

**LAKWOOD PLANNING BOARD
MINUTES
MEETING OF: MONDAY, MARCH 21, 2006**

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 Ocean County Observer and the Asbury Park Press and posted on the bulletin board in the office of the Township of Lakewood. Advance written Notice has been filed with the Township Clerk for purpose of public inspection and a copy of this Agenda has been mailed, faxed or delivered to at least two of 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.”

II. ROLL CALL

Mr. Herzl, Mr. Franklin, Mr. Miller, Mr. Neiman, Mr. Banas, Mrs. Wise, Mr. Dolobowsky.

III. SWEARING IN OF PROFESSIONALS

Maxwell Peters, Stan Slachetka and John Jackson were sworn in.

IV. NEW BUSINESS

Mr. Banas asked if there were any changes to the agenda. Mr. Kielt replied that there were no changes. Mr. Banas asked that item 10 be heard first.

10. Proposed Re-adoption of the Municipal Stormwater Master Plan

Andre Leonard of LGA Engineering was present to provide any answers regarding the re-adoption of the municipal stormwater master plan.

Mr. Banas stated the board had two questions. He asked if Mr. Leonard has resolution to them. Mr. Leonard stated the first question dealt with the agriculture board. The municipal stormwater master plan and the purvey of that body do not coincide with one another. The properties involved in the purvey of that body is outside the realm of this. The second issue dealt with ordinance analysis in relation to the UDO. In the document that the board received, the engineer pointed out that there are a few references to the old ordinance rather than the new sections of the UDO. This was corrected to follow the UDO.

Mr. Jackson stated the board would have to make a determination if this was consistent.

On motion by Mr. Dolobowsky and seconded by Mrs. Wise, the board would recommend to the governing body that this was consistent with the master plan and that it should be adopted.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Miller, abstain; Mr. Neiman, yes; Mr. Banas, yes; Mrs. Wise, yes; and Mr. Dolobowsky, yes.

Mr. Leonard stated they would like to move forward with the official adoption of the plan. Mr. Kielt stated it was the function of the planning board to readopt this. The township has to do an ordinance, but the board has to adopt it. Mr. Slachetka stated that was correct. It should be opened to the public.

Mr. Banas opened the stormwater management plan for public comment. Seeing no person wishing to speak for or against the application, he closed the public hearing.

On motion by Mr. Dolobowsky and seconded by Mrs. Wise, the stormwater master plan was hereby adopted.

Mr. Slachetka stated the board adopts the plan and makes recommendation on the ordinances implementing the plan.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Miller, abstain; Mr. Neiman, yes; Mr. Banas, yes; Mrs. Wise, yes; and Mr. Dolobowsky, yes.

- 1. SD #1517** (Variance requested)
Applicant: Benjamin Parnes
Location: Hudson Street, west of Lexington Avenue
Block 107 Lot 8
Minor subdivision to create 2 lots

Mr. Peters stated the applicant is seeking a minor subdivision of block 107 lot 8. Two new lots are proposed. A single family dwelling is proposed for both lots. The site is located on Hudson Street in the R-10 zone. The applicant proposes to extend the sewer main east on Hudson Street to a new main hole at the intersection of Lexington Avenue, then south along Lexington Avenue to an existing manhole. Per N.J.A.C. 7:14, a TWA permit will be required. Evidence of the permit receipt should be made a condition of final approval. The following variances will be required: lot area of both lots which propose 7,500 square feet and 10,000 square feet is required; side yard setback both lots propose 9 feet one side and 19 feet combined where 10 feet one side and 25 feet combined is required; lot coverage of lot 8.02 proposes 30.4% coverage where 25% is allowed. Ocean County Planning Board and Ocean County Soil Conservation District approvals will be required. Approvals should be made a condition of final subdivision approval. Construction details must be included for

those improvements that are proposed within the right-of-way. Details for utility trench and pavement restoration should be added to the plans. The applicant has proposed removing an existing structure on lot 8.02. This structure shall be demolished prior to final subdivision approval or a bond posted to ensure prompt removal shortly after receiving final subdivision approval.

Mr. Slachetka stated the applicant must address the positive and negative criteria for each of the requested variances via testimony. The consistency of the proposed lot area with that of the surrounding neighborhood should be discussed. Compliance with the off-street parking requirements of the NJRSIS is required. Architectural plans indicate that 5-bedroom dwellings are proposed and 3 spaces are required. A sidewalk is proposed along the frontage of the subject parcel. Four street trees are now shown along the lot frontage. The balance of the comments are technical in nature.

Abraham Penzer, Esq., appearing on behalf of the applicant. The applicant has heard the wishes from the technical meeting and has made major changes. The old side setback was 7.5 feet and 15 feet for lot 8.01 and lot 8.02 was 7.4 feet and 15 feet. It has now been changed to 9 feet and 19 feet. They tried to make the house and taking into account what the board has to say. In going through the report, they had no problem applying for the TWA permit as requested by the engineer. They requested that the TWA be done by time of the actual building permit as opposed to the final subdivision approval. They would meet all the items mentioned in item four of the engineer's report. Construction details proposed are within the right-of-way and they would add the details of the utility trench and pavement restoration. They would bond for the right-of-way. In regard to removing the existing structure, he asked that they could remove it prior to the application for a building permit. It would take some time to get the TWA permit. With regard to relocating the existing dwelling, the notes would be updated. With regard to the planner's report, items five through eight were no problem. The improvements in the right-of-way would be bonded. The street trees are now shown and a sidewalk is proposed. There is enough parking to show three spaces.

Charles Surmonte, P.E., was sworn in and his credentials were accepted. He stated he prepared a couple of exhibits. The first is a blow up of the tax map sheet, which was marked as A-1. It includes block 107 and the adjoining blocks 108, 106, 138.02, 138, and 138.01. The exhibit shows the subject parcel shown in orange. It shows all the other parcels. The parcels in green are parcels that are undersized or have insufficient frontage or width. It is a good portion of block 108, just about all of block 138, all of 138.01. On the entire sheet, with the exception of some lots on block 109, there is not a single lot there that is as large as the subject parcel. Seventy percent of the lots within 500 feet of the subject parcel were undersized. He created a second exhibit, marked as A-2. A-2 was a similar map showing similar properties within the general location of the subject parcel. It is an area map showing structures within 400 to 500 feet of the subject property. He distributed reduced copies to the board. It was put together to support the request for the side yard setback relief. It shows that a substantial number of properties within the general area have structures on them that have significant existing side yard setbacks. Eighty percent of the lots have houses on them that have either a single side yard setback variance situation or a

combined yard setback variance situation. They were asking for a side yard setback of 9 feet on each property. Many of the properties have side yard setbacks of less than 9 feet. He did not calculate the coverage of the properties in the area. The granting of the variances would not impact the zoning plan for the area. It would be consistent with the properties and the homes in the area. There is enough room to provide three parking spaces for each home. There would be a two car garage and a two car driveway. There is enough room to have three or four spaces on each property.

Mr. Jackson asked if it was a C-1 or C-2 variance. Mr. Surmonte stated it was a C-2 variance and would not be detrimental to the Municipal Land Use Law and it was in keeping with the neighborhood. The benefits outweigh the detriments.

Mr. Peters stated he had no issue with the TWA permit being a condition of the building permit. Item seven dealt with the demolition of the structure or a bond posted. The subdivision line would bi-sect the existing structure and a bond would be required prior to the signature of the final plat otherwise there would be a property line going through an existing structure. Mr. Penzer indicated that was not a problem. If the property was sold at any time prior, the structure would be demolished immediately. This is not the intent though.

Mr. Banas asked in the other blocks were the lots the same size as what is being proposed. Mr. Surmonte stated that in block 107, with the exception of one lot, those lots are 100 by 100. In block 108, with the exception of one sixty foot lot, half of the lots are 75 x 100. The lots in block 138 and 138.01, except for the lots along the main avenue, those lots are all 60 x 100.

Mr. Miller asked about the water and sewer enhancements. Mr. Surmonte stated they were extending the sewer from Lexington Avenue to their westerly lot to provide connections to their lots as well as two additional lots.

Mr. Banas opened the application to the public.

Sam Wajsbort, across the street, was sworn in. He stated that some of the houses may not fit within the designated envelope, they do not cover 35% of the lot. The houses that are larger are not 35 feet tall. He felt these two points were extremely important. Mr. Surmonte stated that the plan that was filed did not show the exact dwelling. They showed the allowable building envelope if the setback relief was granted. The architectural for the proposed homes were submitted and the coverage was 30.4%.

Mr. Banas stated if you were talking about feet it was 35 feet. Mr. Peters stated that Mr. Surmonte has shown the building envelope. The building envelope is different than the lot coverage. The building envelope would probably have more coverage but that does mean that they are looking for the extra five percent. It is just where the house would be. Mr. Wajsbort stated there is a difference with the type of house. There are small structures in the area not 35 feet high. Mr. Penzer stated that the ordinance in Lakewood allows houses at 35 feet everywhere within the Township. Mr. Wajsbort stated he has an issue with taking the lot and putting a 35 foot house in and stating that it conforms with the neighborhood when the other houses are not

that high. Mr. Jackson stated his point was well taken and the board would take it under advisement.

Linda Wajsbort, 208 Hudson Street, was sworn in. She the plan was from a well known and experienced developer. The residents of the street are attracted to the quiet and understated tree studded street of low profile homes. It provides a haven from other developments. The homes in the area are one or one and a half stories high occupied by one family with an average of under 2,000 square feet. She had photographs of the same. Mr. Jackson asked who took the pictures. Mrs. Wajsbort stated she took the photographs. Mr. Jackson stated there were four pictures. They were marked as exhibit O-1. He requested that the objector maintain the photographs in the condition that they are now. Mrs. Wajsbort stated to have two over 6,400 square foot houses there would be undesirable and reflect poor planning. The developer proposes to subdivide 150 by 100 foot lot into two 75 foot lots. On each lot he wishes to put a 56 by 46 foot print. The maximum lot coverage in the R-10 zone is 25%. The proposed structure would be 35% of the lot not 30%. The proposed footprint of 2,576 square feet is almost 40% greater lot coverage than the zoning allows. It would block sunlight and negatively affect the quality of life on this block. It is not to anyone's advantage except the developer. She did not think it should be allowed. There is a recently passed ordinance that states that a lot larger than 12,000 square feet in a R-10 zone can have a duplex built on it. This would preserve the neighborhood. She was opposed to the subdivision to create two non-conforming lots and permit over development. It would accommodate multiple families and preserve the trees on the lot. This would be more acceptable. She explained what would happen to the neighborhood if all the lots were built the same. She had a lot to build for one of her children and did not want to build the same. She felt that the application would negatively affect the neighborhood.

Bhane Wajsbort, 216 Hudson Street, was sworn in. She was opposed to the subdivision. Hudson Street was a quiet block with many trees and a real suburban feel. She understood the area was designated as a R-10 zone in order to maintain the quality. The Environmental Commission indicated that there was no reason to take one conforming lot and make two non-conforming lots. It was not necessary to make the block more congested and remove trees to build two over-sized houses on a lot where one house should be built. She hoped the board would vote to help maintain the character of Hudson Street.

Avrohom Rothenberg, 1500 Lexington Street, was sworn in. He stated he lives to the right of the lot. He was not opposed to splitting the lots. He would get a ten foot setback and there would be no door on the house facing his property. In looking at the plans, it shows that there is a door and a driveway on his side. Mr. Penzer stated it would be corrected to reflect no door facing Mr. Rothenberg's property.

Seeing no further person wishing to speak for or against the application, he closed the public hearing.

Mr. Penzer stated he appreciated the neighbors coming and voicing their opinion. He stated that all the zones, except the multi-family zone, allow 35 feet in height for the houses. If his client decided to build only one house. The dimensions of the property are approximately 15,000 square feet. He is allowed to build 25% which is almost 4,000 square feet. He could build two floors and have 8,000 square feet without any benefit for a variance. He thought an 8,000 square foot house would be massive. There was no 6,000 square foot house being built. They were building a house that was close to 4,000 square feet spread out on two of them. They have to realize what could be built without obtaining a variance. The neighborhood here is a good case for the master plan advisory committee to review. This is a perfect area. Seventy percent of the houses in this area are less than the size. Perhaps the zone should be changed. It was a perfect example of how an area maintained itself. The area is an older area and has been a R-7.5 zone although it is actually a R-10 zone. It has not changed. The homes were older. Since 1957, the area has been a R-10 zone with R-7.5 houses. The character of the neighborhood is what it is. They have to persuade the board as to whether or not they were impairing the zoning plan in the area. The zoning plan in this area is very clearly R-7.5 although it is actually a R-10 which would create the houses being closer. They moved the house over two feet and made it four feet which is more than the other houses in the neighborhood. It is not an oversized house. They would be bringing water and sewer to the area which is a benefit. It was a C-2 variance. One of the aspects of a C-2 variance is whether or not they were bringing a benefit. In order to make the cost of the water and sewer to make sense, they need the two houses. The two houses are not oversized, they are exactly what they should be.

Mr. Dolobowsky asked if one large duplex would work for the water and sewer. Mr. Penzer stated it would not make economic sense. It makes more sense to extend the mains further down the entire length. If there was one house, the mains would not have to be brought all the way down. In order for other people to connect, the mains would have to be further down the street.

On motion by Mr. Miller and seconded by Mr. Herzl, the application was hereby approved as discussed with the stipulation that there would not be a side entrance facing the adjoining property.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Miller, yes; Mr. Neiman, yes; Mr. Banas, no; Mrs. Wise, no; Mr. Dolobowsky, yes; and Mr. Ackerman, yes.

2. SP #1808A

Applicant: Bais Rivka Rochel
Location: Route 9, between Spruce Street & High Street
Block 782 Lot 7

Informal review of proposed pool addition and minor site plan modifications.
Request to obtain administrative site plan sign off in lieu of site plan approval.

Mr. Peters stated the applicant is requesting an amended site plan approval to relocate a previously approved building addition and add an in-ground swimming pool on

property known as block 782 lot 7 on River Avenue. The plans were revised to show a proposed 40' x 60' swimming pool located adjacent to the proposed gymnasium addition. The proposed gym building is now shown as a separate 4,800 square foot building. The applicant should be required to submit a stormwater management report signed by a licensed professional engineer. The plan shall include construction details, including sidewalk and fence details. The roof drain collection pipe requires clean-outs to be installed at all bends of 45 degrees and greater and straight runs over 150 feet.

Mr. Slachetka stated the applicant should provide information to the board concerning the purpose and scope of the amendment. Updated information concerning the number of classrooms and offices should be provided. The rear area of the site is a wooded area. A portion of the area will be cleared graded, top soiled and seeded. As noted, a stormwater recharge facility is proposed in the area to be cleared. Architectural plans of the revised building should be presented. Amended approvals should be obtained from all required outside agencies, if appropriate.

Denis Kelly, Esq., appearing on behalf of the applicant. The applicant was before the board at the last hearing requesting administrative approval. They were requested to come back to allow the public to provide any input they may have. They have reviewed the board's professionals reports and agree with all the comments. The application received initial approval on May 17, 2005 and they were asking for an amended final for the inclusion of the pool area and the changes indicated in the review letters regarding the gymnasium.

Shlomo Kanareck, applicant, 137 East Eighth Street, was sworn in. Mr. Kelly stated the board had concerns about the impact of the operation of the school. Mr. Banas stated that the public was not present at the last meeting. Mr. Kanareck stated there was absolutely no impact on the existing running of the school. They decided to add a gym because it was not working in the lunch room. They decided to add a pool for the summer program. Presently, during the summer, the children are bused throughout the community to different public pools which causes a safety and health issue. They decided to build a pool to serve the school. Mr. Kelly stated that one change is a 40 by 60 pool which was not previously included in the approval.

Mr. Dolobowsky asked if the pool would be heated. Mr. Kanareck stated there was a question about that. They were not sure yet. Mr. Dolobowsky asked where the pool equipment would be. The equipment makes noise and he felt it had to be depicted and fenced off. Mr. Kanareck stated the same would be provided and submitted to the board's professionals.

Brian Flannery, P.E., was sworn in and his credentials were accepted. There is plenty of room to provide an area for the equipment. The applicant is agreeing as a condition of approval that they would show the same. We agree to provide a fenced in area. The power could be run underground. There is a noise issue with it and it could be placed near the trash compactor. Mr. Banas asked if there would be an opening in the fence and Mr. Flannery replied that there would be.

Mr. Banas opened the application to the public.

Larry Simons, 7 Schoolhouse Court, Lakewood, was sworn in. He stated that at the last meeting, there was a question regarding the fence. He has a problem with the fence being on all four sides. He understood the need to keep the public view away from the children. He felt the fence could be on three sides so the teachers could look in. Mr. Kanareck stated that it has to be closed on all four sides since it was a girls' school by Jewish law. It was a good point. The pool would be locked and would only be opened by the school's lifeguards.

Seeing no further person wishing to speak for or against the application, Mr. Banas closed the public hearing.

Mrs. Wise asked about the volume of students. Mr. Kanareck stated the current enrollment is 408 children. Mrs. Wise asked at any given time, how many would be in the pool. Mr. Kanareck stated two classes together which is anywhere from 53 to 61 students. Mrs. Wise asked if there would be ample guards at any one time. Mr. Kanareck replied absolutely.

On motion by Mr. Miller and seconded by Mr. Neiman, the application was hereby approved as discussed.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Miller, yes; Mr. Neiman, yes; Mr. Banas, yes; Mrs. Wise, yes; Mr. Dolobowsky, yes; and Mr. Ackerman, yes.

Mr. Miller left the meeting.

3. SD # 1832 (Variance requested)
Applicant: Bnos Yisroel School
Location: Bruce Street, between South Park Avenue and Congress Street
Block 250 Lots 10 & 11

Preliminary and final site plan for proposed auto dealership and mechanic shop

Mr. Peters stated the applicant proposes to construct 1,736 square foot structure for use as an auto mechanic shop and auto dealership. The property is known as block 250, lot 10 and 11. The property is located on Bruce Street in the B-4 zoning. Variances are needed for minimum lot width were 87 feet is proposed where 100 feet is required which is an existing condition, a variance is requested to allow a six foot high fence in the front setback. There a few design waivers requested to allow parking in the 20 foot front setback and to not provide a 50 foot wide buffer area to the residential lots. The applicant has indicated the site will be used as an auto mechanic shop and auto dealership. The building floor plan does not indicate any area to be used as a showroom for auto sales. The site contains nine parking spaces beyond those required by ordinance. The applicant shall provide testimony as to how the sales use will be achieved. The board should determine if a shade tree easement will be required along the property frontage. The applicant should address solid waste storage and disposal.

Mr. Slachetka stated the new and used car lot is a permitted use in the zone but the automobile repair use is not permitted. The applicant states the proposed use as "auto dealership and auto mechanic shop." Based on the information provided, we are not certain that the auto mechanic use is accessory to the auto dealership. The applicant should fully describe the relationship between the auto mechanic shop use and the car sales use. If they are considered two separate uses, a use variance may be required and the board would not have jurisdiction. Positive and negative criteria must be addressed. Assuming that the board has jurisdiction, we have provided comments on the site plan submission. The board must make a determination for each waiver request or the site plan must be revised. The proposed building is setback 2 feet from the west property line. The required side yard setback is 10 feet in the B-4 zone. The site plan correctly indicates that no side yard setback is required if the side is adjacent to an existing business use. Therefore, the applicant should provide testimony concerning the use of lots 1 and 16 of block 250. Vegetative screening is now proposed along the eastside of the parking area to buffer the existing residences. The shrubs should be specified as "heavy" due to proximity to the residential lots. The location of the solid waste collection area should be shown on the site plan. The landscaping comments of the Shade Tree Commission dated March 14, 2006 should be addressed.

Denis Kelly, Esq., appearing on behalf of the applicant.

Brian Flannery, P.E., was sworn in and his credentials were accepted. The application is for an auto sales lot. Associated with the sales will be repairs which will take place in the building proposed on site. The intent is to lease the property to the auto sales. It is the same operation as on lot 64. The business will run similar to Pine Belt or Larson Ford, where they have facilities on both sides of the roadway. In the building there will be an office and provisions for a repair facility. Auto sales will take place on both sides of the street. It is clearly an auto sales use and in addition to the auto sales they would be able to do some of their own repairs on the site. It was a permitted use because it was a car lot and the repairs are accessory to that. They need a variance in order to have the site plan approved. The variance is for lot width. It was an existing lot. There was a residency to the east and a commercial use to the west. He had an aerial photograph with the site in yellow. He described the commercial uses in the immediate area. The site was one block away from Route 88. The variance for lot width is an existing condition. There is no way to increase the width. That is the only variance that they need. The positive is that there would be a nice facility on the site. The site already has a use variance from the zoning board to have a car lot where the cars can just park there. There were no negative criteria. It fits in well with the neighborhood. He felt it was a good plan. The benefits outweigh any detriments. Mr. Banas asked the location of the school and Mr. Flannery showed where it was located. Mr. Flannery stated a 50 foot buffer from residential area design waiver was requested. If the same was provided, the lot would be unuseable. The applicant would have to leave the site as a car storage lot. They would provide additional landscaping along the residential lot. The applicant has talked to the neighbor who is satisfied with it. They were providing a buffer which was not 50 feet and it was better than what would be approved under the variance by the zoning board. They were

asking for a design waiver for a six foot fence in the front yard setback. It was being asked for security reasons. The property on the corner also has a six foot fence. The parking design waiver is being requested due to the size of the site. It is consistent with other uses and aesthetically they were providing something that compensates developing a small lot with the design waivers being requested. The proposed building is two feet from the property line. The uses were described earlier. Items five and six of the planner's report were minor in nature and they agreed to them. Item seven indicates they should address the comments of the Shade Tree Commission. They provided additional landscaping as per the professionals requests. They felt what was there was adequate and appropriate. They felt it meant the intent of what the Shade Tree Commission wanted but if the board felt they should provide more landscaping they would entertain any reasonable requests. The final comment is that they needed Ocean County Soil Conservation approval and water and sewer approvals, which they acknowledged. With regard to the engineer's report, item one is informational. Item two indicates the variances that are needed. The six foot high fence is a design waiver, not a variance request. Item three indicates the design waivers. Item four asks for testimony on the use of the site which was discussed.

Mr. Banas asked about the issue with regard to which board should hear the application. Mr. Slachetka stated it was agreed that testimony was needed from the applicant regarding the nature of the uses and the relationship of the uses. He asked if the site would be operated in association with the existing facility or independently. Mr. Flannery stated it would be operating in conjunction with it. The applicant owns the site and is leasing it to the operator of the other facility. There would not be two separate operations. It is a car sales where there will be a service department. Mr. Jackson stated if it continues to be an operation that is run in conjunction with the auto sales facility across the street. Mr. Flannery stated it will be one business. Mr. Slachetka stated that this should be recognized in the resolution of approval.

Mrs. Wise asked what is currently on the premises. Mr. Flannery stated it is a lot where vehicles are stored. Mr. Banas asked if he could have his car repaired there. Mr. Flannery replied he could.

Mrs. Wise asked if the car had to be purchased from the dealer in order to be serviced there. Mr. Flannery replied that it did not have to be purchased there. The main business is selling cars. Mrs. Wise asked about the chemicals used during repairs as it relates to storage and disposal. Mr. Flannery stated normally there is a container that is used for oil changes. The container is provided by a company and picked up. The activity is heavy regulated.

Mr. Banas opened the application to the public. Seeing no person wishing to speak for or against the application, he closed the public hearing.

On motion by Mr. Dolobowsky and seconded by Mrs. Wise, the application was hereby approved as discussed, including language that it could not be a stand alone business.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mrs. Wise, yes; Mr. Dolobowsky, yes; and Mr. Ackerman, yes.

- 4. SD #1516** (No variance requested)
Applicant: Benjamin Parnes
Location: Cedar Avenue, south of Lafayette Boulevard
Block 262 Lots 7 & 8

Preliminary and final subdivision to create 2 lots and extend improvements

Mr. Peters stated the applicant is seeking a major subdivision of block 262 lots 7 and 8. Two new lots are proposed. A two story structure is proposed on each of lots 8.01 and 7.01. The site is located on currently unimproved Cedar Avenue, in the R-12 zoning district. The applicant has not submitted architectural plans. Please submit. It appears that no variances will be required. The applicant will be required to obtain all outside agency approvals. The board should determine if a shade tree easement will be required along the frontage of the two proposed lots. The applicant has designed the proposed roadway and stormwater management system in accordance with RSIS standards. The applicant has designed two infiltration basins to provide stormwater management for the two proposed lots. The basins shall be deed restricted to prevent the homeowners from modifying the basins. The eastern infiltration basin spans the two lots. The applicant shall provide a stormwater management easement for the basin and provide an agreement to be attached to both deeds to ensure proper maintenance. The plans shall be revised to show a spillway from the proposed basins to provide discharge during large storm events.

Mr. Slachetka stated the applicant proposes a new paved roadway from Lafayette Boulevard to the subject lots. The roadway improvements are within the rights-of-way of First Avenue and Cedar Avenue and would terminate in a stub at proposed lot 7.01. A sidewalk is proposed to be installed along the proposed lots and continue to Lafayette Boulevard. The board should discuss whether sidewalks should be provided on the other side of the street. A temporary "hammerhead" type turnaround is proposed at the terminus of the road improvements to accommodate emergency vehicles. The Lakewood Fire Commission should review the turnaround. Compliance with the RSIS is required. Construction plans including profiles and cross-section and details for the proposed road improvements of First and Cedar Avenues have been submitted to the board for review and approval. The improvements address pavement, drainage, curb and sidewalks. Plans for street trees, lighting, street name sign, and traffic control signage do not appear to be addressed. RSIS improvement standards should be addressed. The proposed light pole construction detail should be provided on the plans. The board should discuss whether the intersection of First and Cedar Avenues should be designated and constructed as a full intersection.

Charles Surmonte, P.E., was sworn in and his credentials were accepted. They were proposing the construction of about 500 foot of roadway. They were proposing to subdivide into two lots, both conforming and fronting on proposed Cedar Drive. The hammerhead allows the turn around of vehicles. Drainage is proposed within the roadway. With regard to the planner's report, they were proposing sidewalk on just their side of the street. They felt this was sufficient and the other side of the street was Crystal Lake which is owned by the Township. The board agreed. They would consider the Fire Commissioner's comments regarding the hammerhead. Mr. Surmonte

stated they may have to get a small easement for the hammerhead. He would consult with Mr. Franklin to get the proper dimensions. There are a lot of trees that would remain. If the board would rather designate a number of street trees, they would provide the same.

Mr. Dolobowsky suggested that the professionals discuss the same and supplement the existing trees with perhaps some flowering trees.

Mr. Surmonte stated they would amend the plans to include the street signs and any necessary control signage. Mr. Dolobowsky stated that it was decided that the board would write a note to the Committee requesting that the two streets become one, with one bend, rather than a squared intersection. Mr. Peters stated the plans were revised to show that it is Cedar Drive all the way through. Mr. Slachetka stated the tax maps would have to be changed. Mr. Surmonte stated the balance of the planner's report would be complied with. With regards to the engineer's report, the architectural plans were not submitted because they were not at that point nor were they required with this type of application. Mr. Kielt stated they were not required but the board could request them. Mr. Franklin stated they wanted the trees on the property side, not between the road and the sidewalk. Mr. Surmonte stated he discussed the two infiltration basins and they would make the requested revisions and add the language in the deeds as requested. There were some concerns about the proximity of the property to Crystal Lake. The applicant contacted an environmental consultant to review the site and the general area. He handed out a letter from E & W Land Consultants, which was marked as Exhibit A-1. The letter indicates that the vegetation in the area is consistent with a non-wetlands species. The soil is such that the seasonal water table is not within 48 inches of the surface and therefore not wetlands soils. He made an observation that any wetlands associated with Crystal Lake would be a stream a couple of hundred feet from the lot. Mr. Peters asked about the sidewalks and if it would be on both sides. Mr. Banas stated it would be on one side.

Mr. Banas opened the application to the public. Seeing no person wishing to speak for or against the application, he closed the public hearing.

On motion by Mr. Dolobowsky and seconded by Mr. Neiman, the application was hereby approved as discussed with the redesign of the hammer in the street, with the addition of the shade trees, the sidewalks on one side, and the board writing to the proper authorities to make it one street with one name.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mrs. Wise, yes; Mr. Dolobowsky, yes; and Mr. Ackerman, yes.

- 5. SD #1521** (Variance requested)
Applicant: SRS Ventures LLC
Location: Cushman Street, off River Avenue, south of Pine Boulevard
Block 430.04 Lot 22
Preliminary and final major subdivision - 8 townhouse units

Mr. Peters stated the applicant is seeking a major subdivision of block 430.04 lot 22. Eight new lots are proposed. The proposed project consists of removing an existing dwelling on the site and constructing 8 townhouse units. The site is located on Cushman Street in the HD-7 zone. No variances are required. The applicant will be required to obtain all outside agency approvals. Evidence of the approvals should be made a condition of the final subdivision approval. There are some technical comments regarding the Map Filing Law.

Mr. Slachetka stated a total of 20 parking spaces are proposed along Cushman Street. The parking computations indicate that 2.5 spaces are proposed per unit. This ratio slightly exceeds the RSIS standards for a three bedroom townhouse. However, the architectural drawings indicate four and five bedroom units are proposed. The RSIS do not stipulate a specific parking requirement for four and five bedroom townhouse units and it is our understanding that the board may require the number of off-street spaces sufficient, in its opinion, to address the parking need consistent with the proposed development and community. Therefore, we recommend the applicant provide adequate off-street parking consistent with the proposed bedroom count. In the alternate, the applicant should provide expert testimony addressing this issue. We note that the RSIS indicates that alternative parking standards shall be accepted if they can be demonstrated to better reflect local conditions. In order to minimize the number of parking spaces along the Cushman Street frontage, the applicant should indicate if an alternate layout has been investigated. The board may wish to consider a layout of the two townhouse structures perpendicular to Cushman Street with a common parking area between the buildings. The applicant should address whether such a building arrangement has been considered. If feasible, a revised arrangement would reduce the number of vehicles "backing out" into a municipal roadway. Details of the proposed individual trash and recycling enclosures should be submitted for the board's review. These details should illustrate that the enclosures will be compatible with the architectural style of the proposed buildings. Fee simple lots are proposed. However, the shade tree and drainage easements are proposed to be dedicated to a homeowners association. If any areas are to be put into common ownership for common use by all residents, the area shall be owned or maintained by a non-profit homeowners association in accordance with the requirements of the Department of Community Affairs. The remaining comments were minor and technical in nature.

Abraham Penzer, Esq., appearing on behalf of the applicant. With regard to the engineer's report, one and two are informational. Item three is the treatment works approval which he asked be a condition before the actual building permit is issued, not the subdivision approval. They would comply with items four, five and six. He did not understand the terms in item 7. Mr. Peters stated they were engineering terms. Mr. Penzer stated they would comply with the same. With regard to the planner's report, the parking was changed.

Mr. Penzer marked as Exhibit A-1 the layout plan, and A-2 was the architectural rendering of the proposed units.

Ray Carpenter, P.E., was sworn in and his credentials were accepted. The RSIS standards for a three bedroom townhouse unit, .5 parking spaces are required. You are talking about a four or five bedroom single family house which requires three spaces. They took the 2.5 parking spaces per dwelling unit for their parking standard because it was above the townhouse standard which is 2.3. They thought the 2.5 spaces was more than adequate. Mr. Neiman asked if there were basements. Mr. Carpenter stated there are basements in the house, but they were unfinished. The board felt it was a two family house and should have three spaces. He discussed how the parking could be done on street as it related to impervious coverage. There is a beautiful backyard which is 79 feet from the property line. The RSIS standards stipulates that .5 parking spaces per unit is permitted as visitor parking. They have four parking spaces. Cushman Street is a 30 foot wide street. According to RSIS standards, thirty feet is required on both sides. Cushman Street does not have prohibited parking on either side.

Mr. Dolobowsky stated that his house is smaller than the townhouse and they would attract good size families. Mr. Penzer stated the applicant has agreed to provide three parking spaces. The plans would be amended to three spaces. Mr. Dolobowsky stated that each unit could be shifted back a little bit and allow each unit to have a two car wide and four car long driveway. Mr. Carpenter stated if that was preferably, they would provide the same. Mr. Penzer stated they would design the driveways for four cars, subject to the board's engineer approval. Mr. Carpenter stated the architectural plans show a trash enclosure and the site plan shows it also. The trash enclosure would match the building. It is fee simple lots with a homeowners association. The shade tree and drainage easement would be taken care of. Mr. Penzer stated they would comply with items five and six. The comments of the Shade Tree Commission were already addressed. They could comply with all the other agencies.

Mr. Banas asked about the sidewalk. Mr. Carpenter explained where the sidewalks were going to be. Mr. Banas asked about Route 9. Mr. Carpenter stated the property does not front on Route 9. Mr. Dolobowsky stated that lot 21 makes them 150 feet off of Route 9. Mr. Penzer stated the sidewalk would be on Cushman Street.

Mrs. Wise asked about the Fire District comments and asked where the fire hydrant was. Mr. Carpenter showed where the hydrant was.

Mr. Banas opened the application to the public. Seeing no person wishing to speak for or against the application, he closed the public hearing.

On motion by Mr. Dolobowsky and seconded by Mr. Neiman, the application was hereby approved as discussed including shifting the entire project back, making a double-wide double-stacked driveway in each unit, and providing shade trees.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mrs. Wise, yes; Mr. Dolobowsky, yes; and Mr. Ackerman, yes.

6. 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

Mr. Peters stated the applicant has required site plan approval to construct a three-story building. The first floor will be retail shops, the second and third floors, which will be assessable by an elevator, will be office space. The property is known as block 121, lot 29. The property is located on Clifton Avenue and First Street in the B-2 zone. No variances will be required. The proposed building projects into an existing access easement to lot 21 by 2 feet. The applicant has proposed a 10 foot wide access easement. The applicant shall provide documentation that the owner of lot 21 has approved the proposed easement. The applicant shall provide testimony on how solid waste disposal will be achieved and the storage locations of dumpsters or trash cans should be identified. Certification by the Ocean County Soil Conservation District will be required. Evidence of certification should be made a condition of final approval.

Mr. Slachetka stated that confirmation should be provided that all roof-mounted HVAC equipment will be screened by the proposed parapet wall. The applicant proposes to modify the existing access easement from a twelve-foot width to a ten foot width. Improvements within the easement, if any, should be identified. The form and content of the revised easement documents should be reviewed by the board's attorney prior to filing with the County Clerk. The metes and bounds description for the easement should be reviewed by the board's engineer. No off-street parking is required for non-residential uses in the B-2 zone in accordance with Section 870.B.9 of the UDO. Outside agency approvals are required.

Abraham Penzer, Esq., appearing on behalf of the applicant. With regard to the engineer's report, the surveyor's plan is signed and sealed. They met with the neighbor regarding the easement and the two foot encroachment. This will be provided in writing to the board within the next ten days. The Industrial Commission approved the application.

Ray Carpenter, P.E., was sworn in and his credentials were accepted. The architectural plans show two areas for storage and refuse. The cans would be taken to the street. Mr. Penzer stated they would provide the Ocean County Soil Conservation District approval. With regard to the planner's report, Mr. Carpenter stated the HVAC equipment will be screened by a parapet wall. They complied or will comply with the balance of the recommendations.

Mr. Banas opened the application to the public. Seeing no person wishing to speak for or against the application, he closed the public hearing.

On motion by Mr. Dolobowsky and seconded by Mrs. Wise, the application was hereby approved.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mrs. Wise, yes; Mr. Dolobowsky, yes; and Mr. Ackerman, yes.

- 7. SP #1834** (Variance requested)
Applicant: River Equities, LLC
Location: River Avenue, south of High Street
Block 782 Lot 35

Minor site plan and change of use site plan

Mr. Peters stated the applicant has requested preliminary and final site plan approval to construct an addition to an existing building and change the use from office to a school. The property is known as block 782 lot 35. The property is located on River Avenue in the HD-7 zone. Variances will be required for the following: front yard setback where 150 feet is required and 40.56 feet is provided which is an existing condition; rear yard setback where 50 feet is required and 30 feet is proposed; and setback to an accessory structure where 30 feet is required and an existing shed is located 5 feet from the northern property line. The applicant shall provide testimony on the anticipated number of students who will attend the school, the age of the students, and the proposed number of bus trips per day. The applicant shall provide testimony on the type of buses that will be used to bring the students to the school. It appears the parking lot is too tight to allow a full size bus to turn properly. The revised plans show 3 parking spaces designated as no parking during school hours. Because school hours will be the better part of the day the applicant cannot take credit for providing the spaces for parking. The plan shall show 5, not 8, that is currently shown. Also, the parking table shall be updated to show 52 not 55 spaces. The parking sign detail shall include "during school hours" after the words "no parking". All but one of the traffic arrows are pointing in a counterclockwise direction. The plan shall show all of the arrows pointing counterclockwise, if the traffic flow in the western drive aisle will be two way, an additional traffic arrow shall be shown. The southern property line bisects the drive aisle that provides access to the site. The applicant shall address site access. An easement agreement with the owner of 15.01 may be required.

Mr. Slachetka stated the applicant must address the positive and negative criteria for each of the requested variances. The applicant should describe the operational characteristics of the facility including the proposed number of student to be educated on site; the proposed grade levels; the anticipated number of school buses visiting the site on a daily basis; the proposed hours of operations; and the services that will occur on site. The site plan has been revised to show the circulation for buses. A bus pick-up and drop-off area has also been delineated. A recreation area has been delineated on the site plan and details are provided concerning play equipment. The applicant should identify the proposed height of the renovated building on the site plan. The proposed height is 26 feet as shown on the architectural plan and complies with the zone. A ten-foot wide buffer is required in accordance with Section 906. Plantings are proposed along the south of the lot and a portion of the rear lot line. The adequacy of the existing vegetation on the balance of the site should be addressed. The parking computations should be revised to reflect the loss of three spaces for the bus loading/unloading area. The total number of parking spaces as shown in the parking table is in compliance with the ordinance. No changes in existing site lighting are proposed. Testimony should be provided concerning the adequacy of the existing site lighting. The remaining comments were minor and technical in nature.

Abraham Penzer, Esq., appearing on behalf of the applicant. The layout drew by Brian Flannery was marked as A-1. The architectural rendering was marked as A-2.

Brian Flannery, P.E., was sworn in and his credentials were accepted. The application was a minor site plan. There are currently two buildings on site. The front building will remain as is. The rear building would be used half as a school and half as offices. The front yard setback is to the existing building. Forty feet is existing and they were leaving the building there. The rear yard setback is proposed at 50 feet. A variance is needed for the accessory building for the existing shed on site. The front setback is existing. The rear setback provides a useable building and a school for the children. With what is proposed, the positive outweighs any negative criteria. The school use has less traffic than an office use. Any negative impact is minimal. The application provides a use for the site and schooling for the children. With regard to the planner's report, initially there is 60 students. The full build out will be 220 students. There will be a maximum of four full size buses. The hours are from 8:30 a.m. to 5:00 p.m. There is a recreation area indicated on the plans. The circulation has been shown on the plans. The recreation area has been shown. The building height will be shown on the plans. The buffer would be addressed through the existing vegetation. He felt the existing vegetation is adequate. They would correct the parking computations as requested. There are lights in the isles in the parking lot which was sufficient in accordance with the ordinance standards. They would obtain all outside agency approvals. With regard to the engineer's report, item one was information. Item two was the variances requested. Item three and four were addressed. Item five would be revised and items six and seven would be provided. Item eight deals with the access easement which would be provided.

Mr. Banas asked about HVAC equipment. Mr. Flannery stated it was a gated area in the rear of the building. The same would be shown on the plans.

Mr. Neiman asked about the building in the front and if the cars would go to the back. Mr. Flannery stated they would not go towards the back. All of the parking spaces would be for both buildings and the playground is on the side of the buildings. The school will remain in the back. Mr. Penzer stated the intent is to take over the entire back building. Mr. Neiman asked about the right of way near the playground. Mr. Flannery stated there is a fence along the property line with mature vegetation.

Mr. Banas asked if there was a need to include some low buffering. Mr. Flannery did not think it was necessary.

Mr. Franklin asked about garbage collection. Mr. Flannery stated there is private collection for the offices. Mr. Franklin stated he would pick up the school but he could not get back there and make the turns.

Shraga Zelbes, was sworn in. Mr. Zelbes stated there is a current container. Mr. Franklin stated once the curbs are put in the plans do not show where the containers would be. Mr. Zelbes stated they were not changing the existing parking lot. He showed the location on the map. Mr. Franklin was concerned that he would

not be able to access it if there were cars there. Mr. Flannery stated they could eliminate a parking space and put it were Mr. Franklin was comfortable with it. Mr. Flannery stated they would put it in the northwesterly corner and eliminate one parking space. Mr. Penzer suggested using two spaces and Mr. Franklin agreed. Mr. Flannery would adjust the plans accordingly. The same would be enclosed.

Mrs. Wise asked what type of businesses would be in the building in the back. Mr. Zelbes stated there is currently a real estate office and a medical billing office there.

Mr. Banas opened the application to the public.

Noreen Gill, 192 Coventry Drive, Lakewood, was sworn in. She understood that the school was to remain in the back. She wanted to ensure that the school was in the back and if the offices were in the front how many offices would be in the front and would it be associated with the school. Mr. Penzer stated they were businesses in front of the school. There is no association. As the school grows, the offices will move out. Ms. Gill stated as the businesses move out, it would mean more buses. Mr. Penzer stated they maxed it out at four buses at full capacity. Ms. Gill stated when the businesses move out, the building would be used as a school. Mr. Penzer stated that a school requires less parking than a business. Ms. Gill asked if there would be enough playground area and Mr. Penzer replied there would be.

Larry Simmons, 7 Schoolhouse Court, was sworn in. He wanted to ensure that this was an existing building and there would be an addition added onto it. Mr. Penzer replied yes. Mr. Banas stated there are two buildings, one in the front and one in the back. Mr. Simmons asked about the setback from Route 9 and if the setback would remain as it is now. Mr. Penzer stated yes because it was an existing condition. Mr. Simmons asked about the buses. Mr. Penzer stated they were full sized buses.

Seeing no further person wishing to speak for or against the application, Mr. Banas closed the public hearing.

Mrs. Wise asked about the playground equipment. Mr. Flannery stated the recreation would be staggered. Mrs. Wise felt more equipment was needed. Mr. Flannery stated more equipment would be added.

On motion by Mr. Dolobowsky and seconded by Mrs. Wise, the application was hereby approved as discussed.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mrs. Wise, yes; Mr. Dolobowsky, yes; and Mr. Ackerman, yes.

Mr. Banas did not think they would reach the balance of the items.

Mr. Penzer granted an extension for SD#1525.

Mr. Jackson stated that items SD#1524 and SD#1525 would be carried to the April 25, 2006 meeting. No further notice was required of the applicants.

11. Discussion - Proposed ordinance regarding the storage of commercial vehicles in residential zone

Mr. Slachetka stated this was an ordinance which would amend section 807 of the UDO to add a subsection d which would prohibit the parking of commercially registered vehicles that is more than one and a half tons or has more than two axles in any residential zone between 6 p.m. and 7 a.m. It would permit the parking of one commercially registered vehicle that is less than one and a half tons in residential zones so long as the vehicle is parked in a garage, driveway, or designated parking area.

Mr. Neiman asked about other townships and if this was consistent. Mr. Slachetka stated there is a variety of approaches that municipalities take. This is a very well-structured and detailed provision on commercially registered vehicles. There are some ordinances that prohibit it. This does allow for the parking of smaller commercial vehicles. In comparison some are very consistent with this. It was a good well-structured approach.

Mr. Franklin stated they worked on this some time ago. At the time, they did allow the motor homes to be parked.

Mr. Dolobowsky stated this indicates commercial vehicles. Mr. Slachetka stated the motor homes would not be registered commercially.

Mr. Banas asked about the noise factor. Mr. Slachetka stated the weight corresponds to the storage capacity of the vehicles. Any vehicle is subject to the standards of the noise ordinance.

Mr. Slachetka stated he would recommend to the Committee that recreational vehicles were allowed.

Mr. Banas stated the ordinance does not deviate from the master plan and could be adopted.

On motion by Mr. Dolobowsky and seconded by Mrs. Wise, the attorney would inform the Committee that the ordinance could be adopted.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mrs. Wise, yes; Mr. Dolobowsky, yes; and Mr. Ackerman, yes.

12. Discussion - Recommendation on request for re-zoning to the Township Committee by Somerset Development for Block 189 Lots 108, 109, 110, 111.01, 111.02, 112, 113, 114 & 148.

Mr. Dolobowsky stated this has come up in the past. It is near the intersection of Route 88 and New Hampshire Avenue. If you look at the existing uses it really is multi-family except for the one nursing home. There was talk about rezoning from New Hampshire Avenue west to the church on the southern side of the road and west to the park on the northern side of the road with RM to make it match. The only part not included would be right at the northwest corner of the intersection where there is an existing business and there was a recent ordinance that moved the corner into the same zone as across the street on Route 88. Mr. Slachetka stated he would look to see if it was changed to a B zone. Mr. Dolobowsky was for it. Somerset wants their property rezoned now. He felt the entire area should be reviewed and rezoned if necessary. Mr. Slachetka stated there is currently an ongoing reexamination of the master plan.

The attorney was to correspond to the manager indicating that the board takes no judgment on the recommendation and that the zoning subcommittee should review the entire area. Mr. Dolobowsky would review it with Mr. Jackson prior to it being sent.

VI. CORRESPONDENCE

None at this time.

VII. PUBLIC PORTION

None at this time.

VIII. APPROVAL OF BILLS

On motion by Mrs. Wise and seconded by Mr. Neiman, the submitted bills were hereby approved for payment.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mrs. Wise, yes; Mr. Dolobowsky, yes; and Mr. Ackerman, yes.

IX. APPROVAL OF MINUTES

On motion by Mr. Neiman and seconded by Mrs. Wise, the minutes were hereby approved.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mrs. Wise, yes; Mr. Dolobowsky, yes; and Mr. Ackerman, yes.

V. MEMORIALIZATIONS OF RESOLUTIONS

Mrs. Wise was not voting on the resolutions.

- 1. SD #1442A** (No variance requested)
Applicant: Vermont Avenue LLC
Location: corner of Vermont Avenue & Locust Street
Block 1081 Lot 10
Extension of previously approved final major subdivision approval

On motion by Mr. Neiman and seconded by Mr. Herzl, the resolution was hereby memorialized.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; and Mr. Ackerman, yes.

- 2. SD #1512** (No variance requested)
Applicant: Chaim Rosen
Location: New Central Avenue, west of Hillside Boulevard
Block 11.29 Lot 4
Minor subdivision to create 2 lots

On motion by Mr. Neiman and seconded by Mr. Herzl, the resolution was hereby memorialized.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; and Mr. Ackerman, yes.

- 3. SD#1508** (Variance requested)
Applicant: Yehuda Kirschenbaum
Location: Pasadena Street, east of Red Oak Drive
Block 187.13 Lot 15
Denial of Minor subdivision to create 2 lots

On motion by Mr. Neiman and seconded by Mr. Herzl, the resolution was hereby memorialized.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, abstain; Mr. Banas, yes; Mr. Dolobowsky, yes; and Mr. Ackerman, yes.

4. SP#1600A (Variance requested)
Applicant: Bryan & ETTY Terebelo
Location: Second Street, west of Clifton Avenue
Block 90 Lot 16
Preliminary and final site plan - proposed addition to existing office/retail building
Minor subdivision to create 2 residential lots

On motion by Mr. Neiman and seconded by Mr. Herzl, the resolution was hereby memorialized.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes;
Mr. Dolobowsky, yes; and Mr. Ackerman, yes.

5. SD#1506 (No variance requested)
Applicant: Yehuda Ehrman
Location: Lanes Mill Road - opposite Cindy Court
Block 189.16 Lot 50
Minor subdivision to create 2 lots

On motion by Mr. Neiman and seconded by Mr. Herzl, the resolution was hereby memorialized.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes;
Mr. Dolobowsky, yes; and Mr. Ackerman, yes.

6. SD#1513 (No variance requested)
Applicant: Yitzchok Schreiber
Location: White Road, east of Cross Street
Block 251 Lot 14.02
Minor subdivision to create 2 lots

On motion by Mr. Neiman and seconded by Mr. Herzl, the resolution was hereby memorialized.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes;
Mr. Dolobowsky, yes; and Mr. Ackerman, yes.

7. SD#1514 (No variance requested)
Applicant: Shraga Schorr
Location: Read Place, south of Albert Avenue
Block 855.02 Lot 24
Minor subdivision to create 3 lots

On motion by Mr. Neiman and seconded by Mr. Herzl, the resolution was hereby memorialized.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; and Mr. Ackerman, yes.

8. SD#1515 (Variance requested)
Applicant: Gitel Eisen
Location: corner of Ocean Avenue (Route 88) and Holly Street
Block 189.02 Lots 160 & 161
Minor subdivision to create 3 lots

On motion by Mr. Neiman and seconded by Mr. Herzl, the resolution was hereby memorialized.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; and Mr. Ackerman, yes.

9. SD#1520 (No variance requested)
Applicant: MTR Ventures
Location: corner of Cedar Bridge Avenue and Melville Avenue
Block 763 Lots 2 & 17
Minor subdivision to create 3 lots

On motion by Mr. Neiman and seconded by Mr. Herzl, the resolution was hereby memorialized.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; and Mr. Ackerman, yes.

10. SD#1378A (No variance requested)
Applicant: MAZ East Coast Division
Location: Kennedy Boulevard, east of North Apple Street
Block 172 Lot 12
Extension of major subdivision approval

On motion by Mr. Neiman and seconded by Mr. Herzl, the resolution was hereby memorialized.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; and Mr. Ackerman, yes.

Mr. Banas asked for a resolution to go into closed session.

Mr. Kielt noted that for application 1508 Mr. Herzl, abstained; Mr. Franklin, yes for the motion which was a denial; Mr. Neiman, abstained; Mr. Banas, yes for the denial; Mr. Dolobowsky, yes for the denial; Mr. Ackerman, abstained; Mr. Klein, yes for the denial; Mr. Ganton, yes for the denial; and Mr. Percal, abstained.

On motion by Mr. Dolobowsky and seconded by Mr. Wise, the board went into an executive session to discuss attorney board matters.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes, Mr. Banas, yes; Mrs. Wise, yes; Mr. Dolobowsky, yes; and Mr. Ackerman, yes.

X. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted,
Elaine Anderson
Planning Board Recording Secretary