and would not take down lots of trees. They don't want to see 4 houses and no trees. This area has a 100 year history of being rustic. The township paved the road to 20 feet. He handed out tax map that he cut and pasted and also show photos of his area that he distributed. They were entered into evidence as A-1 being the tax maps with letters inserted by Mr. Lucas for use with his narration. A-2 is the photos taken by Mr. Lucas of the existing conditions Boards A, B, C, D, & E. These are all dead end streets and bordered by Jackson Township.

Mr. Neiman said what is rural today will be urban tomorrow and if this is subdivided, the trees will go. Mr. Doyle said the difference here is that other streets in front of the board follows patterns and this area is all dead end. He said Newport and Bellevue Avenues will never be developed.

Mr. Lucas continued to narrate the pictures and the reasons why there should not be sidewalks and wider streets. 14 of the 17 neighbors have said they have no opposition to the subdivision. Mr. Lucas said there has never been any drainage problems there and curbs would cause drainage problems along with doubling the impervious coverage.

Mr. Flannery is the engineer for the applicant. In regards to Mr. Peters report and said the variance for the widths is close to the conformity of the ordinance and the new master plan recommends that the lot width in this R-40 zone be changed to 100 ft. This plan exceeds what is in the Master Plan. Both sewer and water is on James Street (the sewer is a mile away and the water is 1/2 mile away). In regards to Newport Avenue, it meets the RSIS standards and he feels it is not a waiver. Mr. Peters said the board has some leeway as to what type of streets these can be, although this road does meet the definition of rural road. Mr. Flannery said they are requesting a waiver of curb and sidewalk because of the nature of the neighborhood and feel it is appropriate. They agree with the remainder of the comments. He testified the lot sizes are sufficient for well and septic. They request that the performance guarantee be posted prior to issuance of the first building permit. Mr. Banas agreed. They agree with the remainder of the comments from the professionals.

Mr. Banas said the board has taken a position that wherever they build, they will build curb and sidewalks. Sidewalks need not be straight but go around the trees to save them. He would be strongly for the use of curb and sidewalks.

Mr. Doyle said the purpose of the RSIS in regards to traffic, safety and public welfare was to ensure uniformity throughout the towns. Mr. Doyle said this area is A-1 and there are no through streets, nor will these street patterns be changed unless someone purchases multiple lots and the zoning was changed.

Mr. Miller said he echoed what Mr. Banas has stated with regards to the curb and sidewalks. Mr. Flannery said there was nothing unsafe about this condition as it exists. Esti Circle was approved by the planning board without requiring curb and sidewalks. Mr. Miller said it was a mistake that would not happen again. Mr. Peters said since the definition of a rural street is such a topic, the RSIS states that a rural street is a street that serves dwellings on lots that are one acre or greater and primarily serves as access to

abutting building lots and has no on street parking and has lot to street access designed so vehicles do not back out of the lots onto the streets. Rural streets shall only connect to rural streets, rural lanes or mixed use collectors. (Cross Street). However a rural street shall not connect two mixed used collectors. Mr. Doyle said they meet all of the standards. Mr. Peters said the R-40 zoning would allow for lots that are .9 acres as opposed to a minimum of 1 acre. All of the houses in this area seem to be 2 acres or larger.

Mr. Banas opened the microphone to the public

William Birdsall, 950 Cross Street was sworn in. He bought the property because of the trees. To have a small section of sidewalks when they will never have any other, it seems so out of character. If anything there should be sidewalks where he lives on Cross Street, not Newport Avenue.

Geraldine Hickey, 213 Newport Avenue was sworn in. She is opposed to the sidewalks and the tree clearing. The children that are growing up in that area are growing up in a rural area and that is an experience in itself, as she grew up in Maine and New Hampshire. She did not hear anything about concern for the wildlife. She has 5 deer that bed down in her backyard, there is a family of groundhogs, wild snakes, hawks, turtles and somehow she doesn't think they would appreciate sidewalks. She was opposed to the gravel being taken out and the tar brought in. She bought her property for the woods and the wildlife. She thinks this neighborhood is the safest in the town and they look out for each other.

Maryann Birdsall, 950 Cross Street was sworn in. She is a city girl but the idea of putting in sidewalks now are not going to be worth anything because of the tree root system, they will uplift them.

Gerry Ballwanz, Governors Road was sworn in. She said she appreciates the woods and this area is unique because this area was not meant to be R-40 but A-1. This was a mistake or error but no one has fixed this mistake. This area needs to be corrected on the map. The solution to the curbs and sidewalks is to correct this mistake and reimburse the tax payers so they do not have to sell the land and subdivide.

Mr. Doyle said there are rules but zoning only works when there is an allowance for a public hearing to ask for and when appropriate receive a waiver from those rules. There is only one agent of urbanization in this area and it is not this applicant, it is not his neighbors or the neighborhood. The only agent is this board if it grants the approval and denies the waiver.

Mr. Neiman asked Mr. Lucas what he planned on doing with the subdivided properties. Mr. Lucas said his mother would like to keep one and they would sell the other 3 individually, and put into a contract what restrictions with what they can do with the trees. Mr. Neiman asked Mr. Jackson whether they could put something into the resolution that when this property does get developed, the onus will be on the purchaser to put in a sidewalk in front of his home and Mr. Jackson said he did not know of any mechanism that existed that would enable the board to enforce that. The only hammer is when it is incorporated in the subdivision map.

Mr. Doyle said he appreciates the effort and said a combination of 3 things would work. One is the restrictive covenant to condition the approval that the area of the easement (if it was to be widened) would remain as trees. Two is the note on the map combined with potentially bonding the work and Three which is the newly adopted Plot Plan ordinance which would require for construction sidewalks and curbs. If they could save the present and preserve for the future.

Mr. Banas said they would table the matter until April 24th 2007 to reserve decision of this matter and get the report from the applicant on the feasibility of the approval of the application but with the wording of the waiver.

Motion was made by Mr. Neiman, seconded by Mr. Herzl, to table to the 24th of April

ROLL CALL:

Mr. Herzl; yes, Committeeman Miller; yes, Mr. Neiman; yes, Mr. Banas; yes, Mr. Akerman; yes, Mr. Klein; yes, Mr. Gatton; yes

Mr. Jackson suggested letting the public speak at the meeting of the 24th because there will be new evidence brought in for review.

5. SD # 1563 (VARIANCE REQUESTED)

APPLICANT: MOSHE ARYEH

Location: Lanes Mill Road- east of Barrymor Drive
Block 187.15 Lot 12

Minor Subdivision to create two lots

Mr. Peters stated the applicant is seeking a minor subdivision of one (1) residential lot contain two (2) existing dwellings to create two (2) new lots, each will contain of the existing dwellings. The existing 17,167 SF lot is located on Lanes Mill Road, east of its intersection with Barrymor Drive, in the R-15 Zone. Variances are required for the following: Lot Area: Lot 12.01 proposes 10,034 SF, and Lot 12.02 proposes 7,133 SF where 15,000 square feet are required. Lot Width: Lot 12.02 proposes 97.03 FT where 100 FT is required. Front Yard Setback: Lot 12.01 proposes 16.2 FT where 30 FT is required, this is an existing condition. Side Yard Setback: Lot 12.02 proposes 2.3 FT, this is an existing condition. Setback to an accessory building: Lot 12.01 proposes 0.4 FT where 10 FT is required, this is an existing condition. Outside agency approval will be required from Ocean County Planning Board. Evidence of approval shall be made a condition of final subdivision approval. The applicant has proposed concrete curb, sidewalk, and a shade tree easement along the property frontage. The zoning table shall be revised to show the required number of parking spaces per RSIS. The table shall show 4 parking spaces have been provided for Lot 12.01 and 3 provided for Lot 12.02. The notation that the homes will be serviced by well and septic shall be clarified. Lot 12.02 will be serviced by public water and sewer, lot 12.01 will be serviced by well and septic. The remaining comments are technical in nature.

Mr. Truscott read from a letter dated February 15, 2007. The applicant is seeking minor subdivision and variance approvals to subdivide Lot 12 into two non-conforming lots. Both lots will have frontage on Lane's Mill Road. According to the minor subdivision plat,

there are two existing dwellings on the lot. The property is triangular in shape and situated on the north side of Lane's Mill Road. Both lots will be served by public water, and each will have an individual septic disposal system. The lot has an area of 0.39 acres in area (17,167 square feet) and is located on the north side of Lane's Mill Road. The surrounding land uses are generally residential. The site is located in the R-15 (Residential) Zone District. Single-family detached housing is permitted in the R-15 (Residential) Zone District. The following variances are requested: A lot area of 10,034 square feet for Lot 12.01 when a minimum of 15,000 square feet are required. A lot area of 7,133 square feet for Lot 12.02 when a minimum of 15,000 square are required. A lot width of 97.03 feet for Lot 12.02 when a minimum of 100 feet are required. A front yard setback of 16.2 feet for Lot 12.01 when a minimum of 30 feet is required. This is an existing condition not worsened by the subdivision. A side yard setback of 2.3 feet for Lot 12.02 when a minimum of 10 feet is required. This is an existing condition not worsened by the subdivision. An accessory building side yard setback of 0.4 feet when a minimum of 10 feet is required. This is an existing condition not worsened by the subdivision. The applicant should address the positive and negative criteria for each of the requested variances. The applicant should provide the Planning Board with some background information concerning the non-conforming nature (two dwellings on one lot). In addition, information about the one-story frame dwelling on the west side of the lot would be useful. We note that there is only one septic field and one well on the existing lot. We note that the right-of-way along the frontage of the subject lot is less than 60 feet wide. The right-of-way of Lanes Mill Road on both sides of the lot is 60 feet. The applicant proposes a dedication to Ocean County of a 9.4-foot right-of-way easement on both the new lots. The plan indicates that the numbers of the proposed lots have been approved by the Township Tax Assessor's Office. A six-foot wide shade tree easement is proposed along each of the proposed lot's street frontage. The Planning Board Engineer and Attorney must approve the shade tree easement and survey description. Three shade trees are proposed along the street frontage for each lot. Compliance with the Map Filing Law is required. Required approvals include, but may not be limited to, the following: Ocean County Planning Board; Sewer and water utilities (prior to issuance of construction permits)

Mr. Penzer, Esq. appeared on behalf of the applicant. This application is to bring something into conformance. There are currently two houses on this lot and they are trying to modify to make it one house per lot. The variances are existing. They have revised the plans for curb, sidewalks, shade trees, etc. They agree to the comments in Max's report. They will discuss the sewer and water. They will get outside agency approvals. Mr. Carpenter is the engineer for the applicant. Mr. Carpenter said the zone is designed for single family homes on single family lots. They are eliminating a non conforming use. He feels the benefits far outweigh the detriments, primarily bulk variances. The lot size is difficult to work with and modify, so you can either have 2 houses on one lot or 2 houses on 2 non conforming lots. The houses will be improved by providing sewer and water on one and the other home will also have sewer and water. This plan will not impair the zoning in this area. Mr. Penzer said to get a use variance you need 5 votes, to get a bulk variance you need 4 votes.

Mr. Neiman asked if they planned on knocking down these 2 homes and building new ones and was told no, if they did, they would have to come in front of the zoning board. He said if they did approve this, they should put something in the resolution to deed restrict to the same building envelopes on these lots. He said these houses are going to

be knocked down, and these new lots are less than ½ of what the zone requires and a home that would fit into an R-15 zone lot will not fit on these new lots. Mr. Penzer said if they did go beyond it they would have to come back to the board. Mr. Jackson said the intent is a good one, but looking to the future, it may make sense to relocate the homes and put it more centered in the lot so to put a deed restriction in and hamstringing future planners might not make sense in 20 years. The board has to take the improvements into consideration when approving this application. Mr. Neiman has a problem with putting a 4,000 sf house on a 7,000 sf lot and Mr. Penzer agreed to put a restriction on a certain square footage on the deed. Mr. Banas asked why they didn't divide it equally and Mr. Carpenter said they tried to set the lot line 10 ft. off the house on the right so there would not be a side yard setback variance on that lot, so it limited them as to where the lot line could be placed. The ordinance states the lot lines have to be perpendicular to the street so that is what they are left with. Mr. Banas asked what was the difference is asking for a side yard setback and Mr. Peters said it looks like if you split it in half, it would go through the existing dwelling on lot 12.01. Mr. Truscott said he would like to hear some testimony on the size of that envelope on lot 12.02 because it is pretty restrictive. Mr. Carpenter said what the board is leaning towards is restricting the envelope to what is already there and not make it any bigger, and Mr. Truscott said it was not realistic.

Mr. Banas opened the microphone to the public.

Gerry Ballwanz, Governors Road, was sworn in. She said in the future when those old small houses are going to be removed, the new houses will be way too big, even if you say you are going to restrict it to the building envelope, it is not realistic. She doesn't think it is wise to allow this and it needs to be denied. The integrity of the R-15 zone is very important and there aren't very many R-15 zones in the township and this is in a somewhat rural area with more open space.

Seeing no one else, this portion was closed to the public.

Mr. Penzer said the issue is quite clear, under the land use act, uses are the boards' responsibility to try to eliminate. He has no problem with deed restricting and putting in that the houses can not be bigger than they are or keeping in the same position.

Mr. Gatton asked what the benefit to the owner is and Mr. Penzer said separating the lots so that he has conforming. It is better to separate the utilities and keep them separate.

Mr. Banas said he can not support this. Mr. Neiman said the only way he can support this is to keep the same size for any new home that may be built. Mr. Banas said he knows what is going to happen; the person is going to petition the board to grant a bigger home later.

Motion was made by Mr. Neiman , seconded by Mr. Miller, to approve this subdivision with the stipulation that anything built be deed restricted to the same dimensions of the homes that are there now within a different building envelope plus water and sewer and sidewalks and curbs and shade tree on both lots.

ROLL CALL:

Mr. Herzl; yes, Committeeman Miller; yes, Mr. Neiman; yes, Mr. Banas; no, Mr. Klein; yes, Mr. Gatton; no

6. SD # 1568 (VARIANCE REQUESTED)
APPLICANT: ISAAC GREENWALD (YESHIVA MAOR HATORAH)
 Location: River Avenue, between Halsey Avenue & Edgecomb Avenue
 Block 1019 Lot 2
 Minor Subdivision to create 2 lots

Mr. Peters stated the applicant is seeking Minor Subdivision approval to create two lots. The subject property, known as Block 1019, Lot 2, lies in the vicinity of Halsey Street, Pinehurst Avenue, and Edgecomb Avenue, in the R-12 Zone; all three are unimproved streets. Proposed lots 2.01 and 2.02 are currently wooded. The applicant has previously purchased parcel 5 from the Township to build a school and states on the application that this subdivision is necessary to complete the development of the parcel. The application does not state which portion of Lot 2 will be used for development of the school, please clarify. We recommend that the applicant show the location of parcel 5 on the map. A variance will be required for the following: Lot Area: Proposed Lot 2.02 has an area of 6000 sq. ft. where 12000 sq. ft. is required. Lot Width: Proposed Lot 2.02 has a width of 60 feet where 90 feet is required. Ocean County Planning Board Approval will be required. Evidence of approval should be made a condition of approval. The remaining comments deal with the map filing law.

Mr. Truscott read from a letter dated February 15, 2007. The applicant is seeking the following: Minor subdivision and variance approvals to subdivide existing Lot 2 (located within Block 1019) into two (2) separate Tax Lots. Lot 2 is currently vacant. Lot 2 is surrounded by unimproved lots and paper streets. River Avenue and Oak Street are 1 ½ blocks west of the site. The application indicates the eventual proposed use is a school. Lot 9 is located in the R-12 Single-Family Residential Zone. As demonstrated in the following table, the applicant is requesting the following bulk variances for Proposed Lot 2.02 only:

Standards: R-12 District	Required	Proposed Lot 4.01	% of Requirement
Minimum Lot Area (in s.f.)	12,000	6,000	50%
Minimum Lot Width (in feet)	90	60	67%

The positive and negative criteria for the requested variances should be addressed. The application indicates the applicant is Isaac Greenwald, the fee owner as Lakewood Township, and the proposal is related to “the applicant has purchased parcel 5 from the Township but needs to subdivide the portion of Lot 2 to complete the parcel for development of the parcel,” and that the proposed use is a “school.” The applicant should provide clarification of the above, specifically but not limited to, the location of “Parcel 5,” and how the proposed future use as a school relates to this subdivision application. Will new Lot 2.02 be merged with additional land owned by the applicant? Please provide additional information. As noted above, Halsey Street is an unimproved right-of-way. The proposed Lot 2.02 will have frontage on Halsey Street. Compliance with the Map Filing Law is required. The required outside agency approvals may include, but are not limited to: Ocean County Planning Board; Soil Conservation District, if required; Sewer and water utilities, if required, and; All other required Outside Agency approvals.

Mr. Penzer, Esq. appeared on behalf of the applicant. Mr. Carpenter is the engineer for the

applicant. Lot 2 will be made part of parcel 5. A portion of lot 2 would be in parcel 5 and the remainder will be in parcel 8. Parcel 8 has been sold to one entity and parcel 5 has been sold to another entity, but the lot line transects the parcel lines so they need to subdivide a portion of lot 2 off to be a part of parcel 5. It will be a school. The portion of Halsey Street in front of the school will be vacated by the township, but they don't have it yet. The rest of Halsey Street will remain. Mr. Miller said the township will vacate, they are just waiting for that small piece. Mr. Jackson marked the exhibit A-1.

Mr. Banas opened the microphone to the public.

Seeing no one, this portion was closed to the public.

Motion was made by Mr. Neiman, seconded by Mr. Herzl, to approve the application.

ROLL CALL:

Mr. Herzl; yes, Committeeman Miller; yes, Mr. Neiman; yes, Mr. Banas; yes, Mr. Klein; yes, Mr. Gatton; yes

- 7. SP # 1856 (NO VARIANCE REQUESTED)**
APPLICANT: CONGREGATION TORES EMES
Location: Atlantic Avenue, James Street & Ridgeway Avenue
Block 370 Lots 1 & 3
Preliminary & Final Site Plan and proposed addition to existing school

Mr. Peters stated the applicant is seeking Preliminary & Final Site Plan Approval for Block 370, Lots 1 & 3. The project consists of two additions to the existing structure, stormwater management measures, new parking facilities, asphalt driveway on the site, and improvements to James Street along the property frontage. The site is located between Ridgeway Place and James Street, in the R-12 Zoning District. No variances have been requested for this project.

Section 18-906 of the UDO stipulates that a 20 foot buffer shall be provided between a school and a residential zoning district. The applicant has only provided a 16.46 foot buffer. A design waiver will be required. The entrance to the property is currently on Ridgeway Place. The proposed improvements to the parking area and driveway will move the entrance to James Street. Outside agency approvals will be required from the Ocean County Soil Conservation District and Ocean County Planning Board. This plan relies on the proposed vacation of Filbert Avenue and Dekalb Avenue. The applicant shall provide proof of vacation as a condition of approval. The setbacks shown on the plan are from the proposed property line after street vacation, not the current property line. The setbacks will not be correct until after the vacation of the streets has been completed. The site will be serviced by an individual potable well and septic system. The applicant shall testify to the location of the nearest public water and sewer connections. The wording of all easements shall be provided for review by the Board solicitor and the legal description provided to the Planning Board Engineer for review. The easement agreement shall be signed by both parties to the agreement prior to signature of final plans. The applicant shall provide testimony on plans for a recreation area for the school. The parking calculations show one parking space required for every Classroom/ Office/ Meeting

Room for a total of 16 required spaces. One space is also required for the Library, bringing the required total to 17 spaces. Twenty-five (25) spaces are provided which is acceptable. The applicant shall provide a soil boring in the area of the proposed septic disposal field demonstrating that the soils are suitable for use as a septic disposal field and also for infiltration basin. The proposed sewer line to the septic field shall be darkened. It appears there is sidewalk proposed along the property frontage and connecting the frontage to the building. The sidewalk shall be clearly labeled and the "end of concrete walk" label situated in front of the southern most parking space shall be removed or relocated. The 20' turning radii at the intersection of James Street and the site access drive shall be increased to a minimum radius of 25 feet. With the larger radius the turning area between the inside radius and the concrete island is adequate but tight. We recommend the island be constructed with mountable curb in case a bus or large truck makes the turn too wide. The proposed septic field shall be located at minimum of 50 (fifty) feet away from the proposed basin in accordance with N.J.A.C. 7:9A table 4.3. As re-grading and construction is proposed, we recommend that the applicant provide a note on the plans stating that any imported soil or fill is required, the applicant will provide source documentation and/or documentation that the soil is analytically tested at a frequency approved by the Township Engineer. The remaining comments are technical in nature.

Mr. Truscott read from a letter dated February 27, 2007. The applicant is seeking preliminary and final major site plan approval to add to an existing structure on Block 370, Lots 1 and 3, currently used as a school. Lot 1 is 1.79 acres and Lot 3 is 0.5510 acres, for a total combined size of 2.341 acres. The balance of the site is unimproved and mostly wooded (as is most of the surrounding area) and is located between James Street and Ridgeway Place, in the western portion of the Township. Contiguous uses are residential in nature. The tract is located in the R-12 Single-Family Residential Zone. Schools are a permitted use in this zone. The applicant has not requested any variances. We note that a twenty (20) foot buffer is required for schools, per Section 906 of the UDO. The setback on the west side is 16.5 feet. A variance will be required. The status of the vacation of mapped streets Filbert and DeKalb Avenues (as indicated on the site plan) should be confirmed, as portions of the proposed improvements are to be on the mapped roadbed(s). No final approval can be granted until such time as the street vacations are approved and the subject lands consolidated by deed with the subject tract. Ownership of Lot 3 should be clarified as a brief review of Lakewood Tax Assessor records indicates Township ownership. Consolidation of Lots 1 and 3 (and additional lands from vacated mapped streets mentioned in #1 above) should be considered as a condition of approval. Section 906 of the UDO provides parking standards for schools. A total of 17 spaces are required and 25 spaces are proposed. Remove the reference on the site plan to "existing one-story dwelling." Testimony at the Plan Review meeting indicated that the existing structure is a school. Side yard setback lines must be provided from current property lines. The site plan should be revised. Sidewalks are not indicated on the site plan. Lakewood Fire District No. 1 and the Lakewood Environmental Commission have indicated no objections to the site plan as currently proposed. The site plan includes Landscaping and Lighting Notes, a Tree Save and Protection Plan. The applicant has provided a Soil Erosion Plan, and drainage plans are included on the Site Plans. An Environmental Impact Statement has been submitted for Board review. A stormwater management basin is now proposed on the north portion of the site, near Ridgeway Place. We recommend that landscaping be provided around the perimeter of the proposed basin. Performance guarantees should be posted for all required improvements. The applicant

should indicate what, if any, facilities will be provided in the (recreation) play area. The required outside agency approvals may include, but are not limited to: Ocean County Planning Board; Soil Conservation District; Sewer and water utilities; and, All other required Outside Agency approvals.

Mr. Brown, Esq. appeared on behalf of the applicant. Mr. Carpenter is the engineer for the applicant. There is more than adequate parking for this application. Mr. Brown said his legal position is a waiver is required. Mr. Carpenter stated they are requesting a design waiver, not a variance. The area they are speaking about is a proposed addition to the left of the existing structure on Filbert Avenue where there is not the required 20 ft from the building to the proposed property line. They said they can landscape this heavily dense area to make up for the lack of 20 ft. They have 15 ft. now and they are only short 5 ft. The rest of the site will remain wooded. Mr. Banas asked if they were tall trees and Mr. Carpenter said they were 40 ft. trees and they would like to plant low 6-8 ft. trees. Mr. Truscott said he can concede it could be a design waiver being that it is diminimus in nature. Mr. Banas asked if it was sewer or well and was told it would be septic. Mr. Carpenter said there was no sewer in the area. The applicant agreed to the remainder of the comments from both professionals.

Mr. Gatton asked about the sidewalks and Mr. Brown said they would put them in on James Street along with curbing. Mr. Truscott questioned the vacation of the 2 avenues and needed an update. Mr. Brown said it would be subject to those 2 vacations, but he does not have an answer to that now. He said they are either done or are in process, but he won't comment because he is not certain. Mr. Miller said he does not recall whether the committee has done it. Mr. Truscott asked about the recreation facilities and Mr. Brown said they would show recreation on the plans.

Mr. Banas opened the microphone to the public.

Seeing no one, this portion was closed to the public.

Motion was made by Mr. Neiman, seconded by Mr. Miller, to approve this application with all the comments about sidewalks on James Street, recreational facilities etc.

ROLL CALL:

Mr. Herzl; yes, Committeeman Miller; yes, Mr. Neiman; yes, Mr. Banas; yes, Mr. Gatton; yes

8. SP # 1859 (VARIANCE REQUESTED)

APPLICANT: BATIM MANAGEMENT/MICHAEL BURZTYN

Location: Sixth Street
Block 130 Lots 11, 12

Preliminary & Final Site Plan for multi family dwelling with 4 dwellings

Motion was made by Mr. Herzl, seconded by Mr. Neiman, to table to April 24th

ROLL CALL:

Mr. Herzl; yes, Committeeman Miller; yes, Mr. Neiman; yes, Mr. Banas; yes, Mr. Klein; yes, Mr. Gatton; yes

- 9. SD # 1570 (VARIANCE REQUESTED)**
APPLICANT: SHIMSHON BANDMAN
Location: corner of Melville Avenue and Elm Street
Block 762 Lot 4
Minor Subdivision to create 3 lots

Tabled until April 17th, 2007.
- 10. SD # 1572 (NO VARIANCE REQUESTED)**
APPLICANT: TRACHS INC.
Location: East End Avenue at corner of East Eighth Street
Block 208 Lot 139
Minor Subdivision to create 2 lots

Tabled until April 17th, 2007.
- 11. SD # 1573 (VARIANCE REQUESTED)**
APPLICANT: PROSPECT BUSINESS PARK 3 C/O CHARLES FERGUSON
Location: Prospect Street, south of Railroad Street
Block 386 Lot 17
Minor Subdivision to create 2 lots

Tabled until April 17th, 2007.
- 12. SP # 1857 (NO VARIANCE REQUESTED)**
APPLICANT: PROSPECT BUSINESS PARK 3 C/O CHARLES FERGUSON
Location: Prospect Street, south of Railroad Street
Block 386 Lot 17.02
Preliminary and Final Site Plan for 2 warehouse/office buildings

Tabled until April 17th, 2007.
- 13. SD # 1574 (VARIANCE REQUESTED)**
APPLICANT: PINE PROJECTS LLC
Location: corner of Netherwood Drive and Bellecourt Boulevard
Block 431 Lot 1.02
Minor Subdivision to create 3 lots

Tabled until April 17th, 2007.

14. SP # 1858 (NO VARIANCE REQUESTED)
APPLICANT: NEW CEDAR HOLDING LLC
Location: Oberlin Avenue at northwest corner of New Hampshire Avenue and Cedar Bridge Avenue
Block 1603 Lots 1.02, 2.02
Preliminary & Final Site Plan-proposed shopping center

Tabled until April 17th, 2007.

15. SD # 1575 (VARIANCE REQUESTED)
APPLICANT: KENNEDY INVESTORS LLC
Location: West County Line Road and cul de sac of Kennedy Boulevard West
Block 27 Lot 47
Minor Subdivision to create 2 lots

Tabled until May 8th, 2007.

16. SD # 1366C (NO VARIANCE REQUESTED)
APPLICANT: RALPH CLAYTON & SONS – JULE ESTATES
Location: Gudz Road and Lakewood New Egypt Road
Block 11.05 Lots 13-17, 19, 19.01, 84 & 85
Preliminary & Final Major Subdivision – 36 lots

Tabled until May 8th, 2007.

6. MEMORIALIZATION OF RESOLUTIONS

1. SP # 1833 (NO VARIANCE REQUESTED)
APPLICANT: CLIFTON REDEVELOPMENT LLC
Location: Clifton Avenue @ corner of First Street
Block 121 Lot 29
Preliminary and Final Site Plan to construct 3 story retail/office building - previously approved. Applicant proposes to construct 5 stories with penthouse office in lieu of 3 story building

Motion was made by Mr. Herzl, seconded by Mr. Miller, to approve the resolution

ROLL CALL:

Mr. Herzl; yes, Committeeman Miller; yes, Mr. Neiman; yes, Mr. Banas; yes, Mr. Gatton; yes

2. SD # 1549 (VARIANCE REQUESTED)

APPLICANT: MORRIS WEINBERG

Location: Spruce Street, between Funston Avenue and Caryl Avenue
Block 842 Lot 3

Original denial Minor Subdivision to create two lots. Applicant requests reconsideration of prior denial.

Motion was made by Mr. Herzl, seconded by Mr. Miller, to approve the resolution

ROLL CALL:

Mr. Herzl; yes, Committeeman Miller; yes, Mr. Neiman; yes, Mr. Banas; yes, Mr. Gatton; abstain

3. SP # 1853 (VARIANCE REQUESTED)

APPLICANT: K'HAL CHASDIM INC.

Location: corner of 14th Street and Cedar Row
Block 25.11 Lot 18.01

Preliminary & Final Site Plan for 2 story synagogue

Motion was made by Mr. Herzl, seconded by Mr. Miller, to approve the resolution

ROLL CALL:

Mr. Herzl; yes, Committeeman Miller; yes, Mr. Neiman; yes, Mr. Banas; yes, Mr. Akerman; yes, Mr. Gatton; abstain

4. SD # 1564 (NO VARIANCE REQUESTED)

APPLICANT: H&C DEVELOPMENT

Location: Lanes Mill Road, between Barrymor Drive and Malibu Drive
Block 187.15 Lot 9

Preliminary & Final Major Subdivision – 15 lots

Motion was made by Mr. Herzl, seconded by Mr. Miller, to approve the resolution

ROLL CALL:

Mr. Herzl; yes, Committeeman Miller; yes, Mr. Neiman; yes, Mr. Banas; yes, Mr. Akerman; yes, Mr. Gatton; abstain

5. SD # 1565 (VARIANCE REQUESTED)

APPLICANT: NATHAN SCHLESINGER

Location: Gudz Road, between Central Avenue & Lakewood New Egypt Road
Block 11.05 Lot 18

Preliminary & Final Major Subdivision – 5 lots

Motion was made by Mr. Miller seconded by Mr. Klein to approve the resolution

ROLL CALL:

Mr. Herzl; yes, Committeeman Miller; yes, Mr. Neiman; yes, Mr. Banas; yes, Mr. Akerman; yes, Mr. Gatton; abstain

- 6. SP # 1855 (VARIANCE REQUESTED)**
APPLICANT: LAKEWOOD AFFORDABLE HOUSING CORP. "CYPRESS COVE"
Location: Oak Street between Caldwell Avenue & Rockaway Avenue
Blocks 1135,1142,1150,1151 Lot 1
Block 1143 Lots 1 & 9
Preliminary & Final Site Plan for affordable housing project

Motion was made by Mr. Miller seconded by Mr. Herzl, to approve the resolution

ROLL CALL:

Mr. Herzl; yes, Committeeman Miller; yes, Mr. Neiman; yes, Mr. Banas; yes, Mr. Akerman,
Mr. Gatton; abstain

7. CORRESPONDENCE

None at this time

8. PUBLIC PORTION

None at this time

9. APPROVAL OF BILLS

Motion was made by Mr. Akerman, seconded by Mr. Herzl to approve

ROLL CALL: Mr. Herzl; yes, Committeeman Miller; yes, Mr. Banas; yes, Mr. Akerman; yes,
Mr. Gatton; yes

10. APPROVAL OF MINUTES

Minutes from March 6, 2007 Plan Review Meeting

Motion was made by Mr. Herzl, seconded by Mr. Miller to approve the resolution

ROLL CALL:

Mr. Herzl; yes, Committeeman Miller; yes, Mr. Banas; yes, Mr. Akerman; yes,
Mr. Gatton; abstain

11. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted, Chris Johnson, Planning Board Recording Secretary