

**1. CERTIFICATION OF COMPLIANCE**

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

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

**2. ROLL CALL**

Mr. Neiman, Mr. Banas, Mr. Follman, Mr. Percal, Mr. Schmuckler

**3. SWEARING IN OF PROFESSIONALS**

Mr. Vogt was sworn in.

**4. MEMORIALIZATION OF RESOLUTIONS**

**1. SD # 1430D** (No Variance Requested)  
Applicant: Pine River Village/Somerset Walk  
Location: Pine Street  
Block 830.01-830.07                      Lots All  
Amended Site Plan & Subdivision

Motion to approve by Mr. Schmuckler, seconded by Mr. Percal.

Roll Call Mr. Neiman, yes, Mr. Banas, not voting, Mr. Follman, yes, Mr. Percal, yes, Mr. Schmuckler, yes.

**5. OLD BUSINESS**

**1. SD # 1613**  
Applicant: John Brown  
Location: Pine Street and Arlington Ave.  
Block 774.03                      Lot 2.03

Request to eliminate a condition of the resolution

Mr. Todd Dey on behalf of the Township Committee in reference to John Brown Application, within this application there is an existing lot on the corner of Pine

Street and Arlington Ave. on this subdivision there was a requirement for the developer to put in a 13 foot wide driveway from the edge of the pavement all the way extending out to Pine Street. It was originally intended for use by Municipal vehicles only , there are signs there saying authorized vehicles only on each end of the access road. It has been brought up at the Township Committee Meetings, in the Public Comments section that a lot of the local residents would like to not open this road all the way to Pine Street. It is my recommendation well as Traffic and Safety recommendation that either a road is built for use or there is no road at all. The cost to finish this road would be approx. \$25,000 which is not in the Township budget at this time. The Township Committee has authorized me to appear before this Board and request that we remove this restriction from this submission that this access road be made into a hammerhead turn around with some pavement markings and not open this road at this time. The planning Board approved this to allow access for garbage trucks and plows to go straight through and not have to turn around.

Mr. Banas asked about lot 102.1 and weather if it is developed in the future could this road be reopened for better access.

Mr. Dey replied that yes it is a paper street and the Township has every right to open up the road in the future.

Chairman Neiman opened this portion of the meeting to the public.

Mr Shlomo Shaebow 96 Mulford Street stated that he was involved in collecting signatures of the residents on the other side of Pine Street to make this a road that goes all the way through. There is a lot of traffic in the area and the access is needed.

Mr. Neiman explained that in the future the Township may open up this road if there is more development in the area but as of right now the road is more of a liability.

A motion to recommend for a change to the memorialization to put a hammerhead at the end of this road and leave the remainder of the street as a paper street was made by Mr. Banas and seconded by Mr. Schmuckler.

Roll Call Mr. Neiman, yes, Mr. Banas, yes, Mr, Follman, yes, Mr. Percal, yes, Mr. Schmuckler, yes

**2. SD # 1543**

Applicant: Batim Management  
Location: Sixth Street  
Block 130 Lots 11 & 12

Applicant requests prior condition of approval concerning use of basements be modified

**3. SD # 1635**

Applicant: Batim Management  
Location: Sixth Street  
Block 117 Lots 2 & 14

Applicant requests prior condition of approval concerning use of basements be modified

Mr. Abe Penzer her to discuss both #2 and #3. Both of these applications were approved prior to the ordinance which made basements a legal use for the home owner.

A discussion between the Board, the Engineer and Mr. Penzer ensued as to the parking for each unit. Four spaces are required and Mr. Penzer agreed to pave all four parking spaces.

A motion was made by Mr. Schmuckler to allow the change with four paved parking spots per unit, it was seconded by Mr. Follman.

Roll Call Mr. Neiman, yes, Mr. Banas, yes, Mr, Follman, yes, Mr. Percal, yes, Mr. Schmuckler, yes

**6. PLAN REVIEW ITEMS**

**2. SD # 1753** (Variance Requested)

Applicant: Regency Development  
Location: Corner of 4<sup>th</sup> street, Monmouth Ave. & Steckler Street  
Block 160 Lot 1,35,6,13,14 &15

Minor Subdivision to realign lot lines

Carried to the October 5, 2010 Review Meeting this room 6:00pm.

Mr. Jeffrey McWeeney, Esq. for the Township. Please be advised that applicant SD #1753 has been moved to the October 5, 2010 meeting this room at 6:00 pm. No further notice is required.

**6. SD # 1756** (Variance Requested)

Applicant: Baruch Halpern  
Location: Astor Drive, North of Kennedy Boulevard East  
Block 104 Lots 16 & 27

Minor Subdivision to create 4 lots

Carried to the October 5, 2010 Review Meeting this room 6:00pm.

Mr. Jeffrey McWeeney, Esq. for the Township. Please be advised that applicant SD #1756 has been moved to the October 5, 2010 meeting this room at 6:00 pm. No further notice is required.

**9. SD # 1935** (Variance Requested)

Applicant: Simon Kaufman

Location: Ridge Avenue, east of Park Avenue  
Block 238 Lots 23 & 30

Preliminary & Final Site Plan for proposed 6 unit multi family building

Carried to the October 5, 2010 Review Meeting this room 6:00pm.

Mr. Jeffrey McWeeney, Esq. for the Township. Please be advised that applicant SD #1935 has been moved to the October 5, 2010 meeting this room at 6:00 pm. No further notice is required.

**1. Ordinances for discussion**

**Section 18-200B – Definition of a minor subdivision**

Mr. Kielt explained that the Ordinance change that as long as the end result is 3 lots with 1 retained lot regardless of the amount of lot lines changed the Ordinance still stands.

A motion to recommend was made by Mr. Percal and seconded by Mr. Follman.

Roll Call Mr. Neiman, yes, Mr. Banas, yes, Mr. Follman, yes, Mr. Percal, yes, Mr. Schmuckler, yes

**3. SP # 1929** (Variance Requested)

Applicant: Bais Rivka Rochel

Location: Corner of 4<sup>th</sup> Street, Monmouth Avenue & Steckler Street  
Block 160 Lots 1,3,5,6,13,14 &15

Preliminary & Final Site Plan for 2 story retail and office

**Project Description**

The applicant is seeking Preliminary and Final Major Site Plan approvals for two (2) proposed projects. One site plan proposes construction of a retail/office development and the other site plan proposes approval of an existing building on a reduced sized Lot 13.

The overall area presently contains a fixed trailer building, two (2) one-story masonry buildings, and a two-story stucco building. The existing property consists of multiple lots totaling 55,980 square feet which would mostly be consolidated as part of the site plan approval. However, existing Lot 13 which contains the two-story stucco building will be reduced in size to the back wall of the building. A separate Minor Subdivision application must be submitted to create the two (2) site plans. The original tract has existing frontages on three (3) municipal streets. Monmouth Avenue which has an eighty foot (80') right-of-way is located to the west, Fourth Street with a sixty foot (60') right-of-way is located to the north, and Steckler Street having a fifty foot (50') right-of-way is located to the east. Existing Lot 13 with the existing two-story stucco building has frontage on Monmouth Avenue directly north of an existing parking lot (Lot 11) owned by the Lakewood Development Corporation. The existing two-story stucco building will remain while the other existing structures along with virtually all of the existing site improvements will be removed. A building complex with two (2) small parking lots is proposed for the larger of the two site plans. The existing two-story stucco building fronting Monmouth Avenue is proposed to be the subject of the smaller site plan. It is not clear how the floor areas of the existing two-story stucco building will be utilized. A new ninety-six foot (96') wide building is proposed to front Fourth Street. This building proposes ground floor retail use and second floor office use. The proposed ground floor retail use will be 12,915 square feet while the second floor office use will be 13,670 square feet. The differences in floor area are the result of a proposed ground level walkway connecting the proposed parking lots at the northwest and northeast corners of the site. Another new building fronting Steckler Street is proposed. The ground floor will be a supermarket with some mezzanine second floor office space. The proposed ground floor supermarket will be 16,335 square feet, while the second floor office space will be 3,000 square feet. The proposed two-story shopping center and office complex will total 45,920 square feet in gross floor area. The proposed shopping center/office design is based on Steckler Street being vacated and a portion of existing Lot 13 being conveyed. The half right-of-way width of twenty-five feet (25') would be added to the property's three hundred foot (300') frontage along Steckler Street. Meanwhile, the back part of existing Lot 13 would also be added to the proposed shopping center/office site plan. The additional seven thousand five hundred square feet (7,500 SF) from the vacation and the 1,195.22 square feet from the back of existing Lot 13 would bring the total tract area of the larger site plan up from 49,566.06 square feet to 58,261.28 square feet. Township Committee approval would be required for the street vacation and Subdivision approval would be required from this Board for the conveyance of part of existing Lot 13. A total of forty-eight (48) parking spaces are proposed for the larger site plan. Based on the proposed breakdown of retail and office use, two hundred three (203) parking spaces are required. The proposed parking spaces are divided evenly among the two (2) proposed parking lots. The proposed parking lots are located at the northwest and northeast corners of the site. The proposed northwest parking lot located at the corner of Monmouth Avenue and Fourth Street will have access from Monmouth Avenue. The proposed northeast parking lot located at the corner of Fourth Street and Steckler Street will have

access from a twenty-four foot (24') wide drive located on a vacated portion of Steckler Street. Each proposed parking lot will have a van accessible handicap space. No parking is proposed for the smaller site plan where the existing two-story stucco building will remain on the remainder of existing Lot 13. The sites are in a developed section of the Township. The surrounding area contains a mixture of various uses. We have the following comments and recommendations. **(I)Waivers (A) The following waivers have been requested from the Land Development Checklist: (1) B2 - Topography within 200 feet thereof. (2) B4 - Contours of the area within 200 feet of the site boundaries. (3) B10 - Man-made features within 200 feet thereof.**A significant amount of topography outside the boundary of the subject property is provided on the Survey. Some minor area east of the property and the railroad tracks does not extend for a distance of two hundred feet (200'). Therefore, waivers are requested from B2, B4, and B10. The applicant shall provide supporting testimony on the requested waivers as required. We believe that sufficient existing data is provided to review the application. Therefore, we support the waivers as requested. **The Board granted the requested waivers at the April 13, 2010 Planning Board Workshop Hearing. However, the Board should technically take action on the waivers at the August 3, 2010 Planning Board Workshop Hearing since the project now involves two (2) site plans and a subdivision.** **(II)Zoning (1) The two sites are located in the B-4 Wholesale Service Zone. Retail activities and service activities are permitted in the Zone. Testimony should be provided by the applicant's professionals regarding the proposed uses to confirm compliance with the UDO for this Zone. The proposed use for the existing two-story stucco building to remain has not been indicated. (2) A minimum lot area variance is required for the smaller site plan with the existing two-story stucco building to remain. A twenty thousand square foot (20,000 SF) lot area is required. The existing 6,414.11 square foot existing Lot 13 would be reduced to 5,218.89 square feet in area by aligning the rear lot line with the existing east wall of the building and the side lot line with the existing north wall of the building. (3) A minimum lot width variance is required for the smaller site plan with the existing two-story stucco building to remain. A one hundred foot (100') lot width is required. The existing fifty-six foot (56') width of existing Lot 13 would be reduced to 55.56 feet in width by aligning the side lot line with the existing north wall of the building. (4) Front yard setback variances are being requested. A twenty-five foot (25') front yard setback is required. A zero foot (0') front yard setback is proposed on the larger site plan for the portion of the proposed building fronting Fourth Street. A front yard setback of 7.48' is required on the smaller site plan for the existing two-story stucco building to remain. The variance should be required for this existing non-conformity since the proposed lot size would be reduced. (5) Rear yard setback variances are being requested. The Zoning requires a rear yard setback of thirty feet (30'). The plans have been designed on the premise that Steckler Street will be vacated and that the rear yard of the larger site plan project will be along the vacated Steckler Street side of the site. A 15.66' setback from the new lot line based on the vacation of Steckler Street is proposed for the supermarket portion of the building. A zero foot (0') rear yard setback is proposed on the smaller site plan for the existing two-story stucco building to remain. The proposed rear property line would be aligned with the existing rear wall of the building. (6) Side yard setback variances are being requested. A ten foot (10') side yard setback is required. A zero foot (0') side yard setback is proposed for the larger site plan where the supermarket portion of the building abuts the neighboring existing two-story stucco building that is to remain. A**

zero foot (0') side yard setback is proposed for the smaller site plan where the north wall of the existing two-story stucco building to remain will align with the proposed side property line. (7) Aggregate side yard setback variances are being requested. A twenty foot (20') aggregate side yard setback is required. A zero foot (0') aggregate side yard setback is proposed for the larger site plan. The proposed supermarket portion of the building abuts the neighboring existing two-story stucco building that is to remain. The proposed second floor office portion of the two-story retail/office use building also abuts the neighboring two-story stucco building that is to remain. A 0.25' aggregate side yard setback is proposed for the smaller site plan. The existing two-story stucco building to remain abuts the neighboring proposed second floor office portion of the two-story retail/office use building. The south side of the existing two-story stucco building to remain is 0.25' from the existing side property line of adjacent existing Lot 11. (8) Variances are required for the number of off-street parking spaces. The shopping center use requires one (1) space for every two hundred square feet (200 SF) of floor area and the office use requires one (1) space for every three hundred feet square feet (300 SF) of floor area. (9) On the larger site plan, the proposed shopping center use of 29,250 square feet requires one hundred forty-seven (147) parking spaces. The proposed office use of 16,670 square feet requires fifty-six (56) parking spaces. A total of two hundred three (203) spaces are required. Forty-eight (48) off-street spaces are proposed. Per communications with the applicant's professionals and as stated in the EIS report, the proposed Steckler Street parking lot is intended to supply the remaining additional off-street parking required for this project. This proposed parking lot is being designed by the Lakewood Township Development Corporation through our office. **Confirming testimony is required from the applicant's professionals regarding the adequacy of proposed parking.** (10) On the smaller site plan for the existing two-story stucco building to remain, no off-street parking is proposed. The uses for this existing building have not been defined and no off-street parking calculations have been provided. Information on the proposed uses and floor areas is required in order for the Board to determine the extent of the parking variance that will be required. (11) The applicant must address the positive and negative criteria in support of the requested variances. **At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area.** (12) The proposed retail/office building has frontage on Fourth Street. The main access to the proposed supermarket is from the proposed vacated Steckler Street side of the project. Therefore, we question the designation of the proposed vacated Steckler Street side of the project being the proposed rear yard. Assuming the proposed Steckler Street vacation will be for its entire length, the proposed rear yard could be on the south side of the shopping center/office project. (III) Review Comments (A) Site Plan/Circulation/Parking (1) General Note #1 states that engineering documents for the vacation of Steckler Street were being developed by the Lakewood Township Engineering Department. **The proposed road vacation must be approved by the Township as a condition of Planning Board approval if/when forthcoming for the larger site plan project.** (2) The proposed parking lots for the larger site plan project are situated at the edges of the right-of-way lines. The proposed location for the northeast parking lot is based on the premise of Steckler Street being vacated. (3) As depicted on the current design for the larger site plan project, a twenty-four foot (24') wide access is proposed for Steckler Street (assumed to be vacated for design purposes). A six foot (6') width of the access is proposed west of the centerline and an eighteen foot (18') width of the access is proposed east of the centerline. These improvements as depicted vary from our current LDC project design. We recommend a coordination meeting with

the LDC and the applicant's professionals to refine the proposed roadway design. The applicant's professionals have indicated that a coordination meeting with the LDC will be scheduled. (4) The proposed interior portions of the parking lots for the larger site plan are properly dimensioned. Some additional offset dimensioning should be provided to assure the correct construction location. (5) A loading area for the larger site plan is proposed in the southeast corner of the site. It appears the loading area will accommodate three (3) trucks and a trash compactor for only the supermarket use. Confirming testimony shall be provided, as well as how the retail/office portion of the site will be serviced. Vehicular circulation plans must be provided to confirm accessibility for the loading area, delivery, emergency, and trash pickup vehicles that will need to access the site. The applicant should address whether what appear to be bollards are being proposed across from the loading area to protect vehicles in the future municipal parking lot. Testimony shall also be provided regarding loading, delivery, and trash pickup on the smaller site plan for the existing two-story stucco building to remain since no facilities are proposed. (6) For the larger site plan, the proposed pavement tie-in location at the southeast corner of the site does not match existing conditions. The proposed disposition of Steckler Street south of the site, if any, should also be discussed. The applicant's professionals have indicated the proposed vacation of Steckler Street will be discussed with the LDC. (7) The plans for the larger site plan indicate a slight encroachment of the existing parking lot on Lot 11 owned by the Lakewood Development Corporation onto the applicant's Lot 6. Since the property line is on a skew, we recommend a squaring off of the property line to correct the encroachment. The applicant's professionals have indicated that testimony will be provided to address the property line encroachment along Lot 11. (8) The Demolition Plans indicate off-site items to be removed and/or relocated. An existing tree and part of an existing fence are shown to be removed from Lot 11 owned by the Lakewood Development Corporation. An existing fence on the east side of Steckler Street is shown to be relocated five feet (5') by others. Testimony shall be provided to address these issues. (9) The plans are proposing sidewalk to be constructed adjacent the existing parking lot curb on part of Lot 11 owned by the Lakewood Development Corporation. The applicant's professionals have indicated that testimony will be provided to address the proposed sidewalk on Lot 11. (10) The plans for both site plans attempt to retain the bulk of existing curb and sidewalk on the Monmouth Avenue and Fourth Street frontages. Accordingly, the following note has been added to Sheet C-03: "Curb and sidewalk along the property frontage shall be replaced to the satisfaction of the Township Engineer (typ.)." (11) On the larger site plan, the existing curb radius at the intersection of Monmouth Avenue and Fourth Street will constrict pedestrian flow at the intersection. A proper curb radius of twenty-five feet (25') has been proposed along with the correct handicapped ramp. The existing handicapped ramps surrounding the site are being upgraded to current codes. (12) At a minimum, utility and driveway paving restorations will be required as a condition of approval for the larger site plan, if and when forthcoming. Locations of pavement repair and replacement have been added to Sheet C-02, the Demolition Plan. (13) Proposed floor area calculations have been confirmed for the larger site plan. Dimensions for the proposed ground floor retail area on the larger site plan have been added. There are no longer building dimension discrepancies between the site plans and architectural plans for the larger site plan. However, the proposed floor area calculations and dimensions for the existing two-story stucco building to remain on the smaller site plan must be addressed. The previous plans had a second floor connection between office uses of the proposed and existing building. This must no longer be the case, since a subdivision will be separating the existing two-story stucco building to remain from the proposed shopping center/office complex. (14) On the larger site plan, the "street signs" shown in the legend shall be corrected to



“directional signs”. (B) **Architectural (1)** Architectural Plans were submitted for review. Per review of the submitted plans, the proposed buildings for the larger site plan will be thirty-one feet three inches (31’-3”) in height. The existing two-story stucco building to remain for the smaller site plan will be twenty-six feet six inches (26’-6”) in height. The plans show stairs and openings to basement areas. However, no basement floor plans have been provided. The applicant’s professionals have indicated that testimony will be provided to address the basements by the project architect. (2) The applicant’s professionals have indicated that the project architect will provide testimony regarding the proposed building façade and treatments for both site plan projects. We recommend that renderings be provided for the Board’s review and use prior to the public hearing, at a minimum. (3) The applicant’s professionals have indicated that the project architect will provide testimony as to whether any roof-mounted HVAC equipment is proposed for the building complex of the larger site plan or the existing two-story stucco building to remain on the smaller site plan. If so, said equipment should be adequately screened. (4) The proposed building dimensions for the larger site plan are now consistent between the architectural plans and the site plan. In addition, access points now match. The building dimensions and access points for the existing two-story stucco building to remain for the smaller site plan requires coordination. Revisions to the architectural plans are necessary since the proposed subdivision will eliminate the previous second floor connection between office uses of the proposed and existing buildings. (5) The architectural plans indicate the existing two-story stucco building to remain for the smaller site plan contains predominantly classrooms. However, virtually no interior improvements to the building are shown. The applicant’s professionals indicate that testimony will be provided to address the existing building by the project architect. (C) **Grading (1)** Sheet C-04 is a detailed Grading, Drainage, & Utility Plan of the plan set. The proposed grading concept is to direct runoff to two (2) separate underground infiltration systems. Per review of the plan, the overall grading design is feasible as proposed. The proposed grading will take place on the larger shopping center/office site plan project. Virtually no proposed grading will take place on the smaller site plan project since it involves just the existing two-story stucco building to remain. (2) Proposed grading revisions have been made in the proposed northeast parking lot of the larger site plan. The parking lot has been graded to low points within the lot where catch basins would be installed to pipe runoff to a pretreatment device before it enters the underground recharge system. A high point will be created in the access driveway to keep runoff from escaping the site which would be contrary to the proposed design concept. (3) The proposed grading and limits of improvements to the Steckler Street portion of the larger project which is shown to be vacated needs to be addressed. (4) Proposed spot grades have been added at all building access points for both projects. However, in some cases it appears the grading is incorrect. We recommend that the applicant’s engineer contact our office to coordinate necessary revisions. (5) The Grading, Excavation, and Backfilling Note #5 has been revised to allow the proposed gutter grades to be designed at a minimum 0.5% slope. Proposed gutter grades need to be added to the streets surrounding both site plans. (D) **Storm Water Management (1)** A proposed storm water management system has been designed for the larger site. The construction of two (2) separate underground infiltration systems is proposed to handle the increased runoff which will be generated by the project. Storm water management for the smaller site plan is not required since no change in impervious coverage is proposed. (2) The proposed underground recharge facilities for the larger site plan will have pretreatment devices. (3) Testimony is required confirming private maintenance of the storm water management system for the larger site. An excellent storm water maintenance manual has been provided for the proposed shopping center/office site

plan. Revisions are only required to the "Corrective Response to Emergency Conditions" section. (4) The proposed shopping center/office project will reduce the proposed storm water discharge to the surrounding streets. The design of the storm sewer system in the proposed northeast parking has been revised to capture the storm water runoff from the site.

(5) According to our review of the "Pond Reports" and the test pits, the bottom elevations of the infiltration systems for the proposed shopping center/office may require correction. Our review indicates the bottom elevation of underground recharge area #1 should be no lower than 58.00 and the bottom elevation of underground recharge area #2 should be no lower than 57.50. A design meeting among the professionals is recommended. (6) An excerpt from the Geotechnical Investigation has been included in the Appendix of the Storm Water Management Report for the proposed shopping center/office. The infiltration rates used for design are acceptable.(7) According to the soil borings, proposed Infiltration Basin #1 for the proposed shopping center/office will not be two feet (2') above seasonal high ground water table. The design engineer has averaged the seasonal high water table elevation throughout the site to establish a set elevation. This is incorrect since the ground water table will follow the topography and vary throughout the site. (8) The design for the loading area drainage and the pedestrian corridor drainage of the proposed shopping/office center is incomplete.(F) **Lighting** (1) A detailed revised lighting design for the proposed shopping center/office site plan including a point to point diagram has been provided. The comprehensive lighting plan proposes eight (8) low pole mounted fixtures and eighteen (18) wall mounted fixtures. A table indicating the number of each type fixture and their respective wattage is required. No lighting is proposed for the smaller site plan where the existing two-story stucco building will remain.(2) The lighting design for the proposed shopping center/office site has been reconfigured such that all pole mounted fixtures proposed will not be located within any right-of-way. This assumes the vacation of Steckler Street will take place. (3) The illumination diagrams for the proposed shopping center/office site plan have been revised to show the respective lights used in the design. The plans have also been labeled to highlight the different light types and locations. The light count for the forty-two (42) watt wall mounted fixtures on the west side of the proposed building is incorrect. (G) **Utilities** (1) The projects are located in the New Jersey American Water Company franchise area. Public water and sewer service will be constructed by NJAWC for the proposed shopping center/office site plan. No existing or proposed water and sewer service is shown on the site plan where the existing two-story stucco building will remain. (2) A fire suppression system is proposed for the proposed shopping center/office buildings. Separate connections are proposed for potable water and fire protection measures. The water connections are being made on the Fourth Street side of the project. Testimony must be provided on whether there is an existing or proposed fire suppression system for the smaller site plan where the existing two-story stucco building will remain. (3) No additional fire hydrants are

being proposed for either project site. (4) Proposed sanitary sewer for the proposed shopping center/office site plan is being connected to the existing system in Fourth Street. Easements for sanitary sewer mains and manholes may be required because of the size of the line and volume of proposed flows. No existing or proposed sanitary sewer connections are shown for the smaller site plan where the existing two-story stucco building will remain. (5) Gas and electric service to the proposed buildings for the shopping center/office site plan will be provided from the Fourth Street side of the project. No information has been provided for gas and electric service to the existing building on the smaller site plan. (H) **Signage** (1) The Shopping Center/Office Site Plan proposes wall signs, but no freestanding signage. Wall signs will be limited to sixty square feet (60 SF) which is the maximum area allowed for a building having more than sixty feet (60') of length. The architectural plans indicate proposed wall sign locations over the front and rear access points of the grocery store which is permitted. No dimensions or details have been provided to confirm that the signs comply with the area requirements. No signage information has been provided for the smaller site plan where the existing two-story stucco building will remain. (2) All signage proposed for either site plan that is not reviewed and approved as part of these site plan applications, if any, shall comply with the Township Ordinance. (I) **Environmental** (1) **Site Description** Per review of the site plans, aerial photography, and a site investigation of the properties, the project sites consist of a 1.34 acre tract and a 0.12 acre property. The sites are currently developed as a mix of uses including auto service, retail, office, and vacant lots near the intersection of Monmouth Avenue and Fourth Street. The larger site is bordered on the north by Fourth Street with residential uses on the opposite side. Steckler Street is located on the east side. A school is located to the south. Monmouth Avenue is a wide collector street located to the west. A two-story existing stucco building to remain comprises the smaller site which fronts Monmouth Avenue just north of an existing parking lot on Lot 11. Virtually the entire larger site will be renovated. (2) **Environmental Impact Statement** The applicant has submitted an Environmental Impact Statement which covers both site plan properties. The document has been prepared by L2A Land Design, LLC to comply with Section 18-820 of the UDO. The report is dated February 9, 2010. To assess the sites for environmental concerns, natural resources search of the properties and surroundings was completed using NJ Department of Environmental Protection (NJDEP) Geographic Information Mapping (GIS) system data, including review of aerial photography and various environmental constraints data assembled and published by the NJDEP. The following highlights some of the documents and field inventories which were reviewed to evaluate potential environmental issues associated with development of these properties: (a) Known Contaminated sites (including deed notices of contaminated areas); (b) Wood Turtle and Urban Peregrine habitat areas; and (c) NJDEP Landscape Project areas, including known forested wetlands, emergent wetlands, forest, and grassland habitat areas. The author of the Environmental Impact Statement concludes given the few potential

adverse impacts and the mitigation of these impacts as proposed by the developments, the construction of the proposed projects will be an improvement to the parcels and the surrounding areas. We agree with this conclusion. (3) **Tree Management Plan** A Tree Management Plan which comprises the larger site plan project has been submitted for review. An existing building covers virtually all of the smaller site plan property. All of the existing trees will be removed. Ten (10) shade trees and twenty-two (22) shrubs are proposed to replace the existing vegetation. (J) **Traffic (1)** A Traffic Impact Assessment for the proposed projects has not been submitted for review, and is recommended. The proposed larger development site plan will bring additional vehicular traffic to the site. The Environmental Impact Statement recognizes the sites will depend on the construction of a new municipal parking lot to assist in providing the shortfall of off-street parking proposed. (2) Testimony should be provided by the applicant's traffic expert as to whether any improvements are warranted for safety purposes due to the developments of the sites. Testimony will be necessary for the public hearing, at a minimum. (K) **Construction Details (1)** Construction details are provided with the current design submission. We recommend that final construction details be revised as necessary during compliance review, if/when these projects are approved by the Board. (IV) **Regulatory Agency Approvals** Outside agency approvals for these projects may include, but are not limited to the following: (a) Township Committee (Street Vacation for larger site plan); (b) Ocean County Planning Board; (c) Ocean County Soil Conservation District (larger site plan); and (d) All other required outside agency approvals. New Jersey American Water Company will be responsible for the construction of sanitary sewer and potable water service for the proposed projects. **A revised submission should be provided addressing the above-referenced comments, including a point-by-point summary letter of revisions.**

Mr. Steven Pfeffer Esq. on behalf of the applicant, he put a letter from the LDC into the record about a parking lot being built by the UEZ near this site in the future.

He stated the Rabbi Kanerik has spent the last 12 years to acquire this area for a commercial and retail space with adequate parking. We acknowledge there are variances needed and waivers.

Mr. Michael Dipple P.E. stated that they do not have any objections regarding the letter from Mr. Vogt.

Mr. Vogt stated that if this application is approved there will be approximately 90 parking spaces added by the LDC parking lot. There will still be a variance for parking needed. Strickler Street would need to be vacated after approval of this Board.

Mr. Neiman asked if Mr. Vogt had any problem with the waivers being approved due to a minor sub-division being added to the application.

Mr. Vogt replied that the waivers were alright.

A motion to pass the waivers was made by Mr. Follman and seconded by Mr. Banas.

Roll Call Mr. Neiman, yes, Mr. Banas, yes, Mr. Follman, yes, Mr. Percal, yes, Mr. Schmuckler, yes

Mr. Schmuckler then asked for an overview of this application.

Mr. Dipple explained by using the maps what was being done with the property. He also stated that the larger of the stores would not be a full size grocery store.

Mr. Vogt asked if a parking study could be done by the next meeting.

Mr. Dipple explained that at the next meeting they would explain exactly what the buildings would house as well as the parking situation.

Mr. Follman mentioned that there will be a building built in the area and would a traffic study be done at that time.

Mr. Ron Gadzarowski for Mr. Labowski. I have discussed this with Mr. Pfeffer and what we intend to do before this application comes back before the Board is we will agree upon something which will be incorporated into the deed.

Mr. Schmuckler asked if when they come before the Board again if they could have all the buildings and the parking on the maps as well as the UEZ parking.

Mr. Vogt stated that the UEZ parking has not moved ahead because of this application, it impacts our alignment because of the vacation of Steckler Street, If the application is approved it will effect the way they move forward with the UEZ parking lot.

Mr. Neiman inquired if the parking for the LDC could be used as a part of the required parking of this application.

Mr. Vogt was unsure of this answer.

Mr. Pfeffer stated that he could ask a representative of the LDC to attend the next meeting in order to explain that answer. The UEZ is building this parking lot as part of their master plan to enhance the area. The lot will be opened for everyone's use both commercial and retail in the area.

Mr. Neiman, Mr. Schmuckler and Mr. Kielt discussed having the applicant returning to a November meeting for a full public hearing. Providing a full plan with parking, ingress and egress, what the building will be used for, how much commercial and how much retail, and a representative of the LDC also present. They must also contact the County in regard to the traffic light on the corner of Monmouth and 4<sup>th</sup> Street.

A motion to move this application to the November 26, 2010 meeting was made by Mr. Schmuckler and seconded by Mr. Follman.

Roll Call Mr. Neiman, yes, Mr. Banas, yes, Mr. Follman, yes, Mr. Percal, yes, Mr. Schmuckler, yes

Mr. Jeffrey McWeeney, Esq. for the Township. Please be advised that applicant SD #1929 has been moved to the November 26, 2010 meeting this room at 6:00 pm. No further notice is required.

**4. SD # 1752** (No Variance Requested)

Applicant: 1275 River Avenue LLC

Location: River Avenue, south of Chestnut Street  
Block 1077 Lot s 39.02

Preliminary and Final Major Subdivision – 52 lots (48 townhouses)

**Project Description**

The applicant proposes to subdivide an existing lot into fifty-two (52) lots. The proposed subdivision would create forty-eight (48) townhouse lots, a community center with a tot lot property, two (2) conservation area lots, and a right-of-way lot for access and utilities. The applicant is seeking Preliminary and Final Major Subdivision approval with all required improvements. The subject property is located on the easterly side of River Avenue (Route 9), a State Highway, in the southern portion of the Township. The tract is irregularly shaped with an abandoned commercial use on the front portion, while the rear portion is vacant. The existing commercial use on the front part of the property is currently an abandoned motel site. The applicant proposes to remove all existing improvements and construct a new townhouse subdivision. The existing lot known as Lot 39.02 in Block 1077 is proposed to be subdivided into fifty-two (52) lots shown as proposed Lots 39.03-39.54 on the Major Subdivision Plan. Three (3) parking spaces are required for each townhouse unit. A total of one hundred seventy-four (174) off-street parking spaces are proposed. A privately owned off-street parking lot will contain all of the off-street spaces proposed. The proposed off-street parking lot creates a long cul-de-sac through the subdivision with a turnaround bulb at the terminus. The project will not have vehicular access from any other streets, except for Route 9. The tract area is listed as 6.359 acres. Associated site improvements are proposed for the major subdivision plan. These improvements include a proposed community building, a tot lot, parking area with curb and sidewalk, drainage, sewer, water, and utility connections. The site is situated within a mixed commercial and residential area. We have the following comments and recommendations: (1) **Zoning** (1) The site is situated within the HD-7, Highway Development Zone District. Per Section 18-903H.2.b., of the UDO, "townhouses" is listed as a conditional use. Therefore, the provisions of Section 18-1010 apply. (2) **No variances have been requested for the project. However, variances may be required when design revisions are made. It should be noted the building dimensions provided on the site plans with respect to depth do not match any of the units proposed on the architectural plans submitted. Until the footprints are depicted consistently between the proposed site plans and architectural plans we cannot determine whether variances are necessary.** (3) River Avenue (Route 9) is the bordering State Highway to the project. Two (2) Conservation Area lots are proposed on each side of the project access right-of-way to comply with the tract boundary setback of

one hundred feet (100') from a State Highway. (4) A fifteen foot (15') wide Conservation Easement dedicated to the Homeowner's Association is proposed around the perimeter of the site, except for the southern boundary of the tract adjacent existing Lot 49. The buffering section of the UDO requires thirty feet (30') which the Board may reduce to fifteen feet (15') if dense landscape screening is provided. Testimony is required on the perimeter Conservation Easement. A fence and screening are proposed. Proposed improvements such as sidewalk and drainage are encroaching upon the Conservation Easement as currently shown. (5) A right-of-way of varying width is proposed through the project. Testimony is required that the right-of-way will be privately owned and maintained. (6) Section 18-1010B.7., of the UDO requires all residential development shall provide a useable rear yard depth of at least twenty feet (20'). The UDO states "decks shall be permitted within the useable yard area, but detention/retention facilities, drainage swales, or any easements which would inhibit the use of the rear yard are prohibited". Drainage swales and easements are proposed for all rear yards. Therefore, a design waiver would be required. (7) The location of decks and HVAC equipment has not been addressed for zoning compliance. (8) According to Section 18-1010B.9., of the UDO, all areas put into common ownership for common [use](#) by all residents shall be owned by a non-profit homeowners association in accordance with the requirements of the [Department](#) of Community Affairs and deed restrictions, covenants, and documents as stipulated in Subsections (a-g) of this portion of the Code. The applicant should provide testimony that they will comply with the above referenced requirements. We defer to the Board Attorney for further comment. (9) The applicant shall comply with recently adopted Ordinance 2010-28 which adds new Section 18-403 Developers Agreements to the UDO. (10) The applicant must address the positive and negative criteria in support of any required variances and waivers. **At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area.** (II) **Review Comments (A) General/Layout/Parking** (1) The General Notes refer to a Survey that the outbound and topographic data has been taken from that is nearly five (5) years old. This Survey should be updated and a copy submitted. Some of the existing utility poles along Route 9 are not shown and the design could be impacted. Our site investigation conducted 8/17/10 also noted debris on the site which will require removal. (2) The proposed sidewalk does not extend across the Route 9 frontage of the property. The sidewalk shall be extended or a waiver requested. (3) Many corrections are required to the Schedule of Bulk Requirements which we can review with the applicant's professionals. We believe our synopsis of the Zoning section above accurately depicts the proposed project. (4) Off-street parking: According to the architectural plans provided, each townhouse will be either a four (4) or five (5) bedroom unit with a basement. The applicant is proposing three (3) off-street parking spaces per unit which is enough to be in compliance with the RSIS standards of three (3) off-street parking spaces for five (5) bedroom units. Based on the forty-eight (48) single-family townhouses proposed, one hundred forty-four (144) off-street parking spaces are required and one hundred seventy-four (174) off-street parking spaces are being proposed. The applicant should also provide testimony regarding basements since the architectural

plans indicate that each unit will have a basement. (5) The proposed off-street parking consists of a minimum of 9' X 18' parking spaces. The proposed parking configuration consists of perpendicular spaces on a long access drive through the development. The access drive consists of a two-way, thirty-one foot (31') wide aisle with spaces on both sides. One hundred seventy-four (174) off-street parking spaces are proposed, none of which are handicapped spaces. Testimony should be provided on handicap accessibility. (6) Interior sidewalk is proposed throughout the development. In many instances the proposed sidewalks will be located on individual lots. Therefore, parking and sidewalk easements are proposed. (7) The plans require consistency for indicating the location of proposed sidewalk. (8) Proposed individual trash enclosures are depicted for the proposed townhouses. Access to the enclosures shall be proposed. The Typical Front Yard Detail shown is not indicative of the site plan layout. No trash enclosure is proposed for the Community Center. Testimony shall be provided by the applicant's professionals on disposal of trash and recyclables. (9) Proposed handicapped curb ramp locations must be added to the site plan. (10) Sight Triangle Easements to Township standards are shown at the proposed access road intersection with River Avenue. Since River Avenue (Route 9) is a State Highway, the easements shall be revised to NJDOT standards and dedicated to the State of New Jersey. (11) Vehicular site access is exclusively proposed by the long access drive and parking lot. (12) Proposed six foot (6') wide shade tree easements dedicated to the Township of Lakewood are shown across the frontages of the proposed lots. In instances where the proposed easements are located across the proposed townhouse lots, most of the proposed easements are covered with paved parking spaces. We question the practicality of the location for the proposed easements. (B) **Architectural** (1) Architectural plans for three (3) types of proposed twenty-six foot (26') wide townhouse units to be constructed throughout the project have been provided. The proposed townhouse types are all a two-story units with unfinished basements. The proposed floor plans indicate the depths of the three (3) unit types are thirty-five feet (35'), forty feet (40'), and forty-nine feet (49'). However, the site plans indicate proposed unit depths of forty-five feet (45') and fifty feet (50'). **These discrepancies must be addressed to provide a proper review of this project since variances may be required.**(2) The architectural elevations must be dimensioned to confirm the allowable thirty-five foot (35') maximum building height is not violated. Also, it is not clear whether finished or unfinished attics will be provided. We recommend that color renderings be provided for the Board's review at the time of Public Hearing. (3) The proposed front detail shown on the architectural plans is in conflict with the site plans. Coordination of the plan sets is required.(4) Unfinished basements are proposed with exterior access from stairwells leading beneath the front landing. The site plans indicate the basement floor elevations to be nine feet five inches (9'-5") below the first floor elevations. (5) We recommend that locations of air conditioning equipment be shown. Said equipment should be adequately screened. (6) Architectural drawings have not been provided for the Community Center and are required.

**(C) Grading (1)** A detailed Grading and Drainage Plan is provided on Sheet 4 of 9. Storm sewer collection systems are proposed to collect runoff and convey it to



underground recharge systems. **(2)** Most of the proposed access road is lined with depressed curb. The proposed parking spaces are located behind the depressed curb and abut flush with proposed sidewalk. Consideration should be given to creating a pavement swale at the location of the depressed curb and constructing full height curb at the end of the proposed parking spaces. **(3)** Soil boring logs and locations must be provided to determine whether a two foot (2') separation from the seasonal high water table to proposed basement elevations is maintained. There is too much relief on the site to use the results of the one (1) boring completed for the recharge system universally throughout the project. **(4)** A detailed review of the Grading Plan will be completed after design revisions are undertaken. **(D) Storm Water Management (1)** In order to mitigate the additional runoff created by the increase in impervious area due to the proposed development, two (2) system types, both consisting of underground pipe in a stone trench are proposed. Recharge systems are proposed to the rear of each building. In addition, an underground infiltration system with pretreatment is proposed within the southeast portion of the site under the proposed cul-de-sac. **(2)** Proposed storm sewer collection and recharge systems have been designed utilizing high density polyethylene (HDPE) conveyance pipe and perforated high density polyethylene pipe in stone recharge trenches. **(3)** Much of the storm sewer is proposed on individual lots. Drainage Easements have been proposed on all the residential lots to be created by the subdivision. Confirming testimony shall be provided that the Homeowners Association will own and maintain the entire storm sewer system whether it is located on the open space or privately owned lots. Testimony shall also be provided on the accessibility of the system for future maintenance and replacement purposes. **(4)** A soil boring log and location has been provided for the main recharge system to confirm the required two foot (2') separation between the bottom of the proposed recharge trenches and the seasonal high water table. Additional soil boring logs, locations, and permeability testing are required for the independent systems proposed behind the buildings. **(5)** The individual proposed recharge systems behind the proposed buildings should be designed to infiltrate the entire 100-year storm because of the proximity of surrounding development. **(6)** Backup data is required for the proposed pretreatment system to supply proof the water quality standards will be met.

**(7)** The proposed storm water and recharge system will be reviewed in detail after design revisions are undertaken. **(8)** A Storm Water Management Operation & Maintenance Manual will be required per the NJ Storm Water Rule (NJAC 7:8) and Township Code. **(E) Landscaping (1)** A comprehensive Landscape Plan has been provided on Sheet 5 of 9. Shade trees, screening, and foundation plantings are proposed throughout the project site. **(2)** The overall landscape design is subject to review and approval by the Board. Per our site inspection of the property and review of the plans, virtually no existing trees will be saved. The Tree Protection Plan indicates no specimen trees exist on site. The plan states planting of the buffer area justifies all tree removal. **(3)** The proposed landscaping will be reviewed in detail after design revisions are undertaken for the project. **(F) Lighting (1)** A Lighting Plan has been provided on Sheet 5 of 9. Proposed lighting has been provided for the interior access road and parking area. Sixteen foot (16') high "colonial" pole mounted

fixtures are proposed. (2) The lighting notes are not consistent with the plan. They also note the fixtures are to be supplied by JCP&L. Being that all the lighting is proposed within the project common area, this issue must be addressed. (3) A point to point diagram shall be provided to verify the adequacy of the proposed lighting. Review of the illumination patterns provided is inconclusive. If necessary, we can provide the applicant's engineer with a lighting manufacturer to prepare a point to point diagram. (4) Confirming testimony shall be provided that the proposed site lighting will be privately owned and maintained by the Homeowners Association. (G) **Utilities** (1) Potable water and sanitary sewer service will be provided by New Jersey American Water Company. The project is within the franchise area of New Jersey American Water Company. Should there be existing on site septic systems, they must be excavated and disposed of in accordance with all applicable municipal, county, and state standards. (2) The Environmental Impact Statement says the proposed sanitary sewer will be connected to the adjoining apartment building site located to the south of the project. However, the sanitary sewer design proposes connection to a sanitary sewer system by others on the west side of Route 9. An explanation is required. (3) Since the east side of the site is lowest, a nearly twenty foot (20') cut will be required for the proposed sanitary sewer to cross the ridge on the west side of the site. (4) Potable water is proposed to connect to an existing main on the west side of Route 9. The extension through the project proposes to terminate at the cul-de-sac on the east side of the project. (5) Testimony should be provided regarding other proposed utilities. Additional underground connections will be required if gas is proposed. (H) **Traffic** (1) We recommend a Traffic Report be prepared for the project since forty-eight (48) townhouse units are proposed from a single access point on Route 9. (I) **Signage** (1) No signage information is provided within the current design submission. A full signage package for any signage requiring relief by the Board must be provided for review and approval as part of the application. (2) All signage proposed that is not reviewed and approved as part of this application, if any, shall comply with Township ordinance. (J) **Environmental** (1) **Site Description** Per review of the site plans, aerial photography, and a site inspection of the property, the front portion of the property is developed and contains buildings constituting a vacant motel site with associated parking and aisles. The rear of the parcel is currently vacant and wooded. (2) **Environmental Impact Statement** The applicant has submitted an Environmental Impact Statement. The document has been prepared by R.C. Associates Consulting, Inc. to comply with Section 18-820 of the UDO. The report contains numerous discrepancies which require corrections. We can review the document with the applicant's engineer. Most noteworthy are the two (2) occurrences of either the Barred Owl or Northern Pine Snake listed in the Proposed Mitigation Measures Section. However, it should be recognized that the subject site is located adjacent to a densely developed commercial corridor with residential and commercial uses immediately surrounding the site. Environmental testimony on the project should be provided. (3) **Tree Management** A Tree Protection Plan is provided as part of the design plans. Trees of nine inches (9") in diameter or greater are shown on the plans. Additionally, the Tree Protection Plan contains a note that no specimen trees exist on site. The applicant must comply with the requirements for tree protection and removal as applicable for this site. (K) **Construction Details** (1) Construction details are

provided with the current design submission. We will review the construction details after design revisions are made to the plans. (L) **Final Plat (Major Subdivision)** (1) The Zoning Schedule requires corrections with respect to lot width and street right-of-way. (2) Proposed lot numbers must be assigned by the Tax Assessor and the plat signed by the Tax Assessor. (3) Compliance with the Map Filing Law is required. (4) The Final Plat will be reviewed in detail after design revisions are undertaken for the project. (III) **Regulatory Agency Approvals** Outside agency approvals for this project may include, but are not limited to the following:

Ocean County Planning Board; (a) Ocean County Soil Conservation District; (b) Ocean County Board of Health (septic removal if required); (c) New Jersey Department of Transportation (Route 9); and (d) All other required outside agency approvals. New Jersey American Water will be responsible for constructing potable water and sanitary sewer facilities. **We recommend a revised submission be provided and the application scheduled for a second Workshop Meeting. The revised submission should address the above-referenced comments, including a point-by-point summary letter of revisions. In addition, we recommend a meeting with our office prior to undertaking the project revisions.**

Mrs. Miriam Weinstein Esq. For the applicant stated that they agree with all the comments in the letter by Mr. Vogt.

Mr. Neiman inquired if there was any way the entrance to this development could be moved as to alleviate traffic coming out of the two developments across from each other.

Mr. Carpenter P.E. stated that the DOT mandated that the entrance be directly aligned with the development across the street for safety issues. The entrances must be directly aligned or offset by over 100 feet, which can not be done with this property.

Mr. Schmuckler asked if the applicant had basement entrances and four parking spots per unit. Also there needs to be a handicapped spot for the community center, how will the garbage be collected and who is plowing the streets.

Mrs. Weinstein stated that a Homeowners Association will be formed and there will be private garbage and plowing. She will be checking into the parking.

A motion to move this application to the October 19, 2010 meeting was made by Mr. Follman and seconded by Mr. Banas

Roll Call Mr. Neiman, yes, Mr. Banas, yes, Mr. Follman, yes, Mr. Percal, yes, Mr. Schmuckler, yes

Mr. Jeffrey McWeeney, Esq. for the Township. Please be advised that applicant SD #1752 has been moved to the October 19, 2010 meeting this room at 6:00 pm. No further notice is required.

**5. SD # 1755** (Variance Requested)

Applicant: Joseph Weschler

Location: Eleventh Street, east of Clifton Avenue  
Block 111 Lot 9

Minor Subdivision to create 2 lots

**Project Description**

The applicant seeks minor subdivision approval to subdivide an existing 15,000 square foot lot known as Lot 9 in Block 111 into two (2) new residential lots, designated as proposed Lots 9.01 and 9.02 on the subdivision plan. The site contains an existing one-story dwelling and an existing garage, both of which will remain on what is proposed Lot 9.02. New Lot 9.01 would be created and developed with a new single-family home. Public water and sewer is available. The site has frontage on the north side of Eleventh Street, approximately 150 feet east of its intersection with Clifton Avenue. Both parcels will be 7,500 square feet in size. Curb and sidewalk exist along the street frontage. The lots are situated within the R-10 Single Family Residential Zone. The surrounding area is primarily single-family residences.

We have the following comments and recommendations: (I) **Zoning** (1) The parcels are located in the R-10 Single-Family Residential Zone District. Single-family detached dwellings are a permitted use in the zone.(2) Per review of the Subdivision Map and the zone requirements, the following variances are required: (a) Minimum Lot Area (proposed Lots 9.01 and 9.02, 7,500 SF each, 10,000 SF required) – proposed conditions. (b) Minimum Lot Width (proposed Lots 9.01 and 9.02, 50 feet each, 75 feet required) – proposed conditions. (c) Minimum Front Yard setback (proposed Lot 9.02, 19.6 feet, 30 feet required) – existing condition. (d) Minimum Side Yard setback (proposed Lot 9.01, 7.5 feet, proposed Lot 9.02, 7.7 feet, 10 feet required) – proposed conditions. (e) Minimum Aggregate Side Yard setback (proposed Lot 9.01, 15 feet, proposed Lot 9.02, 19.9 feet, 25 feet required) – proposed conditions. (3) Building coverage calculations are required for proposed Lot 9.02. Our estimates indicate the twenty-five percent (25%) allowable coverage will be exceeded. (4) The applicant must address the positive and negative criteria in support of the requested variances. **At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area.** (II) **Review Comments** (1) The bulk requirement table has setbacks and information for “Proposed Lot 9.02” and “Proposed Lot 9.02 with existing building to remain”. The applicant should decide whether proposed Lot 9.02 will be developed with a new home, or whether the existing dwelling will remain as depicted. The plan should be revised accordingly. (2) The bulk requirement table erroneously lists the existing shed as requiring a rear yard setback variance at 12.2 feet from the rear property line. The accessory building setback requirement in the R-10 zone is 10 feet, for which the existing garage location is compliant. The bulk requirement table should be corrected

accordingly. (3) The rear yard setback for the existing home on Lot 9.02 should be provided on the plans. (4) The NJ R.S.I.S. requires 2.5 off-street parking spaces for unspecified number of bedroom single-family dwellings. The Schedule of Bulk Requirements indicates that three (3) off-street parking spaces will be provided for the existing home on Lot 9.02, and four (4) spaces will be provided for the future home on proposed Lot 9.01. Testimony should be provided regarding the existing/proposed number of bedrooms in the existing and proposed homes order to determine whether additional off-street parking is required. (5) Testimony should be provided confirming a basement exists for Lot 9.02. A basement is proposed on Lot 9.01. Seasonal high water table information is required. Parking shall be provided to the satisfaction of the Board. (6) Proposed lot and block numbers must be approved by the tax assessor's office. (7) General Note #8 notes the architectural dimensions of the proposed structures on proposed Lot 9.01 is not known at this time. The building box of 35' X 50' for proposed Lot 9.01 will provide less than twenty-four percent (24%) lot coverage, which complies with the 25% maximum. (8) A six foot (6') wide shade tree and utility easement is proposed for the Eleventh Street frontage of the project. (9) No shade trees are proposed along either of the proposed lot frontages. However, two (2) large shade trees are being saved within the shade tree easement on proposed Lot 9.01. Landscaping should be provided to the satisfaction of the Board. (10) The Plan indicates several mature trees exist on the proposed lots. Some of these trees may be salvageable. Compensatory plantings should be provided in accordance with the Township Code (if applicable). Additionally, protective measures around mature trees to remain (e.g., snow fencing or tree wells at drip lines) should be provided. If this subdivision is approved, the final plot plans for proposed Lot 9.01 submitted for Township review should include tree protective measures to save mature vegetation where practicable. (11) Testimony should be provided on storm water management and the disposition of storm water from roof leaders (for Lot 9.01). (12) The plan depicts an area where full face vertical curb will be installed (labeling misspelled, requiring correction). The existing concrete apron behind this curb shall be removed. (13) The existing curb across the frontage of this project is in such poor condition, it all requires replacement. (14) Testimony should be provided on the elimination of access to the existing garage to remain on proposed Lot 9.02. The existing driveway stone should be removed since the curb cut is being eliminated. (15) Compliance with the Map Filing Law is required. (16) Construction details were provided and will be reviewed during Compliance if/when Board approval is granted. (III) **Regulatory Agency Approvals** Outside agency approvals for this project may include, but are not limited to the following: Ocean County Planning Board; (a) Ocean County Soil Conservation District;(b) New Jersey American Water (water & sewer); and (c) All other required outside agency approvals. **A revised submission should be provided addressing the above-referenced comments, including a point-by-point summary letter of revisions.**

Mr. John Doyle for the applicant, this is an existing house on a 100 foot frontage lot. Every lot including the neighboring lots on this block are all subdivided with 50 or 55 foot frontages. It is consistent with the area and this is why we are requesting the side yard setback variance, we will conform with the front and rear setbacks, we will

provide the color coded maps and testimony at the Public Hearing regarding the surrounding neighborhood. We have read the letter from Mr. Vogt and we will meet each condition in the report including the replacement of the curbs, a sidewalk exists.

A discussion ensued about putting forth the application for the existing house or if they want to build a new house in the future would they have to come back to this Board or just the Zoning Board. The applicant should ask for the most conservative variances so that if in the future a new house is planned there will be no additional variances required.

A motion was made to move this application to the October 19, 2010 meeting by Mr. Banas and seconded by Mr. Schmuckler.

Roll Call Mr. Neiman, yes, Mr. Banas, yes, Mr. Follman, yes, Mr. Percal, yes, Mr. Schmuckler, yes

Mr. Jeffrey McWeeney, Esq. for the Township. Please be advised that applicant SD #1755 has been moved to the October 19, 2010 meeting this room at 6:00 pm. No further notice is required.

**7. SD # 1501A** (Variance Requested)

Applicant: LWI Enterprises

Location: Southwest corner of Prospect Street and Massachusetts Ave  
Block 445 Lot 17

Amended Preliminary & Final Major Subdivision to create 16 Townhouse units

**Project Description**

The applicant is seeking an amended preliminary and final major subdivision approval with associated variances for Block 445, Lot 17. The amended preliminary and final major subdivision approval is sought for fifteen (15) townhouse lots in three (3) buildings and one (1) open space/recreation lot. The applicant initially received approval to provide nineteen (19) town homes by Judge Kline under Docket #OCN-C-229-04 on 1/14/05. Existing Lot 17 contains an existing two-story masonry building which will be removed. The applicant proposes fifteen (15) residential townhouse lots and one (1) open space/recreation lot. The open space/recreation lot spans from Prospect Street to Massachusetts Avenue and contains a proposed parking area and a proposed recreation area. Curb and sidewalk are proposed throughout the development. The proposed townhouses are to be serviced by public water and sewer. Access to the proposed townhouses will be via a proposed access drive with parking spanning between Prospect Street and Massachusetts Avenue. The access drive and parking area will be a private entity owned and maintained by a Homeowners Association. A total of sixty (60) off-street parking spaces are proposed within the parking area. The applicant has proposed a six foot (6') wide shade tree and utility easement along the frontages of the property. Proposed sight

triangle easements will be dedicated to the County of Ocean at the proposed vehicular access points and the intersection of Prospect Street and Massachusetts Avenue. A Homeowners Association is proposed to maintain the common elements of the proposed project. The subject property is located in the southwestern portion of Lakewood Township. The tract is 1.782 acres in area and is located on the southwesterly intersection of Prospect Street and Massachusetts Avenue. The project has significant frontage along both roads, which are County Roads. Lot 17 is primarily wooded and contains an existing dwelling. Land surrounding the tract is mixed consisting of industrial and residential uses. The project is located within the R-M Zone District. We offer the following comments and recommendations: (I) **Zoning** (1) The site is situated within the R-M, Multi-Family Residential Zone. Per Section 18-902H.1.d of the UDO, "townhouses" is a permitted use.(2) Though townhouses are a permitted use in the zone, the original approval was granted under the Section 18-1010 requirements of the UDO for townhouses as a conditional use. The amended application has been filed using the same Section 18-1010 Schedule of Bulk Requirements in the UDO. Testimony is required to clarify the various setback variances that are being requested for this project. (3) The location of decks and HVAC equipment will need to be addressed for zoning compliance. (4) The applicant may have to comply with recently adopted Ordinance 2010-28 which adds new Section 18-403 Developers Agreements to the UDO. We defer to the Board Solicitor on this matter. (5) The applicant must address the positive and negative criteria in support of any required variances. **At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area.** (II) **Review Comments** (A) **General/Circulation/Parking** (1) The applicant is seeking Amended Preliminary and Final Major Subdivision Approval for Block 445, Lot 17. The applicant proposes to subdivide the existing lot into sixteen (16) new lots; fifteen (15) lots for townhouses and one (1) open space/recreation lot owned by a Homeowners Association (HOA). Existing Lot 17 currently contains a single family dwelling that will be removed. The site is located on the southwest corner of the intersection with Prospect Street and Massachusetts Avenue, in the R-M Zoning District. (2) General Note #2 indicates that the outbound survey information was obtained from a map entitled "Boundary and Topographic Survey, Lot 17, Block 445, Tax Map Sheet 87, Lakewood Township, Ocean County, New Jersey". This map was prepared by Flannery, Webb, & Hansen; last revised 8/05/05. The survey is over five (5) years old and should be updated. (3) The address for the applicant/owner, LWI Enterprises, LLC, conflicts between the Title Sheet and the General Notes. (4) General Note #23 indicates that lot numbers were assigned by the Lakewood Tax Assessor on September 14, 2009. Since this is an amended application, the project must be submitted for amended lot numbers. (5) Off-street parking: According to the architectural plans provided, each townhouse will be provided with at least five (5) bedrooms and an unfinished basement. The applicant is proposing four (4) off-street parking spaces per unit. RSIS requires 2.4 off-street parking spaces for three (3) bedroom units. Off-street parking requirements for townhouses in excess of three (3) bedrooms are not listed in the RSIS. Based on the fifteen (15) single-family townhouses proposed, thirty-six (36) off-street parking spaces are required and sixty (60) off-street parking spaces are being proposed. In

the original Board approval, the applicant agreed to deed restrictions on the basements so that they could not be used as separate dwelling units and that they would be used for storage only. **Testimony is necessary as to whether the applicant agrees to maintain this condition of (prior) approval.** (6) Two (2) handicapped accessible spaces, both of which are van accessible, have been proposed for the project. A third handicapped accessible space is required since the number of proposed off-street parking spaces on the amended subdivision have been increased to over fifty (50) spaces. (7) An 18' X 12' trash enclosure is proposed within the parking lot. Testimony is required regarding the responsibility for collecting trash and recycling. Should the Township be responsible, approval from the Department of Public Works will be required. (8) The applicant has provided six foot (6') wide shade tree and utility easements dedicated to the Township along the Prospect Street frontage and along the Massachusetts Avenue frontage. Sight triangle easements at the vehicular access points and the intersecting roads are also provided and will be dedicated to the County. (9) Proposed Lot 17.16 and the improvements proposed on the lot will be owned and maintained by a Homeowners Association (HOA). A Blanket Easement shall also be provided for all common element improvements proposed on individual lots. The Homeowners Association Documents shall be provided to the Planning Board Engineer and Solicitor for review. (10) Curbs and sidewalks are proposed along the road frontages and throughout the proposed project site. (11) Stray revision dates prior to the original plan date must be eliminated from some of the sheets. (12) The applicant should indicate whether the existing two-story masonry building on Block 445, Lot 17 is serviced by an individual septic system and potable well. If so, Board of Health approval will be required for abandonment.

(13) A proposed play area with play equipment details has been shown on the plans. Conflicting information must be corrected on the thickness of the engineered mulch safety surface proposed within the limits of the perimeter playground edging. (14) The proposed setback dimension from the corner of the unit proposed on Lot 17.01 to the right-of-way of Massachusetts Avenue shall be from the support structure of the roof overhang. (15) Detailed engineering plans and computations of the proposed retaining wall for the south side of the property must be submitted. (16) **The locations of air conditioning equipment shall be shown as required in the original resolution of approval. Said equipment should be adequately screened.** (17) The previous approval included a six foot (6') high chain link fence at the top of the retaining wall. The proposed chain link fence is missing from the amended plans. (B) **Architectural** (1) Architectural plans for three (3) townhouse buildings have been provided. The proposed townhouses are all identical sized three-story units with unfinished basements. (2) The architectural elevations indicate the attic roof to be twenty-six feet eight inches (26'-8") above the finished floor. The finished floor is elevated five feet four inches (5'-4") above finished grade. Proposed Buildings One and Two have walk out basements. Testimony must be provided to confirm the allowable maximum building height is not violated. (3) Unfinished basements are proposed with exterior access from stairwells leading beneath the front landing. The site plans indicate the basement floor elevations to be ten feet two inches (10'-2") below the first floor elevations. (4) We recommend that renderings be provided for the Board's review at the time of Public Hearing. (C) **Grading** (1) A detailed grading plan is



provided on Sheet 4 of 12. Consistent with the existing topography, proposed grading will generally slope from southwest to northeast. A storm sewer collection system is proposed to collect runoff and recharge it into the soil. Per review of the amended design, it remains feasible as proposed. (2) Revised grading is required to provide handicapped accessibility for the project. (3) Test pit information shows on the Grading and Drainage Plan. In most cases the seasonal high water table is over ten feet (10') deep. Unfortunately because of the amount of relief on the site, in many instances it cannot be determined whether a two foot (2') separation is maintained between the proposed basement floors and the seasonal high water table. It also cannot be determined whether a two foot (2') separation is maintained between the proposed recharge system and the seasonal high water table. Further soils investigation is warranted. (4) A detailed review of the grading design can be performed prior to, or during compliance if/when amended Board approval is received. (D) **Storm Water Management** (1) A proposed storm sewer collection and recharge system has been designed utilizing perforated high density polyethylene pipe. (2) A Storm Water Management Report has been submitted for review. We do not agree with the predevelopment drainage area used for the report. Therefore, we do not agree with the analysis presented. We recommend a design meeting be held prior to undertaking project revisions. (3) Water quality has not been addressed. (4) A storm water management operation and maintenance manual should be provided for the storm water management system. We recommend that the Applicant provide the name of the party responsible for inspection and maintenance of these facilities. (E) **Landscaping** (1) A comprehensive landscape design is provided on Sheet 7 of 12. Shade trees, screening, and foundation plantings are proposed throughout the project site. (2) The overall landscape design is subject to review and approval by the Board. (3) A detailed review of the landscaping will be conducted when plan revisions are submitted. (F) **Lighting** (1) A detailed lighting design is provided on the Landscape and Lighting Plan. Proposed lighting has been provided for the interior parking area and the recreation area. Five (5) twenty foot (20') high pole mounted fixtures are proposed for the interior parking area and three (3) twelve foot (12') high pole mounted fixtures are proposed for the recreation area. (2) A point to point diagram shall be provided to verify the adequacy of the proposed lighting. (G) **Utilities** (1) General Note #3 on the Amended Subdivision indicates that public water and sewer service to be provided by New Jersey American Water Company. The project is within the franchise area of New Jersey American Water Company. Should there be an existing on site septic system, it must be excavated and disposed of in accordance with all applicable municipal, county, and state standards. (2) Testimony should be provided regarding other proposed utilities. (H) **Signage** (1) No signage information is provided within the current design submission. A full signage package for any signage requiring relief by the Board must be provided for review and approval as part of the amended application. (2) All signage proposed that is not reviewed and approved as part of this amended subdivision application, if any, shall comply with the Township Ordinance. (I) **Environmental** (1) **Environmental Impact Statement** The applicant had submitted an Environmental Impact Statement with the original site plan application. The document was prepared by Trident Environmental Consultants to comply with Section 18-820 of the UDO. The report was a result of Environmental

Assessments and Inventories conducted on the site. Field studies were completed between April and August of 2005. To assess the site for environmental concerns, natural resources search of the property and surroundings was completed using NJ Department of Environmental Protection (NJDEP) Geographic Information Mapping (GIS) system data, including review of aerial photography and various environmental constraints data assembled and published by the NJDEP. The following highlights some of the documents and field inventories which were reviewed to evaluate potential environmental issues associated with development of this property: (a) The New Jersey State Development and Redevelopment Plan. The site lies within the Suburban Planning Zone. It also lies within the CAFRA Coastal Suburban Planning Area. (b) Site investigation for wetlands and wetland buffers. (c) The Natural Heritage Program for any threatened and endangered species. Pine Barrens Bellwort, Barred Owl, and Northern Pine Snake habitat areas were evaluated. (d) NJDEP Landscape Project Areas.

The author of the Environmental Impact Statement concluded the original proposed project will have both adverse and beneficial impacts to the project site and surrounding area. These impacts would be both long and short term. Careful planning and best management practices of the project can limit the adverse impacts associated with the development. Our office concludes that the amended subdivision would not significantly alter the author's original findings. (2) **Tree Management Plan** A Tree Protection Plan is provided. Trees of ten inches (10") in diameter or greater are shown on the plan. Additionally, the Tree Protection Plan finds three (3) specimen trees with a combined diameter of fifty-eight inches (58") that exist on site which will be removed. A large number of shade trees are proposed for the site, far in excess of the compensatory planting requirements. The applicant must comply with the requirements for tree protection and removal as applicable for this site. (J) **Construction Details** (1) Construction details are provided on Sheets 10-12 of the plans. (2) All proposed construction details must comply with applicable Township or NJDOT standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific and use a minimum of Class B concrete. (3) Storm sewer details must be revised to match the amended design. (4) Construction details will be reviewed after revised plans are submitted for the project. (5) Performance guarantees should be posted for any required improvements in accordance with Ordinance provisions. (K) **Final Plat** (1) Actual setback dimensions to the hundredth of a foot are required to determine zoning compliance. (2) The lot numbers must be updated with the Township Tax Assessor. (3) Compliance with the Map Filing Law is required. (4) The Schedule of Bulk Requirements requires corrections. (5) The Final Plat will be reviewed in detail after design revisions are undertaken for the project. (III) **Regulatory Agency Approvals** Amended outside agency approvals for this project may include, but are not limited to the following: (a) Ocean County Planning Board; (b) Ocean County Soil Conservation District; (c) Ocean County Board of Health (well and septic removal); and (d) All other required outside agency approvals. New Jersey American Water will be responsible for constructing potable water and sanitary sewer facilities. **A revised submission should address the above-referenced comments, including a point-by-point summary letter of revisions. We are**

**available for a meeting with the applicant's professionals if desired prior to making requested project revisions.**

Mr. Michael Pfeffer for the applicant. This matter previously was sent to Superior Court by virtue of a court order we previously received. The plan now seeks to eliminate one unit from 16 to 5 units. We also would like to eliminate on provision in the prior resolution regarding the basements. The resolution stated that the basements could not be rented by a third party and we do not wish to change that but it also said that the basements can only be used for storage by the occupant. We ask that the occupant can use the basement strictly for themselves.

Mr. Flannery P.E. stated that the original approval had units all along Prospect Street and it had 2.2 parking spots per unit. Knowing what happens on Lakewood that the occupants use the basements. The applicant wanted to provide the 4 spots needed in order to do that. We had to eliminate one unit and expand the parking area out to Prospect Street. The only variances that we are requesting with respect to that would be the front yard setback for the units where the parking area comes through, it's on the side of the units. The other comments in the report are minor and we will address them all.

Mr. McWeeney Esq. stated for the record that there was a determination by Judge Kline, docket # OCNC229 of 19 townhouses approved on 1/14/05.

Mr. Schmuckler asked about the recreation area and if there was a playground, also where would the garbage be picked up.

Mr. Flannery stated that there is a recreation area in the front of the units and the garbage will be picked up by the Township from dumpsters on dumpster pads.

Mr. Follman asked if there was a tax map. Mr. Flannery replied that there was.

Mr. Banas inquired about the "pork chop" at the egress onto Massachusetts Ave. and could it be made higher than 6". Mr. Flannery said he did not think that was a good idea for emergency vehicle access and that there will now be an egress on Prospect Street..

Mr. Vogt mentioned that Mass. Ave. is a county street and they would have last say about the ingress and egress.

Mr. Flannery stated that there are sidewalks and curbs proposed.

A motion to move to the October 19, 2010 meeting was made by Mr. Follman and seconded by Mr. Percal.

Roll Call Mr. Neiman, yes, Mr. Banas, yes, Mr. Follman, yes, Mr. Percal, yes, Mr. Schmuckler, yes

Mr. Jeffrey McWeeney, Esq. for the Township. Please be advised that applicant SD #1501A has been moved to the October 19, 2010 meeting this room at 6:00 pm. No further notice is required.

**8. SP # 1918A** (Variance Requested)

Applicant: Congregation of Spruce Street  
Location: Spruce Street, east of Marc Drive  
Block 778.01 Lots 18.01  
Preliminary & Final Site Plan for synagogue

**Project Description**

The applicant is seeking Preliminary and Final Site Plan approval for the construction of a one-story synagogue, which includes an unfinished basement, within a 3,792 square foot footprint. The site plans indicate the proposed synagogue will contain one thousand eight hundred square feet (1,800 SF) of main sanctuary area. An interior parking area consisting of eighteen (18) parking spaces, one (1) being handicapped accessible, and site improvements are also proposed within the property. Access to the site is provided from Spruce Street. The tract consists of a nearly rectangular shaped lot that totals 0.54 acres in area. The front of the property contains a temporary synagogue consisting of four (4) trailers and a parking lot; the rear portion of the site is vacant. The lot is part of a recent residential minor subdivision even though it contains a temporary synagogue. The site is located in the south central portion of the Township on the north side of Spruce Street, west of the intersection with Vine Avenue. Most of the property frontage contains existing asphalt for the temporary parking. The adjacent and surrounding property is developed, most of which is residential. The property is located in the R-12 Zone District. Places of worship are permitted uses. (1) **Zoning** (1) The parcel is located in the R-12 Single-Family Residential District. Places of worship are a permitted use in the zone, subject to the provisions of Section 18-905. (2) A variance should be granted for an **existing** nonconforming Lot Width. A minimum lot width of ninety feet (90') is required. While the front portion of the lot is ninety feet (90') wide, the rear portion is only eighty-five feet (85') wide. Therefore, the average lot width is less than ninety feet (90') and a variance should be granted by the Board. (3) The site plan does not show the proposed roof overhangs at some of the proposed building access points. The proposed roof overhang on the east side of the building will violate the side yard setback. However, the building may be shifted four feet (4') to the west and minimum side yard and aggregate side yard setbacks will be met. Confirming testimony shall be supplied by the applicant's professionals. (4) According to Section 18-905 B. 1. Perimeter Buffer: For properties adjacent to residential properties, if the site leaves a twenty foot (20') undisturbed area then there is no requirements for buffering. If the twenty foot (20') buffer is invaded or disturbed than requirements indicated in Section 18-905 B. 3 shall be put in place along the invaded area. **A variance is necessary from the twenty foot (20') buffer requirement.** (5) The applicant shall comply with recently adopted Ordinance 2010-28 which adds new Section 18-403 Developers Agreements to the UDO.

(6) The applicant must address the positive and negative criteria in support of the required variances. **At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area.** (II) **Review Comments** (A) **Site Plan/Circulation/Parking** (1) General Note #2 indicates survey information was taken from a map entitled "Boundary and Topographic Survey, Lot 18, Block 778.01, Lakewood Township, Ocean County, New Jersey" consisting of one (1) sheet dated 01/25/08 prepared by FWH Associates. A signed and sealed copy of the Survey must be supplied. (2) As indicated previously, an eighteen (18) space parking lot with one (1) handicapped space is being provided for the proposed synagogue. Since eighteen hundred square feet (1,800 SF) of sanctuary area is proposed, eighteen (18) off-street parking spaces are required, one (1) for every one hundred square feet (100 SF). (3) Some additional dimensioning is required for the configuration of the proposed parking lot and driveway. Vehicular access for the site will be from a two-way driveway aisle with perpendicular parking on both sides. Curb radii instead of corners should be provided for the end parking spaces. (4) A proposed 10' X 10' refuse enclosure is depicted on the plans. Testimony is required from the applicant's professionals addressing who will collect the trash. If Township pickup is proposed, approval from the DPW Director is necessary.(5) The General Notes indicate the existing use of the site is vacant. This should be corrected to list a "temporary house of worship".(6) The Schedule of Bulk Requirements shows that no variances will be required. Minor corrections to the Schedule of Bulk Requirements will be necessary with plan revisions. The drawing dimensions must be given to the hundredth of a foot to insure zoning compliance. This is also necessary to square the proposed building on the rear portion of the lot without violating a setback. (7) The proposed lot area should be checked. We calculate a slightly smaller lot area. (8) A proposed six foot (6') high board on board fence is located on the east side of the narrower rear portion of the property adjacent existing Lot 18.03. Existing six foot (6') high fencing is located on neighboring properties to the north and west. No fencing is proposed for the east side of the front portion of the property adjacent existing Lot 18.02 which is vacant. (9) Sight triangle easements are required at the exit drive. (10) A proposed six foot (6') wide shade tree and utility easement dedicated to the township is proposed across the frontage of the property. A description will be required for review prior to filing with the County.(11) Site plan revisions are required to match proposed building access points with the architectural plans. (B) **Architectural** (1) The proposed building height for the proposed one-story structure should be confirmed. The distance between the proposed basement floor and first floor should also be confirmed. The site plan indicates an eleven and a half foot (11.5') difference between the proposed basement floor and first floor. The building does not exceed the allowable height of thirty-five feet (35'). (2) A useable sanctuary space of one thousand eight hundred square feet (1,800 SF) is shown for the proposed building. Dimensions are required on the floor plan to confirm the proposed sanctuary space since it impacts the number of required off-street parking spaces. (3) Testimony is required on ADA accessibility. It appears the entire proposed building is accessible. (4) The proposed basement floor elevation has been designed to provide a walk out in the

northwest corner of the building. The basement floor has been set to provide at least a two foot (2') separation from the seasonal high water table, as indicated on the soil boring log submitted. (5) Testimony should be provided as to whether the proposed synagogue will include a sprinkler system (6) We recommend that the location of proposed air conditioning equipment be shown. Said equipment should be adequately screened. (7) Proposed roof leaders must be added to the drawings since the site plans state that the roof leaders will be piped to the storm water recharge system. (8) We recommend that color renderings of the building be provided for the Board's use at the forthcoming public hearing for the application.(C) **Grading** (1) Grading information is provided on the current Grading and Drainage Plan. A thorough review of the proposed grading will be made after layout revisions are submitted.(2) Per review of the existing elevations and per review of site conditions during our 8/20/10 site inspection, on-site grades generally slope westward towards the adjoining existing properties. (3) The soil boring location should be indicated on the drawings. Based on the soil log provided, the proposed basement floor elevation of 70.5 and bottom of recharge system of 73.20 shown on the site plan should be greater than two feet (2') above the seasonal high water table elevation. It is recommended that the proposed recharge system be constructed deeper to prevent seepage onto the lower properties to the west. (D) **Storm Water Management (1)** The proposed recharge system provided only accounts for the two hour (2) water quality storm. The system should be upgraded for the design of a twenty four (24) hour, twenty-five (25) year storm.(2) The proposed roof runoff will be collected and piped into storm sewer system where it will be recharged into the soil. (3) Additional design information such as sizes, slopes, and inverts must be provided regarding the proposed roof leaders and their discharge(s) into the proposed stormwater recharge system. (4) Drainage Area Maps must be provided for the Storm Water Management Calculations. (5) The Storm Water Management Calculations state that water quality for the proposed parking lot will be provided by Inceptor filters in each proposed inlet. The manufacturer's literature has not been included in the report. (6) The report states that the property owner will be required to maintain the property of the proposed development including the storm water management system. According to the applicant's engineer, a Storm Water Maintenance Manual will be prepared for the project. (7) A detailed storm water management review will be conducted after layout revisions are submitted. (E) **Landscaping and Lighting** (1) A dedicated Lighting & Landscaping Plan is provided with the submission; proposed landscaping and lighting is depicted on Sheet 3 of the plans. (2) A proposed six foot (6') wide shade tree and utility easement is shown across the frontage of the property. Three (3) Norwegian Sunset Maple shade trees are proposed within the easement. (3) Proposed sight triangle easements must be added to the Lighting & Landscaping Plan. Proposed shade trees shall not conflict with the sight triangle easements. (4) Landscaping should be provided to the satisfaction of the Board. (5) Landscaping shall be reviewed in detail after corrections are made to the Site Plans. (6) The Lighting design only shows two (2) fifteen foot (15') high pole mounted lights in the proposed parking lot. Testimony should be provided on the adequacy of the proposed site lighting. Additional information is necessary including photometric data and shielding. (7) Lighting should be provided to the satisfaction of the Board. (8) Lighting shall be reviewed in

detail after corrections are made to the Site Plans. (F) **Utilities**(1) The plans indicate the site is served by public water and sewer. A proposed water service to the proposed building is shown from an existing main in Spruce Street as depicted on the plan. A proposed sanitary sewer connection for the new building is indicated to an existing main shown in the approximate centerline of Spruce Street. (2)The applicant must receive necessary approvals from New Jersey American Water since the project is within their franchise area. (G) **Signage** (1) No signage information is provided other than traffic signage. A full signage package for free-standing and building-mounted signs identified on the site plans (requiring relief by the Board) must be provided for review and approval as part of the site plan application. The architectural plans indicate a proposed building-mounted sign over the main access. (2) All signage proposed that is not reviewed and approved as part of this site plan application, if any, shall comply with Township ordinance. (H) **Environmental** (1) No Environmental Impact Statement (EIS) was prepared for this project or required due to the project size. (2) To assess the site for environmental concerns, our office performed a limited natural resources search of the property and surroundings using NJ Department of Environmental Protection (NJDEP) Geographic Information Mapping (GIS) system data, including review of aerial photography and various environmental constraints data assembled and published by the NJDEP. The following data layers were reviewed to evaluate potential environmental issues associated with development of this property: (a) Known Contaminated sites (including deed notices of contaminated areas); (b) Wood Turtle and Urban Peregrine habitat areas; and (c) NJDEP Landscape Project areas, including known forested wetlands, emergent wetlands, forest, and grassland habitat areas.

Testimony should be provided by the applicant's professionals as to whether there are any other known areas of environmental concern (i.e. fuel tanks, fuel spills, etc.) that exist within the property. (I)**Construction Details**(1) All proposed construction details must comply with applicable Township and/or applicable standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete @ 4,500 psi. (2) Construction details are provided with the current design submission. We will review the construction details after design revisions are made to the plans. (3) Performance guarantees should be posted for any required improvements in accordance with Ordinance provisions. (III) **Regulatory Agency Approvals**

Outside agency approvals for this project may include, but are not limited to the following: (a) Ocean County Planning Board; (b) Ocean County Soil Conservation District; and (c) All other required outside agency approvals. New Jersey American Water will be responsible for constructing potable water and sanitary sewer facilities. **A revised submission should be provided addressing the above-referenced comments, including a point-by-point summary letter of revisions.**

Mr. Steven Pfeffer Esq. for the applicant with regard to the variances we are seeking are rather diminimus and with regard to the 20foot buffer it is a pre

existing condition. The applicant will renote with the regard to the utilities not done at this time.

Mr. Glenn Lines with regard to the Storm Water Management comment #1, we are not a major development and we would like to not upgrade to the 25 year Storm.

Mr. Vogt stated that this could be worked out.

Mr. Neiman inquired if there was parking on Spruce Street because there would not be enough parking with the 18 spots available.

Mr. Lines replied that there was parking on Spruce Street but most of the patrons will be walking.

A motion was made to move to the October 19, 2010 meeting and seconded by Mr. Percal.

Roll Call Mr. Neiman, yes, Mr. Banas, yes, Mr. Follman, yes, Mr. Percal, yes, Mr. Schmuckler, yes

Mr. Jeffrey McWeeney, Esq. for the Township. Please be advised that applicant SP #1918A has been moved to the October 19, 2010 meeting this room at 6:00 pm. No further notice is required except for the noytime of the utilities.

**10. SD # 1757 (Variance Requested)**

Applicant: Dan Czermak

Location: southeast corner of Vine Street and Wadsworth Avenue  
Block 1026 Lot 4

Minor Subdivision to create 2 lots

**Project Description**

The applicant seeks minor subdivision approval to subdivide an existing 19,980 square foot rectangular lot known as Lot 4 in Block 1026 into two (2) new single-family residential lots. The proposed properties are designated as proposed Lots 4.01-4.02 on the subdivision plan. The site and its surroundings are vacant and wooded in its current condition. Per a note on the subdivision plan, public water and sewer will be available for the proposed lots from the New Jersey American Water Company. The site is situated on the westerly side of Beekman (a.k.a, Vine) Avenue, over 500 feet south of its intersection with Oak Street. Curb exists along both sides of Beekman Avenue, and sidewalk exists along the site frontage. Wadsworth Avenue exists as an unimproved street (50 foot right of way) along the north side of the property. As depicted on the Road Improvement Plan, the applicant proposes to install a 20 foot wide cartway along the property frontage, including



curbing and sidewalk along the property frontage (only). The proposed road crown is fourteen (14) feet from the edge of cartway along the property frontage, which would allow for development of a 28-foot wide cartway at a future date if/when the remainder of the area is developed. The lots are situated within the R-12 Single Family Residential Zone. Variances for the proposed single-family lot are required to create this subdivision. The surrounding area is predominantly vacant land. We have the following comments and recommendations: (I) **Zoning** (1) The parcels are located in the R-12 Single-Family Residential Zone District. Single-family detached dwellings and duplex housing on zero lot line properties are permitted uses in the zone. (2) Per review of the Subdivision Map and the zone requirements, the following variances are required: (a) Minimum Lot Area for a Single-Family Lot (proposed Lots 4.01, 4.02 – 9,990 SF proposed (each), 12,000 SF required) – proposed condition. (3) The applicant must address the positive and negative criteria in support of the requested variances. **At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area.** (II) **Review Comments** (1) Since specific information (house type, grading, drainage, utilities, etc) is not provided for the development of the lots, we assume a plot plan(s) will be provided for review and approval by the Township Engineering Department as a condition of approval, if/when forthcoming. Confirming testimony should be provided by the applicant's professionals. (2) Per the Bulk Requirements table on the plan, four (4) off-street parking spaces are being provided for each proposed lot. Parking should be provided to the satisfaction of the Board, and per Township standards at the time of development. (3) As indicated previously, the applicant proposes to install a 20 foot wide cartway along the property frontage, including curbing and sidewalk along the Wadsworth Avenue property frontage (only). The proposed road crown is fourteen (14) feet from the edge of cartway along the property frontage, which would allow for development of a 28-foot wide cartway at a future date if/when the remainder of the area is developed. We recommend review of the improvement plan by the Department of Public Works and the Fire Department to ensure that adequate access to Lot 4.01 will be provided. A turnaround at the terminus is recommended. (4) We recommend that the final road improvement design be reviewed by Lakewood Township as a condition of minor subdivision approval, if/when forthcoming. At a minimum, we recommend that a proper intersection be installed with Beekman Avenue with an intersecting slope not in excess of five percent (5%). (5) Shade tree and utility easements are provided on the subdivision plan, but no landscaping. Landscaping should be provided to the satisfaction of the Board. (6) Proposed lot and block numbers must be approved by the tax assessor's office. (7) Testimony should be provided as to whether any mature trees exist on the site. If so, protective measures around mature trees to remain (e.g., snow fencing or tree wells at drip lines) should be provided at the time of plot plan review(s), and subject to Township tree protection standards at the time of development. (8) Testimony should be provided on storm water management and the disposition of storm water from roof leaders. Proposed management measures can be addressed during Plot plan review prior to development. (9) Due to no construction of new dwellings on the proposed lots at this time, the Board may wish to require the cost of the

improvements (roadway, curbing, sidewalk, monuments, other) to be bonded or placed in escrow to avoid replacing them in the future. (10) Compliance with the Map Filing Law is required. (11) Construction details are provided on the plan, and will be reviewed during compliance if/when this subdivision is approved. (III) **Regulatory Agency Approvals** Outside agency approvals for this project may include, but are not limited to the following: (a) Lakewood Township (proposed road improvements); (b) Ocean County Planning Board; (c) Ocean County Soil Conservation District;; (d) New Jersey American Water (water & sewer); and 9e0 All other required outside agency approvals. **A revised submission should be provided addressing the above-referenced comments, including a point-by-point summary letter of revisions.**

Mr. Brian Flannery for the applicant, This is a minor sub-division in the R12 zone we have no problem with any of the comments in Mr. Vogts letter. We will have the tax maps and the master plan for the next meeting.

A motion was made to move this application to the October 19, 2010 meeting by Mr. Follman and seconded by Mr. Banas.

Roll Call Mr. Neiman, yes, Mr. Banas, yes, Mr, Follman, yes, Mr. Percal, yes, Mr. Schmuckler, yes

Mr. Jeffrey McWeeney, Esq. for the Township. Please be advised that applicant SD #1757 has been moved to the October 19, 2010 meeting this room at 6:00 pm. No further notice is required.

**11. SD # 1758** (Variance Requested)

Applicant: Rochelle Mikel

Location: New York Avenue, north of Ridge Avenue  
Block 224 Lot 10

Minor Subdivision to create 2 lots

**Project Description**

The applicant seeks minor subdivision approval to subdivide an existing 15,000 square foot rectangular lot known as Lot 10 in Block 224 into two (2) new single-family residential lots. The proposed properties are designated as proposed Lots 10.01-10.02 on the subdivision plan. The site contains an existing one-story dwelling and an existing garage, both to remain as depicted on proposed Lot 10.02. Proposed Lot 10.01 will become a new single-family residential building lot. Public water and sewer is available. Per the subdivision plan, there is an existing U-shaped driveway that serves the existing garage. The plans indicate that all improvements on proposed Lot 10.01 are to be removed. Therefore, the driveway will be altered to provide access to both the existing home and garage on proposed Lot 10.02. The site is situated on the westerly side of New York Avenue, 150 feet north of its intersection with Ridge Avenue. Curb exists along the street frontage, and sidewalk

is proposed across the frontage of the proposed lots. The lots are situated within the R-10 Single Family Residential Zone. Variances for the proposed single-family lots are required to create this subdivision. The surrounding area is predominantly single-family residential. We have the following comments and recommendations: (I) **Zoning** (1) The parcels are located in the R-10 Single-Family Residential Zone District. Single-family detached dwellings and duplex housing on zero lot line properties are permitted uses in the zone. (2) Per review of the Subdivision Map and the zone requirements, the following variances are required: (a) Minimum Lot Area for a Single-Family Lot (proposed Lots 10.01, 10.02 -- 7,500 SF proposed, 10,000 SF required) – proposed condition. (b) Minimum Lot Width for a Single-Family Lot (proposed Lots 10.01, 10.02 -- 50 feet proposed, 75 feet required) – proposed condition. (c) Minimum Front Yard Setback (proposed Lot 10.02 – 29.9 feet existing, 30 feet required) – existing condition. (d) Accessory Structure Rear Yard Setback (proposed Lot 10.02 – 9.9 feet existing, 10 feet required) – existing condition. (3) The applicant must address the positive and negative criteria in support of the requested variances. **At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area.** (II) **Review Comments** (1) No plot or layout plan has been provided for the development of proposed Lot 10.01. General Note #11 indicates all improvements on proposed Lot 10.01 are to be removed. Alterations to the existing U-shaped driveway are required since it will not be utilized by both residents upon development and occupation of proposed Lot 10.01. Confirming testimony should be provided by the applicant's professionals. (2) Per the Bulk Requirements table on the plan, four (4) off-street parking spaces are being provided for each proposed lot. The plan should be revised to indicate how four (4) 9'x18' off-street spaces will be provided on each lot. (3) Testimony should be provided as to whether a basement will be proposed for the dwelling on proposed Lots 10.01. If so, seasonal high water table information should be provided. Also, parking shall be provided to the satisfaction of the Board. (4) General Note #4 references a survey from which the outbound and topographic survey information has been taken from. A signed and sealed copy of this survey must be submitted. (5) General Note #8 should be revised to state that variances are requested for lot area, lot width, and setbacks for the both the existing dwelling and existing garage. (6) Since specific information (house type, grading, drainage, utilities, etc) is not provided for the development of Lot 10.01, we assume a plot plan will be provided for review and approval by the Township Engineering Department as a condition of approval, if/when forthcoming. Confirming testimony should be provided by the applicant's professionals. (7) At a minimum, for the Board's consideration, we recommend that an approximate footprint be depicted on the revised plat for proposed Lot 10.01, as well as amendments (if any) to the existing driveway necessary to provide the proposed off-street parking. (8) The subdivision plat depicts a proposed 5 foot-wide Right of Way Easement as well as a proposed 6 foot-wide Shade Tree and Utility easement along both lots. It appears that similar easements exist for adjacent Lot 11.01, located south of the property. Confirming testimony should be provided by the applicant's professionals. (9) On our site investigation conducted on 8/17/10, we observed a large existing tree on the frontage of the property that is worth saving. A proposed sidewalk easement should

be considered to allow the construction of sidewalk around this existing tree. (10) No landscaping is proposed within the six foot (6') wide Shade Tree and Utility Easement as depicted. Landscaping should be provided to the satisfaction of the Board. (11) Proposed lot and block numbers must be approved by the tax assessor's office. (12) Testimony should be provided as to whether any mature trees exist on the site. If so, protective measures around mature trees to remain (e.g., snow fencing or tree wells at drip lines) should be provided. (13) Testimony should be provided on storm water management and the disposition of storm water from roof leaders. Proposed management measures for Lot 10.01 can be addressed during Plot plan review if/when the subdivision is reviewed. (14) Due to no construction of new dwellings on proposed Lots 10.01 at this time, the Board may wish to require the cost of the improvements (sidewalk, monuments, other) to be bonded or placed in escrow to avoid replacing them in the future. (15) Compliance with the Map Filing Law is required. (16) Construction details are provided on the plan, and will be reviewed during Compliance if/when this subdivision is approved. (III) **Regulatory Agency Approvals** Outside agency approvals for this project may include, but are not limited to the following: (a) Ocean County Planning Board; (b) Ocean County Soil Conservation District; (c) New Jersey American Water (water & sewer); and (d) All other required outside agency approvals. **A revised submission should be provided addressing the above-referenced comments, including a point-by-point summary letter of revisions.**

Mr. Brian Flannery for the applicant, this application is in the R75 Zone we will comply with all the comments in Mr. Vogt's Letter.

A motion to move this application to the October 19, 2010 meeting was made by Mr. Banas and seconded by Mr. Follman

Roll Call Mr. Neiman, yes, Mr. Banas, yes, Mr. Follman, yes, Mr. Percal, yes, Mr. Schmuckler, yes

Mr. Jeffrey McWeeney, Esq. for the Township. Please be advised that applicant SD #1758 has been moved to the October 19, 2010 meeting this room at 6:00 pm. No further notice is required.

A discussion was had by the Board members as to developments where there is head in parking and how the garbage is picked up. Weather there should be dumpsters or garbage pails. A suggestion was made to set up a meeting with Mr. Alvin Burdge of the Public Works Department to discuss which would be best.

Mr. Neiman inquired whom should he contact in order to fill the Baord set vacated by Mr. Franklin. Mr. Vogt suggested Mr. Menash Miller, Committeman.

## **7. CORRESPONDENCE**

**8. PUBLIC PORTION**

**9. APPROVAL OF THE MINUTES**

Minutes from August 17, 2010 Planning Board Meeting.

Motion was made by Mr. Follman, and seconded by Mr. Percal to approve.

Roll Call Mr. Neiman, yes, Mr. Banas, abstained, Mr. Follman, yes, Mr. Percal, yes, Mr. Schmuckler, yes

**10. APPROVAL OF BILLS**

Motion was made by Mr. Follman, and seconded by Mr. Banas to approve.

Roll Call Mr. Neiman, yes, Mr. Banas, yes, Mr. Follman, yes, Mr. Percal, yes, Mr. Schmuckler, yes

**11. ADJOURNMENT**

The meeting was hereby adjourned. All were in favor.

Respectfully submitted  
Margaret Stazko  
Planning Board Recording Secretary