

**LAKWOOD PLANNING BOARD
REGULAR MEETING
MINUTES
APRIL 25, 2006**

1. 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, Mr. Dolobowsky, Mr. Klein, Mr. Ganton, and Mr. Percal.

III. SWEARING IN OF PROFESSIONALS

Maxwell Peters was sworn in.

IV. NEW BUSINESS

Mr. Banas asked if there were any changes to the agenda. Mr. Kielt replied that item #6, SD 1523, would not be heard. The revised plans were not received back. It would be carried to the meeting of May 16, 2006.

On motion by Mr. Herzl and seconded by Mr. Klein, the application would have public hearing on May 16, 2006.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Miller, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; Mr. Klein, yes; Mr. Ganton, yes; and Mr. Percal, yes.

Mr. Jackson stated the application would have public hearing on May 16, 2006 at 6:00 p.m. No further notice was required of the applicant.

1. **SD #1524** (Variance requested)
APPLICANT: MTR VENTURES
Location: East Harvard Street, west of East End Avenue
Block 227 Lot 3
Minor subdivision to create 2 lots

Mr. Peters stated the applicant is seeking a minor subdivision of block 227 lot 3. Proposed lot 3.01 contains an existing dwelling, proposed lot 3.02 does not propose any construction at this time. The site is located on East Harvard Street in the R-10 zoning district. Variances will be required for lot area where 7,500 square feet is proposed and 10,000 square feet per lot is required; lot width where 50 feet is proposed and 75 feet is required; and side yard where 9.7 feet on one side of proposed lot 3.01 where 10 feet is required. This is an existing condition. Outside agency approvals will be required as a condition of final approval. The applicant has provided a six foot wide shade tree easement and sidewalk along the property frontage. There are some minor comments regarding the Map Filing Law.

Mr. Peters read Mr. Slachetka's report dated March 17, 2006. The same variances are outlined. The applicant should address the positive and negative criteria of each of the requested variances. A sidewalk is proposed along the frontage of the subject parcel and a six-foot wide shade tree easement is proposed to be dedicated to the Township. All improvements in the right of way should be bonded prior to the signing of the map. Compliance with the off-street parking requirements of the RSIS is required. Two street trees should be installed. Public water and sewer will serve the new building lots. Compliance with the Map Filing Law is required. The plat indicates that the lot numbers shown on the plat have been obtained from the Assessor. Outside agency approvals are required.

Stan Slachetka was sworn in.

Abraham Penzer, Esq., appearing on behalf of the applicant. Six photographs of adjoining lots were marked as exhibit A-1. Exhibit A-2 was all the adjoining lots in the areas. The areas in red are 50 x 100.

Ray Carpenter, P.E., was sworn in and his credentials were accepted.

Mr. Hartstein, 815 Ridge Avenue, was sworn in. He overlooked the subdivision with the engineer. He took the photographs that were marked as exhibits the day before the last meeting. They were not altered in anyway. The photographs were accepted into evidence. Mr. Hartstein stated he took pictures of the property and the homes across the street and to the west of the property. On the right side there is a school. There were three brand new houses that were on 50 x 100 foot lots. They are in the R-10 zone. The first picture was the actual subject. The block and lot is marked on the back of each picture. The second picture is brand new construction directly across the street which was built within the last year or so. It was a 50 x 150 lot. The third picture is the property on the left. It is an older home on a 50 x 150 lot in the R-10 zone. The fourth picture is a house that was built in 2003 or 2004 which is back to back to this property in the R-10 zone. The next picture is four or five houses from the corner which shows that everything is built on a 50 x 150 in the R-10 zone. The last picture is three brand new homes around the corner on 50 X 150 lots in the R-10 zone.

Mr. Carpenter stated that all the lots in the area are 50 x 150 foot lots. The sole exceptions are two exempt lots and two other residential lots. The two exempt lots are the school. The lots in red are the undersized lots, the green is the site, and the white is the school. In reviewing the engineer's report, A.1 is a description of the project, A.2 is a description of the variances, A.3 they would obtain Ocean County Planning Board approval, A.4 is regarding the shade tree easement they provided, and the Map Filing Law will be amended per the request. In reviewing the planner's report, A is the project description, B describes the variances and C describes minor adjustments that need to be made to the plans which they will comply with. The issue at hand is if the lot conforms with the neighborhood and technically it does.

Mr. Banas asked if they agreed with all the comments. Mr. Penzer and Mr. Carpenter both replied that they did.

Mr. Jackson stated all the lots are 50 feet and he asked how it happened. Mr. Carpenter stated that most of the lots were 50 x 100 lots. He did not know when it was rezoned. The majority of the lots still remain 50 x 150. It was R-10 as long as he knew. The lots existed as undersized. Mr. Penzer stated some of the homes were recently granted variances.

Mr. Neiman asked about the 10 foot side setback but the planner indicates it is 9.7 foot. Mr. Carpenter stated on lot 3.01 there is a little bump out in front of the house. The front of the house is 10.3 from the property line and the bump out is 9.7.

Mr. Dolobowsky stated it appears that most of the homes south of Leonard Street are also 7,500 square feet. Mr. Carpenter stated that was correct. He felt this issue needed to be brought up to the Master Plan Committee.

Mr. Banas stated setbacks could be adjusted. The zone is different. If it is a 10 foot setback, it could be brought to 9.7. Mr. Carpenter stated it was an existing condition.

Mr. Dolobowsky stated he realizes it was an existing condition and suggested some language that if the house were ever taken down, it would be corrected.

Mr. Penzer stated they were not the owner of the lot next door. The owner was selling them the lot. Mr. Carpenter stated that if the house were removed, they would have to comply with the setback. Mr. Penzer stated they should stipulate it. He would agree to Mr. Dolobowsky's recommendation. Mr. Jackson stated if you go for a building permit for a new house, variances would have to be obtained for the setback. There would be no harm in putting it in the resolution as a condition of the subdivision.

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. Neiman and seconded by Mr. Klein, the application was hereby approved with the recommendations of the engineer and planner and that if the house on lot 3.01 were ever knocked down it would have to meet all the setbacks.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Miller, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; Mr. Klein, yes; Mr. Ganton, yes; and Mr. Percal, yes.

2. **SD #1525** (No variance requested)

APPLICANT: **SARAH BODEK**

Location: New York Avenue, between Ridge Avenue & East Seventh Street
Block 223 Lot 95

Minor subdivision to create 2 lots

Mr. Peters stated the applicant is seeking a minor subdivision of block 223 lot 95. Two new lots are proposed, one is a flag lot. The dwelling on existing lot 95 is to be removed. No new dwellings are proposed at this time. The site is located on New York Avenue in the R-10 zoning district. No variances will be required. Outside agency approvals will be required. The applicant has provided a six foot wide shade tree easement and sidewalk along the property frontage. The dwelling on existing lot 95 is proposed to be removed. Removal shall be completed prior to subdivision or a bond shall be posted to ensure prompt removal once subdivision is completed. The dwelling on lot proposed lot 95.01 is setback 20 feet from the road widening easement. This will allow room for only one car to be parked in the driveway. Additional off-street parking is required. The dwelling and landscaping on lot 94 shall be shown on the plan to confirm that adequate screening has been provided. To avoid confusion, include lot 93 between lot 94 and Ridge Avenue. Show all property lines to scale. We recommend the driveway to the rear lot be moved to the opposite side of the property. The current location is close to the existing dwelling on lot 94. We recommend additional landscaping be added along the southern property line to provide screening of the neighboring property.

Mr. Slachetka stated the plan does not comply with the following requirements for flag lots as outlined in Section 805 of the UDO; a construction detail of the proposed pavement of the access driveway should be provided, architectural plans for the proposed dwelling, as required by Section 805.G.6c have not been submitted; the area for solid waste collection should be relocated closer to the street, continual storage is not intended, buffering between the access strip and the property line of lot 94 along the "pole" of the flag lot is required and is not proposed, vegetative screening should be provided along the north and south property lines to buffer the adjoining properties, and the plans must be revised to address the above listed deficiencies or a design waiver will be required. In accordance with section 805.G.6 of the UDO, the applicant shall demonstrate a need, consistent with good planning principles, for the creation of the flag lot and provide the reasons for using a flag lot concept in contrast to a standard subdivision. We recommend multiple evergreen species in the vegetative screening along the pole of the flag lot. Two street trees are now proposed along the frontage of new lot 95.01. The balance of the comments are technical in nature.

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

Mr. Banas asked the relationship between Mr. Carpenter and Mr. Hinch. Mr. Carpenter stated he was a subcontractor that worked under his direct supervision.

Ray Carpenter, P.E., was sworn in and his credentials were accepted. Mr. Banas stated his plans were not sealed. Mr. Carpenter stated that a sealed set were submitted. Mr. Kielt stated he did not have a sealed set. Mr. Banas stated there are a lot of corrections needed. The property lines are not drawn to scale. The engineer points out that to avoid confusion include lot 93 between lot 94 and Ridge Avenue. He saw no reason to go on.

Mr. Penzer stated he agreed and asked that it be carried to the June meeting. Mr. Neiman felt the parking should be addressed as well since there is only one parking spot and no parking is allowed on the street.

On motion by Mr. Dolobowsky and seconded by Mr. Neiman, the application was carried to the May 30, 2006 technical meeting.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Miller, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; Mr. Klein, yes; Mr. Ganton, yes; and Mr. Percal, yes.

Mr. Jackson asked if Mr. Penzer consented and waived all time issues. Mr. Penzer replied absolutely. Mr. Jackson stated that the application was carried to the May 30, 2006 technical meeting and no further notice was required of the applicant.

- 3. SP #1825** (Variance requested)
APPLICANT: **216 RIVER AVENUE ASSOC.**
Location: Route 9 (River Avenue), north of Manetta Place
Block 413 Lots 3, 4 & 6

Preliminary and final site plan for proposed addition to existing office building

Mr. Peters stated the applicant is seeking preliminary and final site plan approval to construct a second story addition on an existing office building. A grassed area in the rear of the property will be paved to provide additional parking spaces. The property is known as block 413 lots 3, 4, 6. The property is located on River Avenue in the HD-6 zoning district. A driveway on lot 6 provides through traffic from River Avenue to Manetta Place. Variances will be required for front setback where 39.6 feet is existing where 150 feet is required and side setback where 10.8 feet/63.8 feet is existing where 15 feet/35 feet is required. The variances are existing conditions. The applicant has provided a six foot wide shade tree easement along River Avenue frontage to be dedicated to the township. The board should determine if a shade tree easement will be required along lot 6 fronting Manetta Place. The applicant shall provide a legal description of the easement for review by the board engineer. The aerial photograph provided is unreadable and should be revised. The isolux lines shall be shown on the plan view to illustrate compliance with township lighting standards. The sight triangle at the driveway to River Avenue shall be labeled as an easement to be dedicated to the township. The applicant shall provide testimony as to what actions are being taken to address the NJDEP Notice of Violation. The applicant has proposed to increase the impervious cover on-site by less than 5,000 square feet therefore no stormwater management is required.

Mr. Slachetka stated the applicant must address the positive and negative criteria for each of the variances. The current site contains 16 parking spaces. Twenty-five spaces are proposed. The number of parking spaces complies with the UDO, based on 7,540 square feet of floor area. The zoning table on the site plan should be corrected to show that 25 spaces are required. The site plan has been revised to identify the location of the NJDOT Desirable Typical Section for the state highway. The western boundary would encompass a portion of the front landscaped area, the site identification sign, but not any parking areas. The applicant should discuss the impact of the future widening of Route 9 upon the site improvements such as the driveway and parking capacity. Architectural floor plans and elevations have been submitted for the board to review. Planting details of landscape plantings should be provided on the site plan. Small shrubs should be provided on the east side of the driveway to Manetta Drive. The existing chain link fence on the southern property line should be replaced with a board on board or similar fence and extended around the existing residential lot to screen the new parking area. The existing condition map shows four A/C units on the side of the building. This equipment should be screened. Rather than the two proposed pavement striping areas, we recommend landscaped and curbed islands. The board may want to consider a reduction in the size of the circulation aisle north of the office building and/or no parking striping and directional signage indicating a one-way driving pattern in this area. The application form should be revised to indicate the correct lot area of 0.63 acres. The balance of the comments were technical in nature.

Ray Shea, Esq., appearing on behalf of the applicant.

Ray Carpenter, P.E., was sworn in and his credentials were accepted. Mr. Shea stated they have the professionals' reports. When they first appeared, there was some confusion about certain features of the application.

Mr. Jackson stated that Mr. Shea could make representations as an officer of the court. Mr. Shea stated he wrote to Ron Lotrecchio regarding the project and a letter received from the County regarding not permitting new building along Route 9. He met with him on February 27th. The letter was marked as exhibit A-1. During the meeting, it was explained that the greatest widening on Route 9 if it ever occurred is 88 feet from the center line. This area is in the greatest widening of Route 9. The site was measured and indicated that it would be helpful to the board if the applicant's engineer included a DTI which was done to show that the application is not violative of the setback. During the same time, the Environmental Commission indicated they had no objections to the site plan. They received the professionals' reports.

Mr. Banas asked if the HD-6 and HD-7 ordinances were discussed with Mr. Lotrecchio. Mr. Shea stated they reviewed it and section 806.A.1 on page 118 entitled Non-conforming Uses and Lots. The application was just asking to complete the second story. They did discuss the HD-7 zone but does not have any recollection of any specific comments from Mr. Lotrecchio. The only variances requested are existing. The site only gets better from the application. Mr. Banas asked if there was sufficient parking spaces after the road widening. Mr. Shea stated the parking is being increased from 16 to 25 spaces. The recommendations of the professionals are acceptable.

Mr. Neiman asked about the height. Mr. Shea stated they were not exceeding the height limitation. There is a half story on the second floor. They were just completing the second story.

Mr. Jackson stated 25 spaces are proposed and 23 spaces were required. Mr. Banas stated they would get to it.

In reviewing the planner's report, Mr. Carpenter stated that C.1 deals with the parking. Twenty five spaces are being proposed which complies with the UDO. The zoning table will be corrected. Mr. Dolobowsky stated the one area indicates ten spaces, but there are only nine. Mr. Carpenter stated they can provide 25 spaces. They just have to rearrange where the handicapped spaces are. Mr. Slachetka asked where they would be able to get the extra space. Mr. Carpenter stated by moving the handicapped space from the 15 spaces and placing it in the back row of parking spaces and allow the cross access area to be in the island area. Mr. Banas asked where the entrance to the building was. Mr. Shea stated there are two entrances. He detailed where the two entrances were. Mr. Slachetka stated they still were not sure how they picked up the extra parking spaces. Mr. Carpenter explained the same. Mr. Banas stated there was a problem with the number of spaces. Mr. Neiman asked how many were required. There were 25 spaces which are required. Mr. Shea stated they acknowledge that and will satisfy the condition. Any approval would be conditioned upon the engineers agreeing on the spaces working. No part of the building would compromise the DOT plans. They discussed the impact of the widening of Route 9. Mr. Slachetka stated that if the roadway gets widened, there is a certain driveway width, and he asked that the change to the driveway be shown on the plans. He did not know if it would be acceptable. Mr. Carpenter stated he disagrees with the striping areas primarily because it affects the drainage. He did not want to leave it as a curbed island. He could put in an island, but not as full size as shown on the plans. He agreed with the circulation recommendation. There is not DOT application required. They applied for a soil conservation permit. Sewer and water is provided. Ocean County Planning Board has not been submitted yet. They were not exhastrating the existing condition and the variance could be granted. They have a conforming use, they meet the design requirements, and they were not expanding the footprint.

Mr. Banas asked about item 15 of the engineers report.

Eric Yablonsky, was sworn in. He was in contact with the DEP and they were contacted to restore the wetlands. He was still in contact with them to do what they deem necessary. It was an adjoining lot. The violation given was for lot 10. Mr. Peters stated this satisfied his recommendation. It was the neighboring lot.

Mr. Peters stated that due to the angle of the parking it appears to be set up for a one way configuration. Mr. Carpenter stated that was the existing configuration for the parking. There is no restriction right now as it exists for two way traffic. They agree to make it a one way. Mr. Shea stated the applicant would agree to one way circulation. Mr. Slachetka stated they recommended no parking striping or increasing the curb width. Mr. Carpenter stated they could do something.

Mr. Dolobowsky asked if there would be 25 spaces. Mr. Slachetka stated that is the requirement. Mr. Dolobowsky stated the spaces start in the corner and did not see how they could be shifted. Mr. Carpenter stated there is a six foot cross access area. Mr. Dolobowsky stated the first space would span the corner and Mr. Carpenter replied he was correct. Mr. Carpenter stated there is enough room. Mr. Dolobowsky asked if the first car would have a problem backing up if Route 9 were widened. Mr. Slachetka stated that is the reason they wanted to see the post-widening design. Mr. Carpenter explained what would happen with the space if Route 9 were widened. There was 11 feet to the pavement. Mr. Shea stated this was a low trip generation office building site. There was more traffic when it was a retail outlet. The client could reduce the number of square feet which would reduce the parking to 24 spaces. It was the board's decision.

Mr. Neiman stated the plans indicate a two story structure, but it is being explained as half a story. Mr. Carpenter stated that some of the structure has a second story already. They were just making it an entire second story.

Mr. Banas asked what would be on the second floor. Mr. Yablonsky stated it would be office space. He has a real estate brokerage business and is proposing similar uses. Mr. Shea stated that in comparison with the permitted uses in the area, it would create less traffic. Mr. Dolobowsky agreed that offices generate less trips per day but there could be more employees. Mr. Yablonsky stated they would be providing enough parking. Retail can have a lot of traffic.

Mr. Banas opened the application to the public.

Janet Payne, 129 Massachusetts Avenue, Lakewood, was sworn in. She was familiar with the property. The applicant stated they would fix the wetlands since someone knocked down the trees and blocked the water. The water is not as good as it should be. They were concerned about the water being corrected and running. It is currently backed up. Mr. Carpenter stated they would restore it in conjunction with the DEP.

Mr. Banas thought they could not touch a stream. Mr. Slachetka stated you cannot give someone approval to encroach on a stream. However, if there is an application in non-compliance, you can make it a condition of the approval to straighten it out. Mr. Shea stated that Ms. Payne's observations were correct. It was a separate lot entirely. The company has the responsibility to fix the area, but it was not part of this application. Ms. Payne asked for a guarantee to ensure that it was corrected. Mr. Shea stated that she could communicate with Mr. Yablonsky and the DEP because the board has no jurisdiction.

Ms. Payne stated she was concerned that the overflow of traffic may be on Manetta. Mr. Shea stated if public parking is permitted it could be used. Legally they could park on Manetta.

Mr. Jackson stated lot 10 appears to be an undersized, landlocked lot and asked why the lot would not merge with the subject lot. Mr. Shea stated it would not merge. Mr. Klein asked if it would fall under the Doctrine of Merger in the tax office. Mr. Jackson felt the board might want to consider merging it. It could be a condition of approval since it was

the same ownership. Mr. Banas stated they did not receive a LOI. The merger issue was further discussed. Mr. Shea did not know how long it would take to work it out which would hold up the project.

Frank Gagliano, 229 North Drive, Lakewood, was sworn in. He was confused about who owns the landlocked lot. Mr. Jackson stated the applicant owns it. Mr. Gagliano stated there was some intervention on the lot with stream encroachment and asked if an application was made to the DEP. Mr. Banas stated it was not part of this application. For the discussion purposes of the application, they would adhere and only discuss this application. The permit was something in the future. Mr. Jackson stated that when the chairman speaks you have to listen. Mr. Gagliano asked if there was any portion of the lot that was in the wetlands. Mr. Carpenter stated there were no delineated wetlands on the site.

Evam Segui, 243 Forest Street, Lakewood, was sworn in. He supported the proposed addition and new reface.

Joseph Karolitzky, 315 Magnolia Drive, Lakewood, was sworn in. He stated he runs a small office in Edison. He thought this was a good thing for the people who live in Lakewood. He felt more offices were needed.

Mr. Neiman asked how much parking he had. Mr. Karolitzky stated they have four people parking. A lot of parking was seven.

Chaim Jurkanski, 79 Roselle Court, Lakewood, was sworn in. He stated he himself was just looking for office space and there is none in Lakewood.

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

Mr. Shea stated with the exemption of the two existing variances, this is a fully conforming plan. He urged the board to grant the relief or grant the reduction in the second floor. He wanted to reaffirm that Mr. Jablowsky has met with the DEP and he recognizes and accepts his legal obligation to correct the current wetlands condition.

Mr. Percal asked how many of the current 16 spaces were currently in use. Mr. Jablowsky stated he could not accurately tell him since the building was unoccupied. The upstairs is only being used. Mr. Percal asked about the spaces and if Mr. Carpenter could work out the 25th space to the satisfaction of the board's engineer. Mr. Carpenter felt he could. Mr. Slachetka stated it could be accommodated with no striping the entire island.

On motion by Mr. Neiman and seconded by Mr. Percal, the application was hereby granted with the condition that the applicant work with the neighbors on correcting the wetlands, trying to get 25 spaces if possible and if not 24 was acceptable, authorizing the variance for 24 spaces, the engineers working together on the future conditions, reestablishing the parking area, and incorporating the recommendations of the board's professionals.

Mr. Slachetka suggested providing one or two parallel parking spaces next to the building. Mr. Neiman agreed.

Mr. Dolobowsky suggested not granting the variance for the parking spaces.

Mr. Neiman amended his motion, seconded by Mr. Miller, the motion was hereby amended to withdraw granting the variance for the parking spaces.

Vote on amendment

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Miller, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; Mr. Klein, yes; Mr. Ganton, yes; and Mr. Percal, yes.

Vote on amended motion

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Miller, yes; Mr. Neiman, yes; Mr. Banas, no; Mr. Dolobowsky, no; Mr. Klein, yes; Mr. Ganton, yes; and Mr. Percal, yes.

4. **SD #1519** (No variance requested)
APPLICANT: LAKEWOOD EQUITIES
Location: River Avenue, south of Oak Street, across from Cushman Street
Block 1040 Lot 1
Preliminary and final major subdivision - 66 lots and 1 community building

Mr. Peters stated the applicant is seeking a major subdivision of block 1040 lot 1. Sixty-seven new lots are proposed. The proposed project consists of removing an existing restaurant and associated site improvements and constructing sixty-six (66) townhouse units and one community building. Off-site improvements include the construction of portions of Broadway, Parkview Avenue and Wadsworth Avenue. The site is located on U.S. Highway Route No. 9 in the HD-7 zoning district. This application was previously heard by the board and was denied the conditional use. The following variance have been requested: front yard setback where 23 feet is proposed and 25 feet is required; and rear yard setback where 18 feet is proposed and 20 feet is required. It appears the revised application is for a condominium development negating the need for the variance for setback from Route 9 that was discussed at the technical review meeting. The applicant shall clarify if the development will be fee simple lots or condominium. If the property is to be developed as condominiums, individual lot lines are not needed. Outside agency approvals will be required. The existing structures shall be removed prior to signature of the final plat or a bond posted to ensure prompt removal of the structures after the subdivision has been recorded. The applicant has proposed concrete curbing, sidewalk and a shade tree easement along the frontages of Pleasant Way, Parkview Avenue and Broadway. The board should determine if curb and sidewalk will be required along Wadsworth Avenue. The applicant shall provide a homeowners association to maintain the stormwater management facilities and community building. Homeowners association documents shall be provided to the Planning Board Engineer and solicitor for review.

Plans do not indicate any proposed play area for the development. We recommend a play area be added to the plans and details provided. The building units shall be relocated to scale as dimensioned. Any affected grading shall be revised as well. There are a number of technical comments.

Mr. Slachetka stated based on the discussions at the plan review meeting on April 4, 2006, the applicant has revised the plans to provide a 107 +/- foot wide natural buffer along River Avenue. (112.6-foot setback to the deck of the townhouses.) In addition, the front yard setback of the townhouses is now proposed to be 23 feet and the rear yard setback to be 18 feet. Both setbacks require variances as detailed in the following section of this report. The applicant must address the positive and negative criteria for the requested variances. The setback variances could be eliminated or reduced by slightly decreasing the length of the townhouse units. We would note that the units are 52 feet in length and first floor area of the typical unit is 1,352 square feet. Testimony should address mitigation of the front and rear yard variances with slightly smaller units. The plans have been revised to show the revised buffer and setback dimensions which were discussed at the plan review meeting. However, no other changes were made to the site plan, so that the dimensions on the site plan do not match the scale of the plan. The proposed changes may impact the grading and drainage on the site. The applicant's professionals should be prepared to address this issue with the board. A total of 200 parking spaces are proposed. The site plan indicates that only 176 off-street spaces are required based upon the following computations: forty 4-bedroom units at 2.5 spaces per unit (100 spaces), twenty-six 5-bedroom units at 2.6 spaces per unit (68 spaces) and 8 spaces for the community center. It is our position that the planning board may require a sufficient number of spaces based on bedroom count as warranted and based on community characteristics. This opinion is consistent with our conversations with the staff of the Division of Codes and Standards of the New Jersey Division of Community Affairs. In addition, we note that the RSIS indicates that alternative parking standards shall be accepted if they can be demonstrated to better reflect local conditions. The site plan should be supplemented to include details for a trash enclosure for the proposed community center, which is architecturally compatible with the structure. The applicant's engineer has indicated by letter to the Board that the HVAC units will not be located in the roof area of the proposed buildings. Section 808 provisions for park and recreation areas requires: "not less than five percent (5%) of land area of every residential major subdivision or residential site plan consisting of twenty-five (25) or more units shall be preserved as common open space or shall be dedicated to active recreational or community facilities." The applicant should address compliance with this requirement. Details of the proposed individual trash and recycling enclosures for the residences 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 and show a gate or wall that will screen the trash receptacles. In addition, as required by chapter 18-1010.B.6, the size of the trash enclosures must be approved by the Department of Public Works. As noted, a landscaped berm is proposed along the River Avenue frontage for buffer purposes. The evergreen species in the highway buffer area should be specified as "heavy" on the site plan. Landscaping should be provided at the northwest property line along Unit #26 and the cul-de-sac. The site plan should be revised. The township engineer should review the proposed street lighting layout. The remaining comments are technical in nature and can be addressed by the applicant during testimony.

Abraham Penzer, Esq., appearing on behalf of the applicant. He asked to show respect for Chief Belitrand and Butch Belitrand. They worked out certain things that they wanted. He asked if he could read into the record what they would like if the application were approved. Mr. Banas stated without objection from the board, it would be granted.

Brian Flannery, P.E., P.P., Lakewood, New Jersey, was sworn in and his credentials were accepted.

Chief Steve Belitrand, 873 River Avenue, Lakewood, New Jersey, was sworn in. He lives next door to the subject property. Mr. Penzer stated he met with him to hear the concerns. Mr. Flannery stated that the Belitrand's property is the adjoining property immediately to the north along Route 9 and the area of interest is the strip between their property and the proposed townhouses. They agreed to a 20 foot buffer in that area and within that 20 foot buffer they would put a fence along the property line. The fence from the 100 foot setback line to the rear property line of the townhouses forward to Route 9 would be 4 foot in height and a fence from that point to the rear of the property to past the cul-de-sac where the trees are proposed would be six foot in height. In addition to the fence, they would plant six foot high evergreens on the opposite side of the fence so they would have a combination of the evergreens and the fence to provide a buffer in that area. The other concerns that they had were with the drainage. I indicated to them that we are replacing the detention basin that is there with underground drainage. The calculations show that the underground drainage will recharge all of the normal storms that would occur there. They were reducing the impervious coverage and there would be more water coming off. Currently that goes into the detention basin and none of it is recharged. This drainage system will recharge the smaller storms. It is probably once every fifty years. The normal storms will be recharged and there would be no water. The reductions are as stipulated by the DEP regulations. They were reducing both the quantity and the volume of the water that is running off the site. Additionally, there are some very large trees and the plans do show the trees on the property. Any of the oak trees that are in close proximity of the property line are intended to be saved. Some that are farther away and would not have been saved, we will meet with them prior to starting construction in the field and save as many of them as they could. Mr. Jackson wanted to ensure the agreements were incorporated into the plans. Mr. Penzer stated they would pay for a copy of the entire transcript, review it and sign off on it. Mr. Jackson stated that everything that was agreed to would have to be shown on the plans. Mr. Flannery stated the plans would be amended accordingly. Mr. Jackson asked Mr. Penzer to prepare a memorandum of the agreements for approval by Mr. Belitrand and ultimate inclusion in the resolution. Mr. Banas asked Mr. Belitrand if there were any items that he wanted to address that were not addressed by Mr. Flannery. Mr. Belitrand stated that Mr. Flannery discussed everything.

Mr. Neiman asked about the four foot fence connecting to the fence going across. Mr. Flannery stated there would be a fence that runs all the way down the northerly property line to the terminus of the cul-de-sac. It will start at four feet high at Route 9 for the 100 foot front setback, then it would be six feet high.

Mr. Banas stated that he made a statement that this would be the last item on the agenda.

Mr. Penzer stated he represents **SD#1522**. Mr. Kiert stated that it would be carried to the May 16th meeting. Mr. Penzer agreed to the same and waived any time limits.

Mr. Jackson stated that **SD #1522** would be carried to the May 16, 2006 meeting. No further notice was required of the applicant.

Ms. Weinstein agreed to carrying **SD#1509A** to the May 16, 2006 meeting. Mr. Kiert noted that there were no time issues.

Mr. Jackson stated that **SD #1509A** would be carried to the May 16, 2006 meeting. No further notice was required of the applicant.

Mr. Shea agreed to carrying **SD#1526** to the May 16, 2006 meeting. Mr. Kiert noted that there were no time issues.

Mr. Jackson stated that **SD#1526** would be carried to the May 16, 2006 meeting. No further notice was required of the applicant.

Mr. Shea agreed to carrying **SD#1527** to the May 16, 2006 meeting. Mr. Kiert noted that there were no time issues.

Mr. Jackson stated that **SD#1527** would be carried to the May 16, 2006 meeting. No further notice was required of the applicant.

Mr. Flannery marked a rendered version of the submitted site plan as A-1. It shows the buildings in brown and the roadways in grey as well as the green space around it. A-2 is a rendering of the proposed playground area in the tot lot. A-3 is an aerial photo which has been labeled with site and roadway extensions and some surrounding development. A-4 is a rendering of the berm detail showing a cross section of the proposed berm between the dwellings and Route 9. Mr. Penzer stated A-6 is a report from John Rae regarding the traffic report.

Mr. Penzer stated that Committeeman Miller was very tough and indicated that he wanted 100 feet, although they felt that 88 feet across the line was acceptable. The board suggested, Mr. Franklin came up with the idea, that by moving the houses over, instead of having the front yard being 25 feet, having it at 23 feet, and having it in the back, they would be across the 100 foot line. It was an excellent suggestion. They incorporated that and it is now in tune with what Mr. Miller wanted. Unfortunately, in order to rush through it, not everything was done with fine point. All of the comments regarding the fine point could be met without any difficulty. They wanted to maintain the roads to be 30 feet. The road will be 30 feet. Most of the discussions at the last meeting have been incorporated and the applicant thanks the board for the suggestions given.

Mr. Banas stated there was another suggestion. Mr. Penzer stated it was a suggestion about reducing the size of the unit. However, it made more sense to do what they were proposing. Mr. Banas stated it was his own feeling that it was di minimus in size. They would have to convince him that it was not.

Mr. Jackson asked about the exhibits and Mr. Flannery reviewed the exhibits with him again. Exhibit A-5 was the architectural renderings of the clubhouse which were not listed originally. A-6 is an architectural rendering of the proposed townhouses. A-7 is the traffic report. Mr. Peters stated he received a copy of the traffic report and reviewed it.

Mr. Banas called a brief recess. The meeting was reconvened.

Mr. Peters asked Mr. Penzer to review the highlights of the traffic report. Mr. Penzer stated he was going to read the conclusion of the report.

Mr. Flannery stated the application is for 66 townhouse units and a club house facility. As indicated at the tech meeting, they moved the clubhouse away from the northerly unit on the end of Parkview Avenue so there is a 12 foot side yard for the townhouse. In addition, there is a parking lot at the end of the cul-de-sac. As indicated in the planner's report, item A, it is a 8.25 acres site and they conform with the density. The variances being asked for are that half of the units will need a two foot rear yard setback and half of the units will need a two foot front yard setback. The rest of the bulk standards all conform. They have 100 foot from the Route 9 right of way to the rear property line of all the townhouse units. They conform with the density. They provided an underground stormwater management system which will greatly improve the drainage flows on the site. Mr. Banas asked where the underground drainage system is. Mr. Flannery stated that the underground drainage system will be within the 100 foot setback. Additionally, there is underground drainage in the parking lot area at the end of the cul-de-sac and in the tot lot. Item B indicates the variances that are needed. It is the two variances indicated. The positive criteria is that they were providing an upscale development and a berm between Route 9 and the townhouses. This will provide some elevation differential as well as landscaping to buffer the properties to the greatest extent practical. The relief is two feet on half of the units which is minor in nature and the public would not be able to see the difference. The only who would be able to see the difference is a surveying who goes out and measures it. As indicated, the other way would be to reduce the size of the buildings by four feet. The matter of reducing the size of the building was discussed further. Mr. Flannery stated they need 12 feet from the rear line of the units adjacent to Route 9 and the front right of way line of Parkview Avenue. Half of the units were already two and a half feet in excess in the front setback and the rear setback. By depressing the setbacks so that half of the units conform, they were taking two feet out of the front yard and two feet out of the rear yard. To accomplish the same thing, you would have to take four feet out of the building. Mr. Banas stated they were asking for a variance and where it would be applied. Mr. Flannery stated that half of the units are setback 25 feet and half are setback 23 feet. In the rear, half are setback at 8 feet and half have a 20 foot rear setback.

Mr. Dolobowsky stated he understood it now, it is because of an ordinance that requires the faces of the buildings to alternate. It would be easier if he would refer to it as the buildings rather than the units. Mr. Banas asked the length of the building. Mr. Flannery replied it is 52 feet. Four feet is di minimus but it comes down to a decision if the four feet in the house would make a greater impact on the future users than the two feet in the front and rear yards. As a future user, I would rather have the four feet in my house and be short in either the rear or front yard. Mr. Penzer stated that right now this is the first

application that they reviewed with other individuals prior to submitting an application. The prior mayor wanted a road from the property to the baseball fields. This is being done. The mayor also wanted berms and trees on top of the berms and that the engineer would meet with the township landscaper to review the same. They need the 52 feet in length. If they did not have to do all the extras, which is not the board's requirements, asked for by different officials, they could. They legally felt that at the 88 feet they were legal. They wanted to satisfy the officials. They were asking for a small relief. Mr. Flannery stated the plans that were before them show an extension of Wadsworth Road more than a half mile offsite.

Mr. Flannery stated the positive criteria is that they were extending Wadsworth Road a half of mile. It would provide traffic benefits for the area. They were providing the landscaped berm along the front. They were taking a site that was 65% impervious coverage and reducing it by 15%. They were taking a project along Route 9 and providing the 100 foot buffer. The negative criteria to review is the traffic impact. They were replacing the current use with 66 units and a roadway so the traffic did not have to impact on Route 9. The traffic is a positive, the traffic aesthetics is a positive, the reduction in impervious coverage is a positive. The neighbors had an issue with the current drainage on the site and that is being changed. All the aspects of the project is a positive. The only negative is the two foot shortage on half of the units. The benefits far outweigh any detriments. With regard to the planner's review comments, they would provide the requested detail. The plans as shown depict what is proposed. The board can request more parking. They provided three spaces per unit and offsite provisions. There are 157 parking spaces in the driveways and 43 in the parking lot at the end. There are 34 on-street parking spaces provided. There are open areas along Pleasant Way and Parkview. You have more than 3.5 spaces per unit which exceed the RSIS standards. Items three and four they agreed to. Item five deals with the park and recreation areas. The homeowner lot which incorporates the buffer as well as the tot lot area that was not labeled properly is 2.71 acres which is 33%. They provided 5% as required in the ordinance in the area of the community building and the tot lot area. They provided 33% and 5% that was usable to the homeowners. The details of the trash enclosures would be provided. The enclosures are in the front of each unit. They would provide the items requested for landscaping and lighting as well as the items in eight through twelve. They would agree to have the EIS incorporate the comments detailed in item 13. Side entries are shown on the units. They did not show sidewalks. If the board wants sidewalks, they will include the same to the side entries.

Mr. Flannery, in reviewing the engineer's report, stated that A.1 is information, A.2 is the variances, A.3 concerns the proposed fee simple lots, A.4 through A.7 are minor in nature, A.8 deals with sidewalk and curb along Wadsworth Avenue; they were providing curb and sidewalk in front of their property but not the other properties, and A.9, B.10 through B.12 were minor in nature which would be provided. B.13 deals with the two entrances for the parking area. He is suggesting tying the two entrances together which would eliminate four parking spaces. He felt the parking lot was for the homeowners in the area and would now the configuration. The use is limited in nature. He felt that the four spaces were not needed but it would be better to have them. He left the decision to the board. All of the remaining comments were minor in nature and they agreed to comply with the same.

Mr. Dolobowsky asked the distance in the back yards from the buildings to the property lines. Mr. Flannery stated that the buildings that are the closest are 18 feet and the buildings jettied in are 20 feet. Mr. Dolobowsky asked how big the decks would be. Mr. Flannery stated it would be a ten foot deck. Mr. Dolobowsky stated if you look at the two rows of units that are back to back, there is a grass area between them and he assumed there would be a swale and asked how wide it would be. Mr. Flannery stated the swale was minor in nature, probably a couple of feet. The roof drains are tied into the drainage system. A fence could be put in along the property line. Mr. Dolobowsky asked about the backs that face Route 9 and there is a slope. He asked if there would be a swale there. Mr. Flannery stated there are swales that take the water around the units into the front and there is drainage in there to pick up the water. There is very little water running in the swale areas. Mr. Dolobowsky was concerned with a heavy rain and if there was someplace for the water to go. Mr. Flannery replied there was and it is shown on the plans. Mr. Dolobowsky stated that the open area could have fences and outside the fence there could be a play area. Mr. Flannery stated that outside the fence is a passive recreation area. Mr. Penzer stated that the Kettle Creek Recreation Area is right up the road.

Mr. Neiman asked about a fence or a berm area to the north south part of the site. Mr. Flannery replied no. The fences would be limited to the individual yards.

Mr. Ganton stated the decks will be 16 feet apart. Mr. Flannery replied that was correct. The units jot so one would be 8 feet and the other would be 10 so they would be 18 feet apart. Mr. Ganton asked about the fence. Mr. Flannery stated it would be on the property line.

Mr. Banas asked about the side entrances. Mr. Flannery stated that the side entrances are typical of the townhouses where the rear units, the internal units do not have a provision to have a side entrance. The end units have that provision. It is a nice feature. Mr. Banas did not see a reason for the end units to have the side entrances. The other units do not have it. He felt the units should have just the front and rear entrances.

Mr. Dolobowsky stated that there is probably parking near the side door at his house. These units all have the parking in the front. A pad would have to be added with walkways. He was not in favor of the side doors. Mr. Penzer stated the side door is an extra marketing feature.

Mr. Banas asked how many bedrooms there were in all of the units. Mr. Flannery stated that there were 290 bedrooms. Mr. Banas stated that they should be discussing parking spaces between 200 and 290. According to the RSIS standards 176 spaces are needed, but the laws provide that they can access one parking space for each bedroom. Mr. Slachetka stated the law says that you can require a higher standard based upon circumstances and the nature of the development being proposed. Mr. Banas did not think there was enough parking spaces. Mr. Flannery felt that three spaces per unit were sufficient. Mr. Penzer stated that the client will remove the side entrance for the additional four feet.

Mr. Miller stated that 3.5 spaces per unit for a four bedroom townhouse should be adequate. Mr. Banas asked about the ones with five bedrooms. Mr. Flannery stated

that the fifth bedroom is for small children who do not drive. Mr. Banas stated that if they do not move, it becomes a problem.

Mr. Dolobowsky asked Mr. Franklin about Broadway and Parkview. He asked if they wanted parking on both sides. Parkview can only have parking on one side. Mr. Flannery stated except for in front of the clubhouse. Mr. Dolobowsky was concerned with snow removal. He assumed that the two streets would be public right of ways. Mr. Flannery stated that Pleasant Way has 32 feet of pavement and they were providing a 16 foot half width on both Broadway and Parkview on their side and 15 feet on the other side. The RSIS says you can do it was 28 feet. Mr. Franklin stated the garbage trucks could maneuver with 30 feet.

Mr. Miller stated that the inner roads could be narrowed but he did not suggest it.

Mr. Banas opened the application to the public.

Hermann Winkelmann, 142 Court, Lakewood, was sworn in. Mr. Jackson stated that several years ago he talked Mr. Winkelmann. He did not think it represented a conflict. Mr. Winkelmann stated he has several pending lawsuits. He also contacted the Attorney General. He was against the project. He was in Lakewood since 1962. In 1963 he bought the land which is the subject of the application and built it up. He resented the fact that a local lawyer said that the land was not financially feasible for the makeup of Lakewood. Three weeks ago he could not talk. His name was never mentioned as the creator of the building. It was his life's work. He thought the project was too big for the site. He asked how long the board had police present during a meeting. Mr. Banas stated they do it on occasion. Mr. Winkelmann asked who requested the police to be present. Mr. Banas stated that is not what they were here to talk about. Many officers have been at meetings at various times throughout his presence on the board. Mr. Winkelmann asked the width. Mr. Flannery stated it was 100 feet. Mr. Winkelmann asked about the fire trucks. Mr. Miller stated three new trucks were just purchased to service the developments. Mr. Winkelmann asked about parking. Mr. Flannery stated that in front of each unit there is a driveway. All the yellow is parking spaces. Three off-street parking spaces were provided. Mr. Winkelmann was concerned with the number of people in each unit that would have a car. Mr. Flannery stated they provided the spaces in abundance of what is required under the RSIS standards. Mr. Winkelmann asked if the units had full basements and Mr. Flannery replied that they do. The number of stories is dedicated by the ordinance and the basement is not considered a story. Mr. Jackson stated the witness has to finish his response before the next question is answered. It is improper to make comments that are argumentative. Mr. Winkelmann asked about the sewer. Mr. Flannery stated there is a grading and drainage plan that shows where the drain water goes. There is no pumping station. The plans clearly show it. Mr. Winkelmann stated he was in front of the board in 1963 and needed a variance. He asked if the ordinance he was required to get the variance for has changed. Mr. Banas stated it has changed many times. The setback from the highway is now 100 feet. Mr. Flannery stated the setback is 25 feet which is what is provided on the sides. The rears are 8 to 10 feet. Mr. Jackson stated the board heard his concerns about the setbacks. Mr. Banas explained what the board could consider in reviewing applications. He stated that Lakewood and Dover were trying to get the State to widen Route 9. Mr. Jackson stated the board is an administrative agency.

Mr. Winkelmann stated he was strongly against the application and asked the board not to take any action until he goes to court.

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

Mr. Banas asked about A-7. Mr. Penzer read a report from the traffic engineer into the record. It was signed by John Rae. "It is concluded that based on the analysis set forth in this report, that the primary site access at Route 9 and Broadway which will be a right turn in and a right turn out only will operate at an acceptable level of service c following completion of the project. The other intersection most impacted by site generated traffic flows is Wadsworth Avenue at Vine Avenue. Wadsworth Avenue will be constructed to Vine Street by the applicant. The intersection will operate at level of service A during the am and pm peak street hours. Left hand turns will be accomplished though the local road network eventually connecting Wadsworth Avenue, Parkway Avenue near the rear access to the community. The site plan has been prepared in accordance with the NJ RSIS with respect to roadway widths, cul-de-sac radius and parking."

Mr. Peters stated he did not believe he saw this traffic report as indicated earlier. He reviewed the traffic report. Mr. Banas was concerned with the traffic at Vine and Spruce.

Mr. Penzer stated the project will benefit the area. The road that they were putting in would connect all the projects in the rear. It would be a good project and it would be nice.

On motion by Mr. Dolobowsky and seconded by Mr. Klein, the application has discussed with removing the side entrances, extra buffering down the side of the property, and everything else that was discussed.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Miller, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; Mr. Klein, yes; Mr. Ganton, yes; and Mr. Percal, yes.

Mr. Banas called for a short recess. The meeting was reconvened.

10. Discussion - Proposed Ordinance for a Capital Improvement Project along Ocean Avenue

Mr. Slachetka stated they did not have a specific recommendation on the ordinance. He thought the board should be aware that as part of its review activities, the governing body may refer a capital ordinance to the board to review and comment. Mr. Kiert noted that this was for a specific project, not what was submitted annually. Mr. Slachetka stated the review is for what was being proposed and if it is in connection with the master plan. The master plan does not refer to the actual project, but the committee felt the board should review it. Mr. Banas stated he did not see anything against the master plan and did not see any reason why it should not be adopted.

On motion by Mr. Herzl and seconded by Mr. Klein, the board would indicate to the governing body that the board had no objections to the ordinance and that it was not in the master plan.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Miller, yes; Mr. Banas, yes; Mr. Dolobowsky, abstain; Mr. Klein, yes; Mr. Ganton, yes; and Mr. Percal, yes.

Mr. Dolobowsky stated that at the last meeting the board voted not to approve some ordinances. He was not against the idea behind the ordinances, but felt that they were incomplete. One was for fences to be approved by an individual and would allow 14 foot high fences. The other ordinance allowed schools to go to the building department to put up trailers for four years. No one would review where the buses stack and where the children would play, etc. He had no objection with the idea behind the ordinances.

V. MEMORIALIZATION OF RESOLUTIONS

- 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

On motion by Mr. Dolobowsky and seconded by Mr. Ganton, the resolution was hereby memorialized.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; Mr. Klein, yes; Mr. Ganton, yes; and Mr. Percal, yes.

- 2. SP #1808A**
APPLICANT: BAIS RIVKA ROCHEL
Location: Route 9, between Spruce Street & High Street
Block 782 Lot 7
Minor site plan for proposed pool addition and minor site plan modifications

On motion by Mr. Ganton and seconded by Mr. Franklin, the resolution was hereby memorialized.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; Mr. Klein, yes; Mr. Ganton, yes; and Mr. Percal, yes.

3. **SP #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

On motion by Mr. Ganton and seconded by Mr. Franklin, the resolution was hereby memorialized.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; Mr. Klein, yes; Mr. Ganton, yes; and Mr. Percal, 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

On motion by Mr. Ganton and seconded by Mr. Franklin, the resolution was hereby memorialized.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; Mr. Klein, yes; Mr. Ganton, yes; and Mr. Percal, 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

On motion by Mr. Ganton and seconded by Mr. Franklin, the resolution was hereby memorialized.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; Mr. Klein, yes; Mr. Ganton, yes; and Mr. Percal, 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

On motion by Mr. Ganton and seconded by Mr. Dolobowsky, the resolution was hereby memorialized.

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

Mr. Klein, yes; Mr. Ganton, yes; and Mr. Percal, 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

On motion by Mr. Ganton and seconded by Mr. Franklin, the resolution was hereby memorialized.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; Mr. Klein, yes; Mr. Ganton, yes; and Mr. Percal, yes.

VI. CORRESPONDENCE

None at this time.

VII. PUBLIC PORTION

None at this time.

VIII. APPROVAL OF BILLS

On motion by Mr. Klein and seconded by Mr. Percal, the submitted bills were hereby approved for payment.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; Mr. Klein, yes; Mr. Ganton, yes; and Mr. Percal, yes.

IX. APPROVAL OF MINUTES

On motion by Mr. Dolobowsky and seconded by Mr. Percal, the minutes of February 21, 2006 were hereby approved.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; Mr. Klein, yes; Mr. Ganton, yes; and Mr. Percal, yes.

X. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted,
Elaine Anderson

Planning Board Recording Secretary