

**LAKESWOOD PLANNING BOARD  
MINUTES  
TUESDAY, APRIL 5, 2005 • 6:00 P.M.**

**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.”

**ROLL CALL:** Mr. Herzl, Mr. Franklin, Mr. Miller, Mr. Neiman, Mr. Banas, Mr. Dolobowsky, and Mr. Ackerman.

Also present were Attorney John Jackson, Engineer Maxwell Peters and Planner Stanley Slachetka.

Mr. Banas asked if there were any changes and Mr. Kielt replied that there were not. Mr. Banas stated that Mr. Penzer is ill and he was going to hear Mr. Penzer's cases first.

**II. WAIVER REQUESTS**

**1. SD #1338A**

Applicant: Ezriel Munk  
Location: Caranetta Drive, south of Central Avenue  
Block 288 Lot 9

Minor subdivision to create two lots

Waiver request from checklist item:

- #21-topography of site and within 200 feet of site
- #22-contours
- #24-flood plains, wetlands, etc.
- #27-trees 10 inches in diameter and over
- #29-manmade features within 200 feet of the site

Mr. Peters stated he reviewed the requested waivers and recommended granting the waivers for items 27 and 29. He did not recommend granting items 21, 22 and 24. He felt that partial waivers could be granted for topography and contours. The topography of the site itself should be shown. For flood plains and wetlands, a note should be added to denote the flood plain elevation and confirm that there are no wetlands on site.

On motion by Mr. Neiman and seconded by Mr. Dolobowsky, the requested waivers were hereby granted for items 27 and 29 and a partial waivers for the balance of the items as indicated by the engineer.

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

### III. PLAN REVIEW ITEMS

7. **SD #1470** (Variance requested)  
Applicant: MLJR LLC  
Location: County Line Road East, between Brook Road & Somerset Avenue  
Block 174.04 Lots 54 & 55  
Preliminary and final major subdivision - 9 lots

Mr. Peters stated the applicant is seeking preliminary and final major subdivision approval for 9 residential lots. The property is situated on Kennedy Boulevard East within the R-15 zone. A variance will be required for the minimum lot width, 100 feet is required and 84' has been provided by the applicant. The applicant should provide testimony as to any proposed development signage and provided the location and size of any proposed signage. The applicant shall provide testimony as to the extent of improvements proposed for Kennedy Boulevard East as the plans are unclear. The applicant shall provide testimony as to the proposed catch basin and storm sewer work to be completed by others. The applicant shall provide crosswalks at the intersection of Renee Court and Kennedy Boulevard East. The applicant shall provide a stop bar at the intersection of Renee Court and Kennedy Boulevard East. The applicant shall provide a stop bar at the intersection of Renee Court and Kennedy Boulevard East. It appears the applicant will be required to obtain approvals from Ocean County Planning board, Soil Erosion and Sediment Control, NJDEP permits for Treatment Works Approval and Water Main Extension. The applicant shall revise the stormwater inlet details, specifically the Type "B" inlets must comply with the newly enacted stormwater regulations. The balance of the comments are in regards to the map filing law which should be addressed.

Mr. Slachetka stated that the applicant must address the positive and negative criteria for the requested variance. Kennedy Boulevard is currently a vacant right-of-way. The applicant should provide the planning board with a status report concerning the schedule for the construction and extension of Kennedy Boulevard to the site. The applicant has submitted a Natural Resource Inventory. Note #13 on the final plat states that the drainage system will be owned and maintained by a homeowners association. Dedication to the Township should be required. The applicant proposes to restrict vehicular access to Kennedy Boulevard from proposed lots 55.01 and 55.09. We are in agreement and recommend that the restriction also be shown on each lot in the final plat. Similarly, vehicular access to County Line road from proposed lots 55.04 and 55.05 will be restricted. The restriction should also be shown on those lots in the final plat. The building footprint for lot 55.09 as shown on sheet #3 must be revised to move the footprint of the proposed dwelling from the front yard setback. The landscape and lighting plan identifies the proposed street name as "Lugano Drive" and the other as "Renee Court". The plans

should be revised to provide a consistent street name. The proposed street name should be reviewed by the Police Department to confirm that the name is not a duplication. Sheet #2 identifies the location of trees located on the site. However, the survey does not indicate which trees will be preserved and which trees will be removed. A tree protection detail should be added to the plans. An evergreen buffer is proposed along the south side of the tract which fronts County Line Road. The plantings should sufficiently screen the dwellings. However, the applicant should indicate who will maintain the evergreen plantings. The proposed shade tree plantings will be subject to the review of the Shade Tree Commission. A bond must be posted to guarantee the removal of the structures on the tract if they are not removed by the time that the plat is presented for signature of the Township. The rest of the comments are generally technical in detail.

Abraham Penzer, Esq., appearing on behalf of the applicant.

Brian Flannery, P.E., stated that the application is for nine lots. A variance is needed for lot width. The lot width relates to the one lot at the end of the cul-de-sac and testimony will be provided at the public hearing. Most of the comments are minor in nature and will be provided without any difficulty. The drainage system being dedicated would be at the board's preference. The shade tree commission is an advisory board. They will do whatever the planning board recommends. They were proposing curb and sidewalks. Kennedy Boulevard is currently a paper street. They are presenting constructing Kennedy Boulevard to within feet of the site. They would improve Kennedy Boulevard in front of their site. They realize it is a condition of the approval.

Mr. Banas asked how far the variance requested deviates from the ordinance. Mr. Flannery stated the ordinance requires 90 feet and they are proposing almost 85 feet. They were dedicating 5 1/4 feet. They would comply if the lot was measured prior to the dedication. All the lots have the required area and comply in any other aspect. The lot that needs the variance exceeds the square footage. Mr. Slachetka accepted the same. Mr. Peters stated that the drainage should not be dedicated to the Township.

Mr. Neiman asked if the radius of the cul-de-sac was wide enough for the public works trucks. Mr. Franklin stated it was tight but they could make it or back up. Mr. Flannery stated the cul-de-sac is in accordance with RSIS.

On motion by Mr. Neiman and seconded by Mr. Herzl, the application would have public hearing on April 19, 2005.

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

Mr. Jackson stated the application would have public hearing on April 19, 2005 at 6:00 p.m. No further notice was required of the applicant.

## II. WAIVER REQUESTS

### 2. SD #1471

Applicant: Shlomo Kanarek  
Location: Ridge Avenue at terminus of New Hampshire Avenue  
Block 190 Lot 63

Preliminary & final major subdivision - 14 lots

Waiver request from check list item:

- #21- topography within 200 feet of the site
- #24-flood plains, wetlands, etc.

Mr. Peters did not recommend granting item 21 but a partial waiver could be granted. He did recommend granting item 24. The flood plain information will be needed for final approval. Mr. Neiman asked about what would be needed for a partial waiver. Mr. Peters stated everything within the site and to the drainage high point.

On motion by Mr. Neiman and seconded by Mr. Dolobowsky, a partial waiver as indicated by the engineer was granted for item 21 and item 24 was granted.

Mr. Dolobowsky stated the area near Ridge Avenue has extensive wetlands. Mr. Peters stated they were not waiving the permit itself, they were waiving that the wetlands be shown on the plans for the applicant to present the same to the board. The applicant will still be required to obtain all the wetlands approvals. Mr. Miller asked about the LOI. Mr. Peters stated that it would be needed.

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

### 3. SP #1810

Applicant: Bais Medrash of Willow Court  
Location: corner of Fourteenth Street & Willow Court  
Block 25.12 Lot 8

Preliminary & final site plan for proposed synagogue

Waiver request from check list item:

- #21- topography within 200 feet of the site
- #42- natural resource inventory

Mr. Peters did not recommending granting item 21 but a partial waiver could be granted to the drainage high point. He did recommend granting item 42. The site was already developed.

On motion by Mr. Neiman and seconded Mr. Dolobowsky, the requested waiver for item 21 was partially granted as indicated by the engineer and item 42 was granted.

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

#### 4. SP #1811

Applicant: Yeshiva Nesivos Ohr Inc.  
Location: corner of Oberlin Avenue South & Vassar Avenue  
Block 1602 Lot 1

Change of use site plan for proposed school

Waiver request from checklist items:

- #21-topography of the site and within 200 feet of the site
- #24-flood plains, wetlands, etc.
- #27-trees 10 inches in diameter and over
- #29-manmade features within 200 feet of the site
- #43-landscaping plan
- #44-soil erosion plan
- #45-drainage calculations

Mr. Peters stated he recommending granting items 21, 27, 29, and 45. He felt that item 44 was not applicable and he did not recommend granting items 24 or 43.

On motion by Mr. Herzl and seconded by Mr. Miller, the requested waivers for items 21, 27, 29 and 45 were hereby granted; items 24 or 43 were not granted and item 44 was not applicable.

Mr. Miller asked why item 24 was granted previously but not for this one.

Mr. Peters stated that for the flood plains a note just had to be added to the plans.

Getting flood plains permits would be needed for the resolution on the previous application.

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

### III. PLAN REVIEW ITEMS

2. SP #1807 (Variance requested)  
Applicant: Georgian Court University  
Location: Lakewood Road and Eighth Street  
Block 45 Lot 1

Change of use site plan from residence to offices

Mr. Peters stated the applicant is seeking a change of use from a residential structure to University offices space. The property is situated at 801 Lakewood Avenue, within the R-12 zone. A variance will be required for the front set back, 30 feet is required and 29.8 feet are provided. A variance will be required for the parking requirements, 6 spaces are required and 2 are provided. The applicant shall provide testimony with respect to the number and types of vehicles expected per day. The applicant shall provide testimony with respect to the number of handicap parking spaces required, for six required parking spaces a minimum of one space should be handicap accessible. The applicant shall provide testimony addressing the handicap accessibility of the structure and any improvements required for this site. The board should determine if a shade tree easement will be required.

Mr. Slachetka stated the applicant should describe the nature of the proposed university office use, number of employees anticipated, hours of operation, etc. The applicant should confirm that sufficient parking is available in the parking lot located across Eighth Street for the balance of the required parking. Is any additional lighting proposed? How will solid waste from this office be handled? The board may want to discuss any additional screening that may be appropriate, depending on the proposed level of activity at the site.

John Doyle, Esq., appearing on behalf of the applicant. He stated that the site is intended to be used as office space. The persons in the office will come from an existing facility within the University. The number of employees will not increase. They did receive an amended site plan for the building across the street which has additional parking. ADA compliance items will be provided. There will be screening provided. There is presently lighting and trash removal which they do not see any significant changes in. The engineer will provide testimony regarding the same. The office will be open generally from 8 a.m. to 6 p.m.

Mr. Banas stated he did not see any drawings of the lighting. Mr. Peters stated there is no proposed lighting. Mr. Banas felt that the existing lighting needed to be shown. Mr. Witte stated the same would be provided. Mr. Banas asked about the landscaping. Mr. Witte stated the landscaping is existing. Mr. Slachetka stated the applicant indicated that they discussed the same with the adjoining owners and they would provide additional landscaping. He wanted to see the existing and proposed landscaping on the plans so they know what is being proposed. Mr. Doyle stated that the same would be provided. They were not adding to the building nor any impervious surface. Mr. Banas stated they wanted to see the landscaping on the plans. Mr. Witte stated that it is shown on the plans. Mr. Slachetka stated the general locations are shown but not what is specifically there. He wanted to know how the additional landscaping would work with the new landscaping. Mr. Doyle stated that it is shown and that the fence would be shown. Mr. Slachetka asked them to identify the landscaping that was there. Mr. Doyle stated the same would be done.

Mr. Dolobowsky asked how many parking spaces will be provided. Mr. Witte stated that there would be six offices. One space will be a handicapped space. The other space could be used by anyone. The parking area down the block would be used. Mr. Dolobowsky was concerned about the carport. Mr. Witte discussed the carport with regard to the handicapped space.

On motion by Mr. Neiman and seconded by Mr. Miller, the application would have public hearing on April 19, 2005.

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

Mr. Jackson stated the application would have public hearing on April 19, 2005 at 6:00 p.m. No further notice was required of the applicant.

**1. SP #1801A** (No variance requested)

Applicant: Yeshiva Keter Torah

Location: Apollo Road, west of Squankum Road  
Block 104 Lots 57 & 60

Site plan - proposed two temporary school buildings

Mr. Peters stated the applicant is seeking preliminary and final site plan approval for the use of an existing one story building as temporary classrooms at a site previously given site plan approval on January 18, 2005. The property is situated on Apollo Road extension within a R-12 zone. Variances were previously approved for maximum lot coverage of 25% where 31.7% is proposed and minimum sign setback of 34 feet where 15.5 feet is proposed. The applicant has indicated 34 parking spaces will be required and 48 spaces will be provided. A count of offices and classrooms indicates 50 spaces will be required for phase one of the project. The applicant should address this discrepancy. The applicant should indicate the ages of the students. The applicant should indicate the number of students proposed. The applicant should address the access to the temporary classroom building from the other building onsite and the child drop off area. Handicapped accessibility to the building should be addressed as well. The applicant should provide additional information as to the phasing of the project and the safety of students during construction of the elementary school building and subsequent buildings.

Mr. Slachetka stated the use of the gym for temporary classrooms was discussed at the previous hearing and was rejected as part of the planning board resolution for the application. The applicant should indicate any change in the proposed plan or conditions that would either address the board's concerns about the temporary use of the gym for classrooms or cause the board to change its original decision. The applicant should more clearly indicate through plans and testimony the sequencing of buildings and site improvements. Specific issues that should be addressed include the location of the existing dwelling within the proposed driveway, circulation, utilities, parking, drainage, and grading. The time frame for the use of the gym and the residence for temporary classrooms should be clearly specified. The prior approval was expressly contingent upon Apollo Road being approved by the Lakewood Township Committee and constructed in accordance with the plans. The applicant should provide an updated status report to the Planning Board concerning the approvals and authorizations and construction schedule of Apollo Road. Buffer landscaping was a condition of the prior approval and is subject to review of the Board Engineer. The applicant should discuss the status of all the required approvals from outside agencies. The applicant should discuss compliance with the ordinance parking requirements for the school for all phases based on the requested revision. If there were changes, the applicant should confirm that adequate parking will be provided. The phasing plan should be revised to reflect the use of the existing dwelling for temporary classrooms. The site plan should identify both the number of classrooms provided on a temporary basis and those that will be permanent on the plans. Are the temporary classrooms to be in addition to the previously approved classrooms? The applicant should clarify the number of classrooms in the existing structure since the architectural drawings show four classrooms and the site plan indicates that two classrooms will be provided.

Steven Pfeffer, Esq., appearing on behalf of the applicant. This matter was heard in January and memorialized in February. Paragraph pp of the resolution indicates that at time the applicant sought to utilize temporary space but the planning board wanted to see it on the plans and that the applicant should come back. Phase I and II were previously approved and as indicated in the resolution at the end of Phase I the road had to be completed. The road also has to be vacated and widened by Lakewood Township. They were here that the wetlands delineation will take longer than the fall and his client needs to open. With regard to the road vacation, it would not happen by the fall. They will be using up to four classrooms in the preexisting building. It is not the intent to utilize all the buildings at one time. The intention is to abandon the existing building when the other items are done and the road is done.

Mr. Banas stated he recalled that the applicant was going to use building one as a school and towards the end of the meeting permission was asked to use the gym instead of the building. He asked what they were asking for today. Mr. Pfeffer stated they were not talking about the gym. They were here with regard to the building and the intent to use the building on an interim basis.

Mordechai Dubbah stated a lot of things were beyond their control. The actual building of the road was beyond his control. The road may or may not be ready. He needs to take action to ensure the building is open in September. They wanted to use the present building until the road is built. The building will be demolished once the school is built. Mr. Pfeffer stated they would agree to have this as a condition of the resolution.

Mr. Kielt thought he wanted to utilize the existing house for four classrooms and use the gym for a temporary school until the permanent school was developed. Mr. Dubbah stated he was correct. They were inclusive of each other. It was to cover them to ensure that the school could function without interruption.

Mr. Banas stated the house was needed for four classrooms and the gym for other purposes. Mr. Dubbah stated that if the gym building is built, they would not be used.

Mr. Dolobowsky stated he would want testimony as to the transportation of the students and the parking to the rear of the property. They would need to see this. They wanted to use the house for four classrooms and to start building the gym as a school and if it is done then the house would not be used.

On motion by Mr. Dolobowsky and seconded by Mr. Neiman, the application would have public hearing on April 19, 2005.

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

Mr. Jackson stated the application would have public hearing on April 19, 2005 at 6:00 p.m. No further notice was required of the applicant.



**3. SP #1808** (Variance requested)

Applicant: Bais Rivka Rochel

Location: River Avenue (Route 9) between Spruce Street & High Street  
Block 782 Lot 77

Change of use site plan from nursing home to school and dormitories

Mr. Peters stated the applicant is seeking a change of use from a nursing home to a private school at 685 River Avenue within the HD-7 zone. Variances will be required for the minimum side yard set back where 30 feet is required and 25 feet is provided and for the side yard setback both sides where 60 feet is required and 59.7 feet is provided. The applicant shall provide testimony describing the type of school proposed including the age of the students, the number of students and staff. The number of students and staff driving to school, the anticipated number of vehicles entering and leaving the site per day, and the number of buses per day. The applicant shall include the location and size of any proposed signage. The board should determine if the establishment of a fire lane will be required for this site. In addition, the applicant shall submit plans to the Township Fire Marshall for review. The applicant should provide testimony as to the existing site lighting and if it meets the requirements of the proposed use. The applicant shall provide testimony describing the proposed play area. The applicant shall show the access point and gate locations for the proposed recreation area on the supplemental site plan. The applicant is to clearly identify the limits of the northern addition. The limits are not clearly shown on the supplemental site plan. The limits appear to differ from the site plan. It appears that the applicant will be required to obtain approvals from Ocean County Planning Board, Soil Erosion and Sediment Control and other approvals from outside agencies. The applicant should provide testimony as to the water and sewer utilities for the proposed addition. The applicant shall clearly identify the existing and proposed features on the supplemental site plan.

Mr. Slachetka stated the applicant should provide information on the nature of the proposed use, including number of students, faculty, and staff; hours of operation and whether the facility will be used for other events and activities. The applicant should provide information concerning bus transportation operations to confirm that the site can support the proposed school operation, including queuing of bus and drop off traffic. The applicant should provide a site plan for the proposed retention area in the rear of the site, including proposed locations of play equipment and any proposed lighting. The extent of clearance of existing vegetation should be indicated. A vegetative buffer of at least 10 feet in width should be provided around the proposed recreation area, particularly where the site adjoins residential properties. Environmental mapping should be provided for the wetlands or other environmental sensitive areas. The applicant should provide further testimony on the sufficiency of the proposed parking, particularly with respect to the number of teachers, staff, and seminary students. The parking requirement calculations indicate no cars for the 96 students attending the teacher's seminary. This issue should be clarified with the board. A striped crosswalk with stop signs leading to a walkway on the existing parking lot island be provided to provide protected access for schoolchildren from the school to the proposed play area.

Steven Pfeffer, Esq., appearing on behalf of the applicant. He apologized for the applicant not being present, but his cousin was. He stated that the school purchased a former

nursing home and will be converting it. There are about 150 high school girls that cannot be accommodated at the present location. There is a program known as STARS will also be moving to this location. There are also some seminary programs to be accommodated at the new facility. This is a permitted use. The variances that are sought are preexisting. The parking is doubled what the ordinance requires. The use will be less intense than the nursing home. A lot of the water and sewer use will be decreased.

Mr. Peters stated one of the biggest issues was the play area in the back of the site. It was in a wooded area and there was no description of clearing. William Peck, P.E., stated that no playground equipment is being proposed. There will be some clearing like a nature walk. It was not a typical playground area. There will be minimal clearance. Mr. Banas stated that a diagram of the walk should be provided. Mr. Peck stated there will be a small area with a walking and sitting area. They will provide the details for the same. Mr. Peters stated that the environmental impacts of clearing the area would also have to be reviewed. An environmental impact study would have to be provided. Mr. Peck stated the topography would be provided. Mr. Peters wanted to confirm that no new water and sewer connections would be made. Mr. Peck stated there would not be.

Mr. Slachetka stated his concerns were with the playground area which was addressed. The other issue is with regard to the circulation of the parking and the nature of the use. The specifics for same would have to be provided to ensure that the circulation works. Mr. Peck stated the maximum number of pick up buses would be four at a time which can be accommodated along the curve in the back of the building. The turning area is available. The buses would be able to maneuver on the site.

Mr. Banas stated that there would be a lot of bus traffic in and out through the day. Mr. Peck stated there would be a number of mini buses in and out through the course of the day.

Mr. Dolobowsky asked where the buses would be. Mr. Peck stated they would come in and go around the back. Mr. Dolobowsky stated there is an area for pick up and drop off on the plans where it seems to be where the construction for the new cafeteria will be. He wanted to know if the school would be open during the construction or after it. Mr. Peck stated in the rear there is overflow parking and a lot in the front. The second lot in the rear will be overflow parking and the buses will make the turns in that lot. Mr. Dolobowsky wanted to see it on the plans. Mr. Banas stated it had to be delineated very clearly because there will be walkers and there would be a sitting area. Mr. Peck stated there will be two entrances to the recreational area with crosswalks. Mr. Banas stated that it had to be shown on the plans.

Mr. Neiman asked if there was a need for a right in and right out because of Route 9. Mr. Peters stated he would have to review the plans again. Mr. Peck stated that they were proposing in and out both ways. Because of the time constraints to get the facility up and running, they do not have the time to modify the entrances and obtain DOT approval. They were trying to use what was there. Mr. Banas stated that they were talking about buses and mini vans. Mr. Peck stated they were making modifications to the access paths to accommodate the buses. Mr. Banas asked how they planned to circumvent approval from the DOT. Mr. Peck stated that they were not proposing any changes in

the DOT right-of-way. The access points are not changing. Mr. Jackson asked if the access points are full access. Mr. Peck stated that the southerly driveway is in only and the northerly driveway is out only. Mr. Banas stated that they were proposing both to go either way. Mr. Peck agreed. Mr. Banas felt that a traffic study might be required to have a better control of how the vehicles will be moving in and out of the site. Mr. Peters stated that clarification on the plans was needed regarding the traffic. Mr. Slachetka stated that the applicant should provide clarification as to the 96 seminary students and why they would not be driving. Mr. Pfeffer stated that the seminary students do not drive. Mr. Banas felt that there was adequate parking. He was troubled with the entrance and exit on the site. Mr. Pfeffer stated that if there was a no left turn, they could not go south. He stated that time was of the essence. They would agree to a no left exit.

Mr. Neiman asked if at the other location if there was right in and right out. It was indicated that there was no problem with the other site. Mr. Neiman stated he had a problem with the buses stacking on Route 9 to make the left turn into the school. He felt it would tie up the traffic on Route 9. Mr. Banas did not think that the shoulder was wide enough. There was not that much room. Mr. Franklin felt a traffic study was needed. Mr. Pfeffer stated the school is a permitted use and the only way to get in was off of Route 9. Mr. Banas stated that there was not a question of whether or not it was a permitted use. He wanted to determine the best and safest way for the people and buses to enter and exit the property. Mr. Pfeffer was concerned about where to put the students if the project was delayed. Mr. Banas stated he wanted a traffic study. He did not think the plans were done completely. He asked about the twenty foot buffer around the perimeter. Mr. Slachetka stated that they were proposing a passive recreation facility and would show what they were proposing. If it was passive and the issue of buffer becomes less of a concern but it needs to be shown on the plans.

Mr. Banas had no objection to moving the application to the next meeting, but he wanted to see the traffic study and the plans had to be submitted by next Tuesday.

On motion by Mr. Dolobowsky and seconded by Mr. Herzl, the application would have public hearing on April 19, 2005 pending receipt of a traffic study.

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

Mr. Jackson stated that the application would have public hearing on April 19, 2005 at 6:00 p.m. No further notice was required of the applicant.

- 4. SP #1803** (No variance requested)  
Applicant: Stamos & Somers  
Location: corner of Cedar Bridge Avenue & New Hampshire Avenue  
Block 1603 Lot 1.02  
Preliminary & final site plan for proposed industrial building

Mr. Peters stated the applicant is seeking preliminary and final major site plan approval for the construction of three industrial buildings within the M-1 zone. The applicant should provide testimony as to the type of industry proposed to utilize the three industrial building with specific attention paid to the uses permitted within the M-1 zone. The applicant shall provide parking calculations showing adequate parking has been provided for the three buildings. The applicant should provide testimony as to the traffic flow on the site including car access and truck maneuvers within the designated loading areas. The applicant should provide testimony as to the anticipated water demand for the proposed three buildings. The applicant has provided documentation concerning the existing County vegetative buffer easement along Cedar Bridge Avenue. The applicant should indicate the location and size of any proposed signage. The applicant should provide proposed pavement markings and traffic control signage on the plans.

Mr. Slachetka stated that the applicant has agreed to stipulate the proposed use of the three buildings will comply with those permitted in the M-1 zone. The projected employment in each building must be provided to determine compliance with Section 18-15.6 off-street parking. The applicant is proposing a 20.68 foot vegetative buffer easement on the New Hampshire Avenue frontage. They provided documentation as to why that is not a 50 foot easement. To offset the narrow buffer, supplementary screening plantings should be provided along the New Hampshire Avenue side of the site. We also recommend additional landscaping along the grassed islands, along the sides of the buildings, and in front of the loading areas. The comments of the Shade Tree Commission dated February 2, 2005 should be addressed. In response to the board's concern about circulation, the revised plans now delineate loading zones in the rear of each building and circulation arrows. Testimony should be provided that the internal site circulation complies with all traffic-engineering standards. Landscaping is now proposed on both sides of the access driveways. The landscape schedule should be revised to provide the proper botanical name of the azalea species. Terms of the maintenance of the sight triangle easement should be provided. As previously requested, shade trees should be provided between the northern parking lot and the northern property line at fifty feet on center. Information concerning the proposed freestanding signs and walls signs should be submitted with the site plan application. This application is subject to CAFRA approval. As a result of the changes, the site is located in the Coastal Suburban Planning Area and the permitted coverage is 30%. The building coverage is 29% not counting other impervious surfaces. The board should be aware of the impact of current CAFRA regulations on the project. The approval of this application will be subject to CAFRA approval. At the prior workshop meeting, there was a concern about the building architecture. The applicant should submit revised architectural renderings and cross sections or other graphic renderings to fully show the visual impact of the project. Given the difference in elevations, we are particularly concerning about the view of rooftop mechanicals from New Hampshire Avenue. The project will be subject to all State approvals.

Donna Thompson, Esq., appearing on behalf of the applicant.

Ray Carpenter, P.E., stated at the time they were not proposing any signs on the property. They do not intend to have a board at the entrance to the site. A study of the building coverage was done to determine the square footage for the parking. Mr. Slachetka stated he would want testimony at the public hearing and the studies done would need to be presented. Mr. Banas felt that parking should be discussed. There were numerous things with the project. There are three distinct buildings which are being broken up into segments of 50 feet and the possibility is that there would be a 50 x 200 building. He wanted to know how many spaces were needed for that building if there are eight different vendors. Mr. Carpenter stated that with the average, they came up with 10 employees. Mr. Banas asked how many spaces for each unit. He felt the parking was undersized and he sees what goes on when buildings are rented at a later time. There are more parking spaces required than what was originally anticipated. He was going to be looking for the maximum number of spaces that they could have. Mr. Carpenter stated there is a ratio which requires so many spaces for executives and per employee. They did a study of 18 buildings and came up with an average. They felt it was a good representation of what would be expected at this building. For 220,000 square feet of building you would need 220 parking spaces. They have over 300 parking spaces proposed, which is greater than the ratio. Mr. Slachetka stated there was nothing to agree to. The parking standard is based on the number of employees which is why they were asking for the number of employees at the site. Some testimony should be provided with regard to the actual experiences at other sites within the industrial park to suggest an appropriate estimate for the number of employees to be anticipated at this facility. This is a grey area because there is not sufficient information at this time to make a determination if adequate parking is provided. The applicant's burden is to provide that information to the board. Mr. Carpenter stated he cannot say that there will be a certain number of employees in each building because he does not know who will be there. It is to the applicant's advantage to provide more than adequate parking.

Mr. Banas asked about trash enclosures. Mr. Carpenter stated that trash enclosures were provided for every two units behind each set of stairs. Some units may not need a dumpster. Mr. Banas asked about recyclables. Mr. Carpenter stated that it is a commercial facility and all the pick up is private. There is no commercial requirement to recycle. Mr. Franklin stated there is a State requirement. Mr. Carpenter stated the same will be provided. They will provide four three yard dumpsters.

Mr. Banas stated he suggested to put in acceleration and deceleration lanes. Mr. Carpenter stated they were provided. Mr. Banas asked about Cedarbridge Avenue. Mr. Carpenter stated trucks would not be using it. Mr. Banas was concerned because of the speed. Mr. Franklin thought the County would require the acceleration and deceleration lanes. Mr. Carpenter stated the project was approved by the County without the acceleration and deceleration lanes on either street. Mr. Neiman asked how long ago it was. Mr. Carpenter stated it was about three years ago. Mr. Banas was concerned about the traffic on the two streets and the speed. Mr. Carpenter stated they would provide the lanes on Cedarbridge Avenue.

Mr. Neiman asked if they could connect to Oberlin Avenue or Kenyon Drive. Mr. Carpenter stated no because there was property in between. Mr. Neiman suggested speaking to the neighbors. Ms. Thompson stated there has been conversations with no conclusion.

Mr. Dolobowsky stated it was discussed at the previous hearing. The other owner did not want to negotiate at all. He asked how many parking spaces there were. Mr. Banas stated 360 spaces. Mr. Dolobowsky stated it was about ten per unit. He still had concern because his building had 22 employees and another one had 30. Mr. Carpenter stated he knew that but there are also buildings with only 2 people. Mr. Dolobowsky was concerned because he felt that there was a lot of stuff on the property and he did not want sight lines between the building visible. He did not want the dumpsters or trailers viewed. Mr. Carpenter stated there would be a vegetated buffer. He stated on the grading plan there will be more elevation. There is a 35 foot front facade on the building. You would not see the rear because of the elevation. Mr. Dolobowsky stated the roof was not concerning him it was the rear of the buildings. Mr. Carpenter stated there is also a row of evergreens. Mr. Dolobowsky wanted to see the traffic circulation and if there will be signage or blockades to avoid the trucks from going onto Cedarbridge Avenue.

Mr. Banas asked about the pattern of driving within the development. Mr. Carpenter explained how the trucks would enter and maneuver around the site. They would enter into the site, go to the loading area and exit onto New Hampshire Avenue. Mr. Banas asked if there was reason for the trucks to go to the front. Mr. Carpenter stated there would be no reason for the trucks to go to the front. Mr. Banas asked how the vegetation on the steep slope will be maintained. Mr. Carpenter stated they are not that steep.

Mr. Slachetka wanted to ensure the additional landscaping was acceptable or if they would address it. Mr. Carpenter replied yes.

On motion by Mr. Franklin and seconded by Mr. Herzl, the application would have public hearing on April 19, 2005.

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

Mr. Jackson stated the application would have public hearing on April 19, 2005 at 6:00 p.m. No further notice was required of the applicant.

- 5. SD #1465** (Variance requested)  
Applicant: John Brown  
Location: Pine Street and Arlington Avenue  
Block 774.03 Lots 2, 6 & 12.03  
Minor subdivision to reconfigure 3 lots (no new lots proposed)

Mr. Peters stated the applicant is seeking a minor subdivision at 203 Pine Street within the R-7.5 and R-10 zones. Variances will be required for the R-7.5 zone for the minimum lot area, 7,500 square feet is required, the applicant has provided 7,005 square feet for lot 2.01. Variances are required for minimum front yard setback, 25 feet is required, and

the applicant has provided 16.9 feet for lot 2.01 and 14.6 for lot 2.02. A variance will be required for the R-10 zone for the minimum side yard setback, 10 feet is required and the applicant has provided 9.4 feet for lot 2.03. The applicant will be required to obtain Ocean County Planning Board approval. The bulk requirements schedule should be revised to include the actual combined side yard setback for lot 2.03. The building setback lines on lot 2.03 should be revised. The front yard along Arlington Avenue shall be shown as 30 feet. Both the side yard running parallel to Pine Street should be revised to 10 feet per the zoning requirements. It appears the side yard setbacks at the southern property lines of lots 2.01 and 2.02 are shown incorrectly on the plans. The southern property lines lie within the R-10 zone requiring a setback of 10 feet. The revised side yard will require a variance for lot 2.02. The applicant should provide testimony as to the future plans for lot 2.03. If additional subdivision of the land will be proposed it should be applied for at this time. The balance of the comments were technical regarding the map filing law.

Mr. Slachetka stated a list of the variances necessary were provided. This is a unique subdivision. Two of the lots 2.01 and 2.02 are split zone lots. The lot width and lot area should be from the more restrictive of the two zones which are the R-10 standards. With regard to the setbacks, the R-7.5 standards should apply and the R-10 standards. The attorneys will provide their prospective on the split lots. The applicant should discuss the purpose of the proposed subdivision and the future development of proposed lot 2.03 which is 1.5 acres in area. The subdivision line of proposed lot 2.02 is irregular and will require a waiver of Section 17-8.4a which requires that side lot lines be at right angles to straight streets. The applicant also proposes to vacate an existing shade tree and utility easement on the rear of new lot 2.03 and vacate a sight triangle easement on the Pine Street frontage of new lot 2.03. The reasons for the vacations are needed and they would require Township approval. A site visit reveals that unregistered vehicles are stored on lot 12.03. In addition, there are earth mounds, possibly containing debris along some of the property lines. The applicant should discuss his intentions and schedule for removing the vehicles and debris. The planning board may want to condition its approval on the removal of the vehicles and debris. The project will be subject to the approval of the Ocean County Planning Board. No new structures are currently proposed on the tract and the existing buildings will remain. The plat does not indicate if the subdivision will be perfected by deed or by map. In either case, the application must address the provisions of the map filing law. The zoning schedule on the subdivision map should be revised to reflect the necessary variances as outlined herein.

Mr. Silverman, Esq., appearing on behalf of the applicant. He stated that the items referred to are hoped to address most of them at the public hearing. The removal of the shade trees was appropriate when there was a road there. It has been vacated and they forgot to eliminate the shade tree easement and sight triangle which does not come at the corner of two roads. Mr. Banas stated testimony would have to be given at the public hearing. Mr. Silverman asked if there were questions that would impact the application that the board would want to discuss now. Mr. Banas just wanted to discuss what the applicant may have questions on. Mr. Silverman stated that he would want a ruling regarding the split lots and the setbacks from Mr. Jackson since it would help them with their testimony. Mr. Banas stated that Mr. Slachetka stated that both attorneys would have to agree on the issue. Mr. Jackson stated the board would have to look at

the application as to if they liked it or not, look at the setbacks and grant the variances. The board would have to determine if it would work. The more difficult issue is if the board determines that it is not a good plan. The reasons for same would have to be given.

Mr. Flannery stated that the revisions could be made.

Mr. Dolobowsky asked at the public hearing if the applicant could present testimony why they would not go R-10 for the two lots and eliminate the variances. Mr. Silver stated the same would be provided.

Mr. Slachetka stated there is an existing shade tree and utility easement to be distinguished. He wanted to know if there were any utilities presently within the easement. Mr. Flannery replied that there were not. It used to be for a roadway that was vacated. The same should have been done at the time of the roadway vacation.

On motion by Mr. Dolobowsky and seconded by Mr. Neiman, the application would have public hearing on April 19, 2005.

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

Mr. Jackson stated the application would have public hearing on April 19, 2005 at 6:00 p.m. No further notice was required of the applicant.

- 6. SD #1468** (Variance requested)  
Applicant: 319 Prospect St. LLC  
Location: Prospect Street, west of Massachusetts Avenue  
Block 445 Lot 1  
Preliminary & final major subdivision - 27 lots

Mr. Peters stated the applicant is seeking preliminary and final major subdivision approval for 27 residential lots at 319 Prospect Street within the A-1 zone. By court order the applicant has been granted 8,000 square foot lots where 2.0 acres lots are required. Various variances are required for minimum lot width, minimum front yard setback, minimum rear yard setback, minimum side yard setback, and side yard setback both sides. The applicant should provide testimony as to any proposed development signage and the location and size. The applicant is required to obtain approval from Ocean County Planning Board, Soil Erosion and Sediment Control, CAFRA, and NJDEP. The applicant should indicate on the landscaping plan and the tree survey plan the trees to be saved. The board should determine whether a shade tree easement is required along the street frontages. The board should determine the number of trees required per lot. The R-7.5 zone requires 4 trees per lot and the R-10 zone requires 6 trees per lot. There are various comments regarding the map filing law.

Mr. Slachetka stated the application is subject to a Superior Court of New Jersey consent order which determined that the matter be treated as a permitted use...to see a yield of 27 single family detached residential units on 8,000 square foot lots. The applicant is



designing this to the requirements of the R-7.5 zone which is the district most similar. Proposed lot 1.28 is proposed as a stormwater management basin with frontage on Prospect Avenue. The applicant proposes to dedicate the facility to the Township of Lakewood. The side lot line of proposed lot 1.28 is not at a right angle and would require a design waiver from section 17.8.4 of the ordinance. We recommend approval of the waiver based on the proposed use of the lot for a stormwater management facility. The applicant submitted a natural resource inventory and architectural drawing. The foot prints shown are not consistent with the architectural plan. A tree survey has been submitted. However, the survey does not indicate which trees will be preserved and removed. Vehicular access from Prospect Street to proposed lots 1.01, 1.24, 1.25, 1.26 and 1.27 is to be restricted. This should be shown on the final plat on each lot. The applicant proposes a twenty five foot wide buffer along the majority of the north portion of the tract. A single row of evergreen plantings, approximately ten feet on center, is proposed in the buffer. We note that a buffer is not proposed on the northern side of proposed lot 1.01 and no plantings are proposed. We recommend that the buffer be delineated on lot 1.01 and plantings be provided to supplement existing vegetation. Additional information about the buffer is required. A CAFRA permit will be required. It was a 30% impervious coverage limits. There were some technical comments.

Stephen Pfeffer, Esq., appearing on behalf of the applicant. He stated this comes as a remand from Judge Clyne of Superior Court. The master plan has to be updated every six years. A map has to be done and an enabling ordinance which Lakewood has never done. This property could have achieved 74 townhouses or 143 multi-family. A compromise was reached at 27 single family homes and 8,000 square foot lots. It is most close to the R-7.5 zone.

Brian Flannery, P.E., stated most the comments were minor in nature and they would make the revisions. The foot prints are typical house plans. They will all be different and specific house plans will be provided for each house. A CAFRA permit is required for 75 units and they would not need one. All the other items would be provided. Mr. Banas asked if there were sidewalks. Mr. Flannery replied there was.

Mr. Dolobowsky asked that a buffer between the retention basin and the backyards of some of the homes be provided or testimony. He would like to see a buffer between the backyards of the houses and the existing single family home along Massachusetts. He also wanted testimony as to why the R-7.5 zone setbacks are used but another development which was a 8,000 square foot development used the R-10 zone setbacks. Mr. Pfeffer stated there was no ordinance for them to be guided by so they followed previous approvals. Mr. Flannery stated he would testify to the same.

Mr. Jackson asked if Judge Clyne set forth the standards to be used. Mr. Pfeffer stated he provided the order. There were no bulk standards other than 27 lots which was a matter of compromise. Mr. Flannery stated a sketch was prepared which was not referenced in the order. The sketch showed the 27 lots and the previous application was similar. This would be available at the public hearing. Mr. Jackson asked why the planning board was not involved. Mr. Pfeffer stated it was a suit against the Township. Mr. Slachetka asked about the sketch. Mr. Flannery stated it was not referred to in the settlement nor referred to. The previous suit did not reference the sketch either.

On motion by Mr. Herzl and seconded by Mr. Dolobowsky, the application would have public hearing on April 19, 2005.

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

Mr. Jackson stated the application would have public hearing on April 19, 2005 at 6:00 p.m. No further notice was required of the applicant.

#### **IV. PUBLIC PORTION**

None at this time.

#### **APPROVAL OF MINUTES**

On motion by Mr. Neiman and seconded by Mr. Ackerman, the minutes of February 15, 2005 and March 1, 2005 were hereby approved.

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

#### **V. ADJOURNMENT**

The meeting was hereby adjourned. All were in favor.

Respectfully submitted,  
Elaine Anderson  
Planning Board Recording Secretary