

## I. CERTIFICATION OF COMPLIANCE

Chairman Banas called the meeting to order at 6:00 p.m. with the Pledge of Allegiance and Ms. Johnson read the Certification of Compliance with the NJ Open Public Meetings Act:

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

## 2. ROLL CALL

Mr. Herzl, Mr. Franklin, Mr. Neiman, Mrs. Koutsouris, Mr. Fink, Mr. Schmuckler

## 3. SWEARING IN OF PROFESSIONALS

Mr. Peters and Mr. Truscott were sworn in.

Ms. Johnson said there were 2 changes in the agenda. Items #2 and Item #6. Item #2 SP 1898 Kennedy Ventures LLC, plans were not received in time so they are tabled to the meeting of February 17, 2009.

Motion was made by Mr. Herzl, seconded by Mr. Fink, to table to February 17, 2009

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Neiman; yes, Mr. Banas; yes, Mrs. Koutsouris; yes, Mr. Fink; yes, Mr. Schmuckler; yes

Ms. Johnson said item #6- Discussion/Adoption of Housing Plan Element & Fair Share Plan has been cancelled with no new date.

## 4. NEW BUSINESS

1. SP # 1884A (No variance Requested)  
Applicant: Chinuch Labonocs  
Location: Joe Parker Road, south of Long Beach Boulevard  
Block 189.04 Lot 188  
Site Plan for a proposed school

**Mr. Peters read from a letter dated December 12, 2008. The applicant is seeking Preliminary and Final Major Site Plan approval for Block 189.04, Lot 88. The proposed project consists of removing the existing dwelling, driveway and other existing site improvements and constructing a new school building with a new cul-de-sac and 13 parking spaces. The property has frontage along Joe Parker Road. The site is situated within the R-20, Single Family Residential Zone. No bulk variances are required. Outside agencies approvals are required from the Ocean County Planning Board (approved with conditions, 12-3-08), the Ocean County Soil Conservation District (approved 10-16-08), and the Lakewood Township MUA (pending). Evidence of the approvals shall be provided prior to signature of the site plans. The applicant has indicated in their response letter, dated December 9, 2008, that the shade tree and utility easement legal description and agreement will be provided upon receiving final approval. The legal description and agreement shall be provided to the Board's Professionals for review prior to the signing of the final plans. The proposed building will be served by public water and sewer. The applicant has provided 13 parking spaces, including one (1) handicapped parking space, and has indicated that twelve (12) parking spaces are required. However, per Section 18-906, it appears that the applicant is required to provide 14 parking spaces. The applicant should confirm the total number of classrooms and offices proposed. The Board should determine if the number of parking spaces is sufficient. The plans show that a sanitary sewer lateral is to be tied into an existing manhole on another property on the opposite side of Joe Parker Road. The applicant has indicated in their above noted response letter that they will provide documentation of the easement agreement as a condition of final approval and that in the future the applicant will be provided a sanitary sewer extension along Joe Parker Road to service the site. We defer review of these issues to the Lakewood Township MUA. Evidence of approval by the LTMUA and the above noted easement agreement shall be provided to the Boards' Professionals for review prior to the signing of the final plans. The applicant has provided a fenced recreation area on the plans, but shows that the recreation area is in a wooded area. Also, there has been no clearing associated with the installation of the privacy fence to surround the proposed recreation area. The applicant should address these issues. It should be noted that any additional clearing would require revisions to the Proposed Conditions Calculations in the Stormwater Management Report.**

**Mr. Truscott read from a letter dated December 11, 2008. The applicant is seeking amended site plan approval to demolish an existing residential dwelling and construct a 12,480 square foot school on the subject tract. The proposed school has a basement totaling 6,240 square feet, and first floor totaling 6,240 square feet. The first floor has eight (8) classrooms, two principal's offices, an administrator's office, and a school secretary's office. The basement has an arts and crafts room, a project room, a food prep room and a future lunch room. The site also proposes a 13-stall parking lot, an ADA ramp, and a large fifty (50) foot radius paved area at the rear of the site. The tract is an approximately 1.420-acre site and is located on Joe Parker Road in the northeast part of the Township. An existing one-story residential dwelling is currently located on the site. The prior application, Application Number SP-1884, received site plan approval from the Board to convert the existing residential dwelling to a school, and proposed a trailer classroom area, a small area for bus loading and unloading, and one parking stall. The amended application proposes an increase in the building and impervious areas from the prior application. The subject tract is surrounded by predominately single-family residential uses. The Golfview multifamily development is located on the opposite side of Joe Parker Road. The tract is located in the Single-Family Residential (R-20) Zone District. Educational uses are**

permitted in the R-20 District. The applicant is subject to the zone standards of the R-20 Zone District and Section 18-906 for Public and Private Schools. Per Section 18-906, one parking stall is required for each classroom, office, library, and meeting room. The applicant proposes 8 classrooms, 4 offices which include two principal's offices, an administrator's office, and a school secretary's office. Therefore, a total of 12 spaces are required, whereas, the applicant provides 13 spaces. The balance of the rooms are identified as tutoring rooms. The applicant has attempted to provide the required twenty (20) foot landscape buffer as required by Section 18-906.A.2. However, per Ordinance, the screening must be a solid screen of plantings of at least 6 feet in height and may be supplemented with a fence of solid material where necessary. The applicant should provide testimony as to how the buffer requirement is being met on the north (front) side of the property. Section 18-807C(4) allows a maximum driveway width of 30 feet, whereas the applicant proposes a 65-foot driveway opening including the curb return radius. A design waiver is required. Review Comments. The applicant should describe the operational characteristics of the facility including the following: The proposed number of students to be educated on site; the proposed number of educators for the school; The proposed grades at the school; (Grades 1-8 as testified at the December 2, 2008 meeting.) The type and anticipated number of school buses visiting the site on a daily basis; The proposed hours of operation; and, The services that will occur on site. The amended site is more intense than the prior application. The applicant should testify regarding the adequacy of the proposed site and location to accommodate the intensity of the amended application. An outdoor recreation area is identified in the northeast corner of the site. The plans do not reflect any clearing of the area and no playground equipment is proposed. Please clarify. It appears that additional lighting is necessary around the building entrance and the parking spaces. Lighting on bollards and downward-directed building lights are appropriate based on the location in a residential area. The applicant proposes a trash enclosure 20 feet from the northerly residential lot. The trash enclosure area has been increased as requested by the Board. The applicant should address if refuse will be picked up by private hauler, the frequency of pick-up, and testify to the hours of refuse pick-up. The plans indicate a future lunch room. The applicant should clarify where lunches for students will occur if this lunch room is not currently proposed. The applicant should also address where deliveries for lunches will occur. The comments of the Shade Tree Commission have been addressed. However, the Commission has deferred evaluation of the Tree Save Areas to the construction phase. The Shade Tree Commission has asked that, if additional plantings are required to buffer the neighboring properties, the Township Engineer's office have authority to request the supplemental plantings prior to the issuance of a Certificate of Occupancy. Performance guarantees should be posted for all improvements in accordance with ordinance provisions. Outside agency (amended) approvals may include: Ocean County Planning Board; Ocean County Soil Conservation District; Ocean County Health Department for the abandonment of the septic and wells.

Mr. Penzer Esq. appeared on behalf of the applicant. He passed around to the members a picture of the elevation of the proposed school that they intend to build. He said the original application approved was not liked by Mr. Franklin and Mr. Banas who told them what they did not like and even though they had trailers on the property, they did not use them and have come back with this plan. At the technical meeting, the 2 issues that was bothering the board was that there was no playground area and even though this is a Hasidic school where the girls really don't play outside, we have been a designated recreation area in the back. There will be some benches. In regard to the questions about the lunchroom, the caterers are Greenwald Caterers and they will be bringing in the food to the site, so the children will eat in the

classrooms in the beginning until the lunch room is set up in the basement. Mr. Franklin said this is a beautiful deep piece of property and asked why they did not use it properly and they hope they have done so by this stunning school building.

Mr. Flannery testified as the engineer for the applicant and said the application is a conforming use with no variances required. With regards to the planners report, Mr. Neiman asked about the bus loading and unloading and Mr. Flannery showed on the plans that they provided a large cul de sac in the rear of the site so the buses could pull in and provided 20 ft radiuses along Joe Parker Road sufficient for the bus to pull in, turn in the cul de sac, unload and turn back out again. Currently there are almost 80 students and at capacity there will be 160 and this will be handled in 3 buses because the different grades have different start times. Mr. Neiman asked if the loading and unloading would be done in the rear in the cul de sac and Mr. Flannery said yes. Mr. Flannery said the lunches would also be loaded and unloaded in the same place, in the cul de sac and the lunches would come at the different time then when the students were there. Mr. Flannery said with regard to parking, they are required to have 1 parking space per classroom and 1 space for each office and they have 4 offices and 8 classrooms for a total of 12 spaces required and they have provided 13. With respect to the buffer, Mr. Flannery said they have left 20 ft. buffer around the entire perimeter of the property and show landscaping on the plans in the areas where the existing vegetation would be disturbed and it is his testimony that this plan meets the intent of the ordinance with respect to buffering. The maximum driveway width allowed is 30 ft. and the Lakewood ordinance does indicate that, it doesn't indicate how you measure the driveway width and Mr. Flannery said this driveway is 25 ft. wide and when they put the 2 radiuses on it, if you measure it where the curb returns hit. it is wider than 30 ft. Mr. Flannery does not think that is the intent of the ordinance, he thinks the intent is that you don't have a wide driveway where a lot of people come in and out uncontrolled and this driveway, because of the school buses, the radiuses are larger and he thinks it is appropriate for this site and if the board feels a waiver is needed, they would respectfully request that. Mr. Neiman asked Mr. Truscott his opinion and Mr. Truscott said he agreed with Mr. Flannery.

Mr. Flannery continued and said the school is a girl's school with grades 1 through 8 with 8 teachers. The classes would be Monday – Thursday 9 to 4 and Friday would be 9-12 with no school on Saturday or Sunday. This application is more intense because they have provided onsite room for the bus to turn around and adequate parking and a site in accordance with the ordinance. Mr. Penzer said in addition, the original application was temporary for trailers only and they said they were coming back for a full blown plan which is what this is. Mr. Flannery said they have added fence around the perimeter of the property in the rear and indicated that area for recreation. He said they have not indicated clearing, it is not their intent to knock down a tree, they would trim the underbrush so the girls could go in there and there would be room for recreation. Mr. Fink asked if they were going to leave trees on both sides where the buffers are and Mr. Flannery said they have indicated on the plans where the clearing limits could be established and to the rear of the side and to the one side they are leaving almost all the trees, in the front it was impossible because of the grading but they have indicated additional plantings as requested by the professionals. Mr. Penzer also noted how far back the building is compared to the original application, so it is farther back and won't impede on the neighbors homes or decks. Mr. Flannery said they agree to satisfy the professionals with regards to the lighting. He said the trash would be picked up from the township. Mr. Flannery said they agree with the remainder of the comments in the planners report.

With regards to the engineers report. Mr. Flannery said they show a lateral crossing the street for the sanitary sewer connecting to a sewer that is being constructed by others. Mr. Peters' comment is that it should be conditioned upon LTMUA approval and granting an easement and since they are not sure that the easement will be needed, whatever the LTMUA says they need to do they will but they would rather not have a condition of an easement because that condition may not be needed and then they would have to come back to the board to explain that. Mr. Flannery said the remainder of his comments are the same of the planners and the rest they would agree to satisfy.

Mr. Neiman asked if there were any cooking facilities on the site and Mr. Flannery said no. Mr. Neiman wanted to make some comments for the future and that was that there is no parking on Joe Parker and they have to make sure that the parking onsite is adequate for PTA nights and special nights, where are they going to have overflow parking. Mr. Franklin said he is ok with the dumpster area.

Mr. Schmuckler said in the planners' report he talked about screening and there is a problem with the northern buffer. Mr. Flannery showed him where they have shown planting in the area and said if the board feels more is needed they would agree to supplement it. Mr. Flannery said the distance from the property line to the parking lot is about 40 ft.

Mr. Neiman opened the microphone to the public

Raymond Forse, 1508 Long Beach Avenue, Lakewood was sworn in. He said sometimes in life you have to worry about what you hope for and then you are going to get it. They were in last year in the middle of March and complained about many things, primarily the trailers and the site plan was approved at that time over the objections of a number of members of the board. The site plan was for those trailers and he went home thinking ok those trailers were there and they were going to have trailers and Mr. Stout's home would remain as a school. Now he finds a 6,000 sf building replacing it and he must say Mr. Rottenberg has been more than cooperative in talking to him and supplying him with information and he appreciates it, but he wonders now if this whole site plan thing (the original approval) if it is only altruism that brings Mr. Penzer and Mr. Rottenberg to say they have done this in a neighborly kind of way. On the original plan when the trailers were behind the home, there were about 270 ft. to this point back here (he pointed to the display) and said how there is 125 ft., most of it is a parking lot, so all of that wooded area is gone. He said it is that wooded area that gives this neighborhood its' character. He pointed to the display and showed a few houses and then pointed to another lot and said there was another school there and said there is school, house, house, school, house, house and down here on this side of Joe Parker is another school and it seems to him that neighborhoods have character and the character of this entire neighborhood is completely changed. He said the only technical thing that he feels is that you still need 100 ft. of frontage and they only have 97. something and Mr. Flannery said the front setback is measured at the lot width and that is measured at the setback line of the building and at that point they do comply. Mr. Forse said once again he does not think that the school belongs in the neighborhood, he does not think it belongs as the third school in the neighborhood and does not think a third school belongs here.

Mr. Neiman asked if he was any adjoining homes and he pointed to where he was on the display (back rear of the property). Mr. Neiman asked if he is ok with the screening and Mr. Forse said

frankly he does not know; he looks at the woods now and he can't tell what he is going to look at after 20 ft. etc., there is no additional screening, only the existing woods.

Colleen Brennan, 403 Joe Parker Road, Lakewood was sworn in. She said 40 ft., and her house is right there (pointed to the display) and pointed to where the buses would be coming back and forth and said it is really narrow and the property is narrow to begin with and this parking lot is going to be constant with cars driving back and forth and this tiny little buffer that is minute and she thinks it is ridiculous and she said they can't make it any wider because they don't have any room for the driveway. She thinks it should be extended out because she is looking out her dining room window and boom she sees a gigantic school and 6 ft. is not going to cover that. Mr. Neiman asked her if she would like to see the buffer go down a little more and she said yes, and said they also need some sort of chain link fence around the entire property. She doesn't want kids on her property and neither does the neighbor on the other side (Dunham) who couldn't come tonight. She said there is a farm back there and also a neighborhood and it should be fenced for safety reasons. Mr. Flannery said the applicant agrees to put in a chain link fence around the property and also agrees to move the buffer back along the side to the building to the back. Mr. Flannery said as far as the fence, they would want to stop the fence at the front setback line, they cannot take it out to the road. He showed her on the display where the fence was going to be installed and said it would be a 6 ft. privacy fence and Mr. Fink suggested extending it down to where she is requesting, add more trees as a buffer and that should be enough. Mr. Flannery said the applicant's feeling was that once they get into the woods, they could pick up with chain link and do chain link in the woods; the back faces a farm so they do not need a privacy fence along the rear. Mr. Neiman said they need to change the plans to read privacy fence along the 2 sides to the wooded area and chain link in the rear and Mr. Flannery said they would run privacy fence from the front setback line (30 ft. off the road) to the back of the building and then do chain link fence around to the other side to the back of the other side and then privacy fence to the front setback line again.

Mrs. Brennan continued and asked about the lights at night time and if they would be spot lights for security and Mr. Penzer said there would be no light pollution and the lights would only be on the property. She said because the school down the street is not like that and Mr. Penzer said this is an elementary school so this will not be like that school which is an older school which is run 24 hrs. Mrs. Brennan also asked about the night time events and if they were going to park in front of her driveway and was told there is no parking on Joe Parker and if they try, she should call the police. Mr. Peters asked Mr. Penzer if the lighting would be on timers and Mr. Penzer said whatever the board wishes and said timers would not be a problem. Mr. Penzer said they would make sure that there would be no light pollution onto her property and also wanted to address Mr. Forse and said they came in with the application for trailers temporarily and then they were coming in with this, so it was not a shell game, those were temporary trailers and this is the final picture and they do care about the neighbors. Mr. Penzer asked Mr. Flannery how many feet from Mrs. Brennan's house from the parking and Mr. Flannery said 35 ft. from the edge of her house to the property line then it is 20 ft. buffer then a 25 ft. driveway. Mrs. Brennan also said when they did the clearing they messed up her path. They threw trees and junk and cut some down of her bushes and Mr. Penzer said Mr. Rottenberg will meet with her and it will be fixed.

Pat Forse, 1508 Long Beach Avenue, Lakewood was sworn in. She said she remembers Mr. Franklin saying the original application was the worst site plan he had ever seen in however

many years he has been here and she took that to heart and said what a horrible thing and now evidently this is a much better plan. She said that depends on what side you are looking at and Mr. Penzer took the words out of her mouth with the words, shell game, first you put up ugly trailers, we get all upset, she calls and say how come the trailers are gone and the answer is, "aren't you satisfied now" ? She said she does appreciate Mr. Rottenberg because he has been a good neighbor so far; however, she has lived on that property for 38 years and has enjoyed a rural environment, she has raised her children here and they have played in those woods and built houses and that is part of the charm and her husband and her now have the opportunity to sit out on their backyard any time they want because they are retired and enjoy the solitude and peace and quiet. Many years ago she thought Mr. Dwulets farm would eventually be a school and at that time she was a schoolteacher and that was her horror so she guesses she has nothing to say now. Progress is progress; however, they started with 6 classes now they are at 8; they started with a small building where buses were going to park on Joe Parker now they are driving through; first there was no basement now there is a basement. There has been a lot of changes to absorb and her major concern is and Mr. Flannery said they are not taking down a lot of trees but if you put the blacktop there you have to take down trees because it is wooded and her concern is if the buses are going to sit there and idle, how many times are the buses coming in etc. because they have a school 2 houses down and that school bus double parks on Joe Parker Road and it is dark and it is a terribly dangerous thing waiting for someone to get hurt. That can't be happening here, you cannot double park on Joe Parker Road; the speed limit is 45 and people do 65 and at night you can't see and there is a turn here so it is more dangerous. She would also like to know where the trash is going to be because there are little critters running around. The lights are also a concern and she said 3 schools in less than \_ of a mile is pretty dense and the school closer to County Line Road has the lights on 24 hrs. and they are bright and she has a temple on the corner on Laguna and Long Beach and those lights are on till way after midnight. She would like to know if there are any plans for Friday evening services specifically, not an occasional PTA meeting, etc. and with that basement area, she would like to know that answer and she is concerned about the buses going through there and if they are going to sit there and idle because she is concerned about the exhaust. Her most imperative question is do you really need 3 schools within \_ mile? She said that is incumbent upon the board sitting there to say maybe that is just too much in one area; yes it looks good however it is in a residential rural area and it is now changing the complexion of that area. She also thanked the board for serving because she knows it does take up a lot of their time and she appreciates that as a resident.

Mr. Neiman asked if there were any services being held there and Mr. Penzer said he can't answer that because he doesn't know; at this time he is not going to go and tell the board he knows for sure the future. He can't tell the board that people in the area will not ask them to do so and it would be a lie to the board. At this time they are planning this as a school, if neighbors that a local neighbors ask for a Friday night schul and that means they are not driving and they live there, he can't say they won't do that. He thinks that would be unfair to lie and say something like that but he can say if it is Friday night, no one is driving. Mrs. Forse said her concern is they may not drive there Friday night but they are going to drive there before sundown as they do on the corner and park in every which direction so that parking lot back there is going to have a great deal of traffic and it will be there until Saturday night.

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

Mr. Penzer said to Mrs. Forse that he understands her issue in regard to Laguna and Long Beach and said that is an active school. He has lived here a long time and in the Jewish community and every week there is 50 children born; that is a classroom a week. Is three schools enough? The answer is no; there probably should be 10 schools in your area because they are running out of places to put schools and unfortunately your area is the last area. He said he was bidding on the Dwulet farm and he wanted to build house for cluster zoning and put in a school and Mr. Dwulet said no and is keeping it as a farm. Short of that area for buffering, the board rezoned on the south side of Lakewood and with the census showing 15,000 children, where do you put them and if they are growing every year by 2,500 children and the answer is there will probably be more school on Joe Parker. He said there is no shell game here. They came in here for trailers and yes Mr. Franklin said it was a horrible site plan and that is why they stopped and trailers were not used. He thinks this applicant has shown they have gone the extra mile.

Motion was made by Mr. Akerman, seconded by Mr. Herzl, to approve the application with everything discussed, the fencing, the trees, the lighting.

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Neiman; yes, Mrs. Koutsouris; yes, Mr. Akerman; yes, Mr. Fink; yes, Mr. Schmuckler; yes

2. **SP# 1898** (Variance requested)  
**Applicant:** Kennedy Ventures LLC  
**Location:** East Kennedy Boulevard, between Lexington & Monmouth Avenues  
Block 140 Lots 3 & 5  
Preliminary & Final Site Plan – 7,500 sf 2-story office building

Tabled to February 17, 2009

3. **SD# 1646** (Variance requested)  
**Applicant:** Moshe Zucker  
**Location:** southeast corner of Linden Avenue & Stirling Avenue  
Block 189.17 Lot 151  
Minor Subdivision to create 2 lots

Mr. Peters read from a letter dated December 12, 2008. The Applicant is seeking Minor Subdivision approval to subdivide one (1) existing lot into two (2) new lots. An existing single family dwelling is located on existing Lot 151 and will be removed. Two single family dwellings are proposed on proposed Lots 151.01 and 151.02. The property has frontages along Linden and Stirling Avenues. The site is situated within the R-10 zoning district. The applicant is requesting the following variances: Minimum lot area: 10,000 SF are required for a single family dwelling, where 7,500 SF and 9,000 SF are proposed for Lots 151.01 and 151.02 respectively. Minimum lot width: 75 FT are required, where 50 FT and 60 FT are proposed for Lots 151.01 and 151.02 respectively. Minimum front yard setback: 30 FT is required, where 19 FT is proposed for Lot 151.02. Minimum side yard (one side) setback: For both lots 10 FT is required, where 7 FT is proposed. Minimum combined side yard setback: 25 FT combined setback is required, where 15 FT is proposed for Lot 151.01. The applicant shows a 25 FT



required front yard setback along Stirling Avenue for Lot 151.02. The plan should be revised to show that the required setback is 30 FT. The value shown from the front yard setback for Lot 151.02 should be corrected in the Zoning Data Table on the plan. The front yard setback line corresponding to the Stirling Avenue frontage of Lot 151.02 shall be redrawn in the appropriate location. Outside agencies approvals from Ocean County Planning Board and Ocean County Soil Conservation District are required. Evidence of the approvals will be made a condition of final approval. The existing dwelling on Lot 151 shall be removed prior to signature of the final plat or a bond posted to ensure prompt removal of the structure. The applicant shall provide testimony on whether individual septic systems and wells are found on site. Any existing well and septic system shall be noted that they will be removed in accordance with State and County standards. The proposed dwellings will be serviced by public water and sewer, as noted on the plans. The plans shall be revised to show the approximate location of the existing water and sewer utilities. Curbs and sidewalks are shown on the plan existing along the property frontages. It is not clear what features are existing and what is proposed. The applicant shall clarify the plans, using distinguishable line types and hatching. Also, the applicant should show the location of the existing driveway, apron and depressed curb should be shown and marked from removal. A six-foot (6 FT) shade tree and utility easement is proposed to be dedicated to the Township. The architectural plans show an unfinished basement as a part of the proposed dwelling design, but there is a discrepancy when the total living areas are calculated. The applicant should address this issue. No separate basement entrances are proposed. The outbound corner markers shall be set prior to signature of the final plat as the surveyor certification states the corner markers have been set.

Mr. Truscott read from a letter dated December 10, 2008. The applicant seeks minor subdivision and variance approvals to subdivide an existing oversized lot into two (2) non-conforming lots. The parcel contains a single-family residence, which will be demolished as part of this application. The property is located at the intersection of Stirling Avenue and Linden Avenue in the northeastern portion of the Township. The surrounding land uses are mostly single-family residential. The parcel is located in the R-10 Residential Zone. Single-family dwellings are a permitted use in this zone district. A following variances are required: Lot Area: A minimum of 10,000 square feet is required; proposed Lot 151.01 will be 7,500 square feet and proposed Lot 151.02 will be 9,000 square feet. Lot Width: A minimum lot width of 75 feet is required; new Lot 151.01 will be 50 feet in width and new Lot 151.02 will be 60 feet in width; Front Yard Setback: A minimum of 30 feet is required and Lot 151.02 has a proposed front yard of 18 feet along Stirling Avenue. (Clarify the plan, since the bulk schedule identifies an 18-foot setback; the plat shows a 19-foot dimension.) Side Yard Setback: A minimum of 10 feet on one side and a total of 25 feet on both sides is required. Proposed Lot 151.01 provides 7 feet on one side and a total of 15 feet. Proposed Lot 151.02 provides 7 feet on one side. The applicant should address the positive and negative criteria for each of the requested variances. The applicant should be prepared to discuss the planning benefits of the reduced lot area and width, and the lesser setbacks. Consistency of the proposed lots with the properties in the neighborhood should be addressed. Review Comments. Existing Dwelling. As noted on the plan, the existing one-story dwelling shown on the plat as "to be removed" must be demolished prior to filing of the plat, or a bond should be posted. Existing or proposed concrete sidewalk is provided on both street frontages. The architectural drawings indicate that the new residence on Lot 151.01 will be 6 bedrooms and 3,438 square feet in floor area. The new residence on Lot 151.02 will also have 6 bedrooms and a larger floor area of 5,028 square feet. RSIS. Compliance with the off-street parking requirements of the NJ RSIS is required. The applicant proposes four (4) off-street

spaces per lot which complies with the NJ RSIS. The reference on the plan to 2.5 spaces per dwelling should be revised. Street Trees. The applicant has provided a shade tree easement on both street frontages. The balance of the comments are technical in nature.

Mr. Lines appeared on behalf of the applicant. He stated they had gone over the issues the last time but one of the issues was that the building on lot 151.01 was over the lot coverage and they have revised the plans the provided new architectural plans reducing the size of that house and now it is within the compliance. It is 24.96% where 25% is permitted. One of the mistakes he made is when they revised the plans is the house on lot 151.02 was compliant last time so if you look at the planners comment that the square footages are different that is correct, the architectural plans submitted are for 2 different sized houses but the house on lot 151.02 would be compliant with the 25% lot coverage and that is also the error that Max pointed out between the 19 ft. setback and the 18 ft. setback. He said it is 18 ft. to the right of way dedication and he would like to request is they be allowed to make that a right of way easement as almost all the other subdivisions have easements for right of way dedications rather than a regular dedication of the land to the Township. Mr. Peters said he discussed this with the Township Engineer who said along Linden Avenue it would be an easement since all the other properties have the same right of way line but along Stirling Avenue they prefer it to be a dedication so that it matches up to the property line along the neighbors frontage, but of course that would exacerbate the variances if the board were to grant those. Mr. Lines agreed.

Mr. Neiman asked what the other homes in the area looked like and Mr. Lines said there are a number of 7500 sf lots in the area or smaller; only 18% of the lots comply with the R10 standards, the remainder of them are less than the R10. The smallest lot was 5,500 sf one block over on Holly. Mr. Neiman asked if there was anything to do about the 7 ft. side setback because they do like to see the 10 ft. sides and Mr. Lines said they did make the houses as narrow as possible. Mr. Neiman asked about the basement and Mr. Lines said they are unfinished and Mr. Neiman said there will be tenants down there someday and they want to make sure there is enough parking. Mr. Lines said they have 4 spaces per unit which would be 2 for upstairs, 2 for downstairs. Mr. Neiman asked the professionals if they were comfortable with 4 parking spaces and Mr. Peters said generally the board has been asking for 4 offstreet spaces just for the 6 bedrooms upstairs and Mr. Neiman asked if they could add another offstreet space and Mr. Lines said they can fit another spot but pointed out this is a corner lot so they have more lot frontage than most.

Mr. Schmuckler asked how many spots were they comfortable with and Mr. Neiman said each area has to be looked at individually but this is a tight area as it is and for a house this size with a basement and a tenant in the future he would be looking at 5 off street spots. Mr. Schmuckler said he had support on that end of the dais. Mr. Lines said they could fit a 5<sup>th</sup> space on each lot and wanted to make it a condition of approval that if someone pulls a building permit for the basement that the 5<sup>th</sup> space would be required. So they would go with 4 spaces for now so they will not have to pave everything now. Mr. Neiman said they are not here to give everyone a hard time, they are here to look out for the neighborhood and make sure it is safe.

Mr. Neiman opened the microphone to the public

Ruby Key-Wright, 55 Linden Avenue, Lakewood was sworn in. She said the concern the last time she was here was the basements and she asked if they were going to be walk out and are

they going to have windows. Mr. Neiman said they probably will have windows and that is why they were concerned with the parking to make sure there was enough parking. She said with houses this size and with 5-6 bedrooms, with basements, you need windows for bedrooms so they could have more bedrooms in the basement and there would not be enough parking. Mr. Neiman said they have asked for 5 parking spaces for this application which would suffice for a building this size. She said they already have problems with parking.

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

Mr. Akerman said he counted 6 windows on the architectural plans for the basement.

Motion was made by Herzl, seconded by Mr. Schmuckler, to approve the application with the recommendation from the professionals and if they use the basement, they have to add an additional offstreet parking space, from 4 to 5.

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; no,(he does not think they can get the 5<sup>th</sup> parking space in) Mr. Neiman; yes, Mrs. Koutsouris; yes, Mr. Akerman; yes, Mr. Fink; yes, Mr. Schmuckler; yes

4. SD# 1647 (Variance requested)  
Applicant: Moshe Zucker  
Location: Ridge Avenue, adjacent to Manetta Avenue  
Block 223 Lot 92  
Minor Subdivision to create 2 lots

Mr. Peters read from a letter dated December 12, 2008. The Applicant is seeking a Minor Subdivision approval to subdivide one (1) existing lot into two (2) new lots, to be known as Lots 92.01 and 92.02. An existing single family dwelling is located on Lot 92 and will be removed. Two duplex dwellings are proposed on Lots 92.01 and 92.02. The property has frontage along Ridge Avenue at its intersection with Manetta Avenue. The site is situated within the R-10 zoning district. The applicant is requesting the following variance for both proposed lots. Minimum lot area; 12,000 SF are required for duplex and two family dwellings, where 10,275 SF are proposed. Minimum lot width; 75 FT are required, where 50 FT are proposed. Minimum front yard setback; 30 FT is required, where a 25 FT is proposed. Minimum side yard (one side); 10 FT is required, where 7.5 FT is proposed. Minimum combined side yard setback; 25 FT is required, where a 15 FT is proposed. Outside agencies approval from Ocean County Planning Board and Ocean County Soil Conservation District are required. Evidence of the approval will be made a condition of final approval. The applicant shows in the zoning schedule eight (8) off-street parking spaces will be provided for each lot, four (4) parking spaces for each duplex unit. Per NJ RSIS standard, three (3) off-street parking spaces are required for each two family (duplex) dwelling with five (5) bedrooms. The applicant is required to provide six (6) off-street parking spaces, minimum, for each lot. The Board should determine if the number of parking spaces is sufficient. Curbs exist along the property frontage and concrete sidewalk is proposed. A note should be added to the plans indicating that any deteriorated curb shall be replaced as directed by the Township Engineer. One of the proposed driveways for Lot 92.02 directs traffic onto Ridge Avenue directly across from its' intersection with Manetta Avenue. The applicant should investigate alternative site designs to address this potentially dangerous situation. The

monuments have been labeled as "TO BE SET," but the surveyor's signature block indicates that the monuments "HAVE BEEN SET." The applicant should address this issue.

Mr. Truscott read from a letter dated December 10, 2008. The applicant proposes to subdivide Lot 92, a 0.47-acre parcel, into two (2) building lots for duplex dwellings. A total of four (4) dwelling units are proposed for the two new lots. The property contains an existing structure which will be removed. The site is located on the north side of Ridge Avenue at the intersection with Manetta Avenue. The surrounding land uses are single-family residential dwellings. The property is located in the R-10 Residential Zone. Single-family dwellings are permitted on a minimum of 10,000-square foot lots; duplexes are a permitted principal use provided the lots have a minimum lot area of 12,000 square feet. The following variances are requested: Lot Area: A minimum lot area of 12,000 square feet is required for duplex dwellings; 10,275 square foot lots are proposed for both lots. Lot width: A minimum of 75 feet is required; 50 feet is proposed for both lots. Side Yard Setback: A minimum of 10 feet is required on one side and a total 25 feet on both sides; 7.5 feet is proposed on one side and a total of 15 feet on both sides for both lots. The positive and negative criteria for the requested variances should be addressed. The applicant should review the building plans with the Board in addressing the negative criteria. An existing concrete walk is noted on the plat. A shade tree easement, 6 feet in width, is proposed. However, no street trees are proposed. The right-of-way of Ridge Avenue along the frontage of the parcel is 33 feet. An 8.5-foot wide road-widening easement should be provided. Off-street parking must comply with the NJ RSIS. A minimum of three (3) spaces per unit is required. The location of the off-street parking spaces on each lot should be clarified. Architectural drawings indicate that each dwelling unit will have four bedrooms plus a nursery. The balance of the comments are technical in nature.

Mr. Lines appeared on behalf of the applicant. Mr. Neiman said he has 10,000 sf lots that he can build single family homes, and they want to build duplexes, and asked him to explain why. Mr. Lines said the subject property in the current Master Plan recommends that these lots be rezoned to R7.5. They are requested side setback variances but they comply with the R7.5 which is what it would be rezoned to. They do conform to the front and rear setbacks to the R10 zones and are requesting lot area variances for duplexes which 12,000 is required and they are providing 10,275 sf. In looking at the lots in the area, there are only 25% of the lots in this area that would comply with both the lot width and the lot area. Mr. Neiman asked about lot size and Mr. Lines said along Ridge Avenue there is 15 of the 24 lots that have 10,000 sf or more; 9 are undersized, there is a subdivision to the westside of New York Avenue recently approved that has 9,000, 6,000, and 6,750 sf lots. Mr. Neiman asked Mr. Truscott if this area was recommended to be rezoned and Mr. Truscott said it was area #4 in the Master Plan Re-Examination report and it states "rezone both R10 zones in each of the downtown areas to the R7.5 to provide additional housing opportunities compatible with the redevelopment of that area. That area was approved by the board provided the Township Engineer determines that at least 70% of the lots in the subject area comply with the minimum lot area for the R7.5 zone." Mr. Lines said along the section of Ridge Avenue from 5-060 ft. outside the 200 ft. limit there are 8 lots that are below the R7.5 standard so that is. Mr. Franklin asked if they had duplexes on them and Mr. Lines said they did not. Mr. Fink asked if they intended to have basements and Mr. Lines said no, the lot area does not allow. Mr. Lines said they are non habitable basements but Mr. Franklin said the elevations show basements. Mr. Fink asked where did they intend on having a tot area and Mr. Lines said they have over 40 ft. from the back of the duplex to the property line so there is sufficient backyard for kids to play in. and there is also the sideyard of each of the units which

is 17 ft. Mr. Schmuckler asked who will own the backyard and Mr. Lines said it is everybody's yard. Mr. Franklin said on their drawings, it shows the 1<sup>st</sup> floor 4 ft. above grade and asked why they would do that. Mr. Lines said that is the way the architect prepared the plans.

Moshe Zucker, 56 Steven Lane. Lakewood, the applicant was sworn in. He said the neighbors have said they want to make the neighborhood into a nicer neighborhood. He is not trying to come in and build 10 townhouses in \_ acre of land but he knows this was recommended as an R7.5 zone and this is the only piece of R10 zone in the area which doesn't make sense because he owns some units down the block and he owns a lot that has only 15-16 ft. frontage, but he does not want to give testimony because he is not sure, but said it is a little skinny lot. What he is trying to do is the R7.5 criteria which match what is mostly around the neighborhood. Most of the stuff in the neighborhood, a block down, a block up, is R7.5 and he is not asking for anything that is not permitted in the R7.5. The neighborhood, at best, is R7.5 and at worst is a lot less. He is asking for a few variances but any variance is basically due to 7.5 criteria. Mr. Franklin said one of the questions is the elevation that is shown looks like there is a basement and Mr. Zucker said there will be a regular basement. Mr. Franklin said you do not have a basement floor plan and Mr. Zucker said he is not finishing the basements and Mr. Franklin said the engineer said there will be no basements and Mr. Zucker said there were basements. Mr. Fink asked if there was an outside entrance for the basement and Mr. Zucker said he would leave that up to the board, he would like an outside basement but basically would like the board to look at the neighborhood and to help him match the neighborhood.

Mr. Neiman told him the consensus of the board: if there are going to be tenants in the basement the board is going to have a harder time approving this application. Ridge Avenue is a crammed area and there is no parking there and the board is looking to create as much off street parking as can be accomplished and if there are going to be tenants in this basement, it means you are looking at 8 families living here and Mr. Zucker said that is true of everyone in that neighborhood. Mr. Neiman said if they went with inside entrances it would be easier and Mr. Zucker said he understands the board's concern and Mr. Neiman said no outside entrance to the basement. Mr. Franklin said with the basements you have to increase the parking and there is no place to increase the parking. Mr. Zucker said they have 8 spaces per duplex unit but if they would like they would add another space. Mr. Zucker said he does not want to make it look like a basketball court but if the board would like he understands there is some type of pavers that let grass grow through and he could make it so in case they need 2 more spaces they could get it. Mr. Schmuckler said from the sentiment from the board, they feel the basements it will be overpopulated. Mr. Zucker asked if it would be different than any other house within a ten block radius and Mr. Akerman said none of them are duplexes with basements and Mr. Zucker said there are and this is permissible if this was an R7.5. Mr. Franklin said without the basements, it has a chance. Mr. Zucker said he would not be able to do it without a basement and he would have to withdraw the application and wait until the Township changes the zone. Mr. Neiman said for the future they have to make sure they have as much off street parking as possible and Mr. Zucker said he will work with them on the parking but said please don't make him the only one that can't have that amount of people that everyone else has in that neighborhood. Mr. Neiman said he agreed to not have any outside entrances to the basement and Mr. Zucker agreed.

Mr. Fink would like to know why shade trees were not being planted in the front and Mr. Lines said they will provide them where they are available. Mr. Zucker also stated if the board wanted

he to make more than 8 offstreet parking spaces per unit and Mr. Neiman said he did not think that was possible and Mr. Zucker said if they did not want him to have basements, he would pull the application. Mr. Schmuckler said the board's problem with the basements is overpopulating it and asked how could the board be assured that it won't be used as another family and Mr. Zucker asked how the board is assured with any other house that is built and pulls a permit. Mr. Jackson said what the issue is that historically in Lakewood there has been an enforcement problem and has been well reported and this board is well aware that if there is a basement there is a good chance that there is going to be a second family in it and enforcement arm of Lakewood has simply not been able to keep up with it so this board is recognizing that reality and being proactive and making certain that there are no basements because they can be pretty confident that at some point in the future there is going to be a rental unit down there. That is the unfortunate truth.

Mr. Neiman asked the planner and engineer, if this was an R7.5 zone, would he have to ask for any variance to do what he wants to do over here, forget the parking. Mr. Truscott said he has the area, the lot width and the setbacks but said what they need to distinguish between what is existing and what is planned and what is being approved; there is a difference between what has happened in the past and what the neighborhood is and what the board is approving now or under zoning or by variance. There is a difference and you have to distinguish between those two. It has not been changed to that zone yet, there has not been legislation yet, it is only a recommendation. Mr. Neiman said it probably will happen.

Mr. Lines added if this was R7.5 the lots would be fully conforming and they would have been in for a subdivision just to subdivision, whether to put in single family or duplex, it would not have been an issue because they would have been conforming in all respects. Mr. Herzl asked if it was possible for more parking than 4 per unit and Mr. Lines said they could do the same type of thing as the other application. If you look, they have 4 driveways for 4 cars each and there is enough space in between to provide 2 more spaces; it would look more townhouse-ish because it would look all paved. Mr. Herzl said they had the parking if the basement is utilized and Mr. Lines said if there was a parking problem they would have the ability to provide 2 additional parking spaces on each lot.

Mr. Neiman opened the microphone to the public

Seeing no one, this portion was closed to the public

Mr. Schmuckler said there is no outside entrances to the basement and if they use the basement he has to provide extra parking. There was discussion on how he can use the basement if there was no outside entrance and Mr. Neiman said they were covered on both ends.

Motion was made by Mr. Fink, seconded by Mr. Akerman, to approve this application with the understanding that there is no outside entrance to the basement and so forth.

**ROLL CALL: Mr. Herzl; yes, Mr. Franklin; no, Mr. Neiman; yes, Mrs. Koutsouris; no, Mr. Akerman; yes, Mr. Fink; yes, Mr. Schmuckler; abstain**

5. SD# 1648 (Variance requested)  
Applicant: Moshe Zucker  
Location: Maple Avenue, south of East 7<sup>th</sup> Street  
Block 234 Lot 9  
Minor Subdivision to create 2 lots

Mr. Peters read from a letter dated December 12, 2008. The applicant is seeking a Minor Subdivision approval to subdivide Lot 9 of Block 234 into two new lots, to be known as Lots 9.01 and 9.02. An existing two (2) story dwelling and a garage are located on site and will be removed. The applicant has proposed a duplex on each lot. The property is located along Maple Avenue, south of East Seventh Street. The site is situated within the R-7.5 zoning district. The applicant is requesting individual side yard setback and combined side yard setback variances for both new lots; 7 FT one side and 15 FT combined are required; where 5 FT on one side and 10 FT combined are provided. Outside agency approval from the Ocean County Planning Board and Ocean County Soil Conservation District are required. Evidence of the approval shall be provided as a condition of the final approval. The applicant shows in the zoning schedule eight (8) off-street parking spaces will be provided for each lot, four (4) per duplex unit. Per NJ RSIS standards, three (3) off-street parking spaces are required for two family (duplex) dwellings with five (5) bedrooms. It appears that each dwelling has an outside entrance to the unfinished basement. The Board should determine if the proposed number of parking spaces will be adequate. The applicant shall provide testimony on how the existing dwelling is served with water and sewer. If the dwelling is served by a well and individual septic system, the applicant shall indicate on the plan that the system will be abandoned in accordance with all state and county standards and regulations. Based on our visit to the site, no water valves or sewer manholes were found in the project area. The existing dwelling shall be removed prior to signature of the final plat or a bond posted to ensure the prompt removal of those structures. The applicant has shown proposed sidewalk on the plan. A concrete sidewalk detail has also been included on the plan. The applicant shall add a note to the plans indicating that any deteriorated curbing will be replaced at the direction of the Township Engineer. The architectural plans show two views of the left side of the proposed building, but no view of the right side. The applicant should address this issue. The monuments have been labeled as "TO BE SET," but the surveyor's signature block indicates that the monuments "HAVE BEEN SET." The applicant should address this issue.

Mr. Truscott read from a letter dated December 10, 2008. The applicant seeks minor subdivision and variance approvals to subdivide an existing lot into two conforming parcels. There is one existing single-family dwelling and an accessory garage on the site; both will be removed. The parcel is 23,022.7 square feet (0.53 acres) in area. The property is located on the west side of Maple Avenue south of East Seventh Street. The surrounding land uses are single-family residences. The parcel is located in the R-7.5 Residential Zone. Single-family dwellings are a permitted use in this zone district. Duplexes are permitted on a minimum lot area of 10,000 square feet. The following variances are requested: A side yard setback of 5 feet is proposed for both lots when minimum of 7 feet is required. A combined side yard setback of 10 feet is proposed for both lots when a minimum of 15 feet is required. The positive and negative criteria should be addressed for the side yard setback variances. The plat should be revised to identify the proposed structures as duplexes. In addition, the zoning schedule should indicate the minimum lot area for duplexes as 10,000 square feet. The right-of-way easement should also provide for access along the proposed sidewalk for the public. We note that the existing right-

of-way of Maple Avenue is 20 feet wide with a 22-foot wide pavement. A right-of-way easement to provide a 25-foot half section is proposed. Compliance with the Map Filing Law is required. The existing one-story dwelling and garage shown on the plat as "to be removed" must be razed prior to filing of the plat, or a bond should be posted. The architectural drawings indicate five (5) bedrooms in each dwelling unit. Four (4) parking spaces per unit are proposed. Therefore, as shown, the number of parking spaces is in compliance with the NJ Residential Site Improvement Standards. Public water and sewer is proposed. Approval of the Ocean County Planning Board is required. Prior to the issuance of construction permits, approval of the Soil Conservation District should be required. The lot numbers on the plat should reflect the numbers assigned by the Tax Assessor.

Mr. Lines appeared on behalf of the applicant. He said this is for duplexes in the R7.5 zone and they have complying lot areas and they are requesting a variance for the side yard setback for 5/10 ft. instead of 7/15 ft. The lots are wedge-shaped, wider in front than the back so they have stepped the duplex back and keep it in as much as possible but provide a reasonable width of duplex they still needed to request the variance. With regards to parking, initially they provided the 4 parking spaces per unit but they can extend the driveways a little further and get 5 spaces on the lots per each duplex. They do have exterior stairs to the unfinished basements. Mr. Neiman asked if there was any way they can get rid of the 5/10 ft. side yard setback and Mr. Lines said because of the nature of the lot and how it narrows as it goes back they cannot. Mr. Lines said there already is public water and sewer out there and the road was reconstructed a couple of years ago and they may have paved over the manhole covers for the sewer line and said there will not be any septic.

Mr. Neiman opened the microphone to the public

Seeing no one, this portion was closed to the public

Motion was made by Mr. Herzl, seconded by Mr. Schmuckler, to approve this application adding one more parking space in the front.

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Neiman; yes, Mrs. Koutsouris; yes, Mr. Akerman; yes, Mr. Fink; yes, Mr. Schmuckler; yes

**6. Discussion/Adoption of Housing Plan Element and Fair Share Plan**

Cancelled to a future meeting.

**5. MEMORIALIZATION OF RESOLUTIONS**



1. **SP# 1892** (No variance requested)  
**Applicant:** Princeton One  
**Location:** corner of Princeton Avenue & Fourth Street  
Block 159 Lots 9 & 24  
Denial of Preliminary & Final Major Site Plan for proposed 5 story office building

Motion was made by Mr. Schmuckler, seconded by Mr. Fink, to approve the denial

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Neiman; yes, Mrs. Koutsouris; yes, Mr. Akerman; abstain, Mr. Fink; yes, Mr. Schmuckler; yes

2. **SP# 1902** (No variance requested)  
**Applicant:** Bais Medrash Mayan Hatorah  
**Location:** Coleman Avenue & Milton Street  
Block 104 Lots 23 & 32  
Preliminary & Final Site Plan for proposed school and dormitories

Motion was made by Mr. Schmuckler, seconded by Mr. Fink to approve

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Neiman; yes, Mrs. Koutsouris; yes, Mr. Akerman; abstain, Mr. Fink; yes, Mr. Schmuckler; yes

3. **SP # 1893A** (Variance requested)  
**Applicant:** Dr. Norman Indich  
**Location:** West County Line Road @ southwest corner of Cedarview Avenue  
Block 37 Lots 3 & 9  
Preliminary and Final Site Plan for pediatrician office

Motion was made by Mr. Schmuckler, seconded by Mr. Fink to approve

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Neiman; yes, Mrs. Koutsouris; yes, Mr. Akerman; yes, Mr. Fink; yes, Mr. Schmuckler; yes

4. **SD # 1638** (Variance requested)  
**Applicant:** Benzion Harnick  
**Location:** corner of New York Avenue & Ridge Avenue  
Block 223 Lot 93  
Minor Subdivision to create 2 lots

Motion was made by Mr. Schmuckler, seconded by Mr. Fink to approve

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Committeeman Miller; yes, Mr. Neiman; yes, Mr. Banas; yes, Mrs. Koutsouris; yes, Mr. Akerman; yes, Mr. Fink; yes, Mr. Schmuckler; yes

5. SD # 1640 (No variance requested)  
Applicant: 16 South Clifton Ave LLC  
Location: South Clifton Avenue, south of Main Street  
Block 8 Lots 8 & 18  
Minor Subdivision to realign existing lot lines

Motion was made by Mr. Schmuckler, seconded by Mr. Fink to approve

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Neiman; yes, Mrs. Koutsouris; yes, Mr. Akerman; yes, Mr. Fink; yes, Mr. Schmuckler; yes

6. SP# 1901 (Variance requested)  
Applicant: 16 South Clifton Ave LLC  
Location: South Clifton Avenue, south of Main Street  
Block 8 Lots 8 & 18  
Preliminary & Final Site Plan for proposed 2 story office building

Motion was made by Mr. Schmuckler, seconded by Mr. Fink to approve

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Neiman; yes, Mrs. Koutsouris; yes, Mr. Akerman; yes, Mr. Fink; yes, Mr. Schmuckler; yes

7. SD# 1642 (Variance requested)  
Applicant: Yitzchok Lieberman  
Location: Arlington Avenue @ northeast corner of Wynatt Avenue  
Block 774.01 Lots 12 & 13  
Minor Subdivision from 2 lots to 3

Motion was made by Mr. Schmuckler, seconded by Mr. Fink to approve

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Neiman; yes, Mrs. Koutsouris; yes, Mr. Akerman; yes, Mr. Fink; yes, Mr. Schmuckler; yes

8. SP# 1904 (No variance requested)  
Applicant: Toras Imecha, Inc.  
Location: East County Line Road & Thorp Road  
Block 194 Lots 2 & 3  
Preliminary & Final Site Plan for proposed school

Motion was made by Mr. Schmuckler, seconded by Mr. Fink to approve

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Neiman; yes, Mrs. Koutsouris; yes, Mr. Akerman; yes, Mr. Fink; yes, Mr. Schmuckler; yes

9. SD # 1643 (No variance requested)  
Applicant: Joseph Grunwald  
Location: New Central Avenue, across from Princess Court  
Block 11.01 Lots 14 & 16  
Preliminary and Final Major Subdivision – 6 lots

Motion was made by Mr. Schmuckler, seconded by Mr. Fink to approve

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Neiman; yes, Mrs. Koutsouris; yes, Mr. Akerman; yes, Mr. Fink; yes, Mr. Schmuckler; yes

10. SD # 1425C (Variance requested)  
Applicant: Osnate Weinstein  
Location: corner of Kennedy Boulevard & North Apple Street  
Block 172 Lot 16  
Minor Subdivision for 2 lots

Motion was made by Mr. Schmuckler, seconded by Mr. Fink to approve

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Neiman; yes, Mrs. Koutsouris; yes, Mr. Akerman; yes, Mr. Fink; yes, Mr. Schmuckler; yes

11. SD # 1644 (Variance requested)  
Applicant: Whiting Pines Realty Corp. Inc./ Hope Hill  
Location: Hope Hill Lane, off Hope Chapel Road  
Block 11 Lots 87-89, 91-93, 95, 96  
Preliminary & Final Major Subdivision for 15 single family lots

Motion was made by Mr. Schmuckler, seconded by Mr. Fink to approve

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Neiman; yes, Mrs. Koutsouris; yes, Mr. Akerman; yes, Mr. Fink; yes, Mr. Schmuckler; yes

12. SD # 1645 (Variance requested)  
Applicant: Reisz & Lipschitz  
Location: northeast corner of Clifton Avenue & 11<sup>th</sup> Street  
Block 112 Lots 3 & 11.01  
Minor Subdivision from 2 lots to 3

Motion was made by Mr. Schmuckler, seconded by Mr. Fink to approve

**ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Neiman; yes, Mrs. Koutsouris; yes, Mr. Akerman; yes, Mr. Fink; yes, Mr. Schmuckler; yes**

## **6. CORRESPONDENCE**

-None at this time

## **7. PUBLIC PORTION**

Michael Lynch wanted to go back to SP 1901 which was just memorialized and said that he was representing Father O'Connor of St. Mary's Church. He said he received a copy of the resolution in reference to the application and there were several issues he was concerned with. Mr. Jackson asked he was an attorney and Mr. Lynch said he is not and Mr. Jackson said he did not think he could represent the pastor. Mr. Lynch said he is here as a trustee of the church and he has concerns. Mr. Jackson did not recall the application so Mr. Neiman reminded him this is the application that was using the church's parking lot for staging and parking not on weekends. Mr. Jackson asked if there was any urgency in the adoption of that resolution that anyone knows of and Ms. Johnson said this resolution is the combination of the subdivision and the site plan-SD#1640&SP1901 for 1601 South Clifton Avenue LLC. Mr. Neiman asked how many concerns he had and Mr. Lynch said there were 8 and Mr. Jackson looked at the list and said it would be better if the resolution was corrected. Mr. Neiman said he thought they should take back the motion on this and table the resolution to the January meeting.

Motion was made by Mr. Herzl, seconded by Mr. Franklin to table the resolution for SD1640/SP 1901

**ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Neiman; yes, Mrs. Koutsouris; yes, Mr. Akerman; abstain Mr. Fink; yes, Mr. Schmuckler; yes**

## **8. APPROVAL OF MINUTES**

- Minutes from December 2, 2008 Plan Review Meeting

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

**ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Neiman; yes, Mrs. Koutsouris; yes, Mr. Akerman; yes, Mr. Fink; yes, Mr. Schmuckler; yes**

## **9. APPROVAL OF BILLS**

**PLANNING BOARD MEETING  
DECEMBER 16, 2008**

**TOWNSHIP OF LAKEWOOD  
REGULAR MEETING**

**Motion was made by Mrs. Kourtsouris, seconded by Mr. Schmuckler, to approve**

**ROLL CALL: Mr. Herzi; yes, Mr. Franklin; yes, Mr. Neiman; yes, Mrs. Kourtsouris; yes, Mr. Akerman; yes, Mr. Fink; yes, Mr. Schmuckler; yes**

## **10. ADJOURNMENT**

**The meeting was hereby adjourned. All were in favor.**

**Respectfully submitted  
Chris Johnson  
Planning Board Recording Secretary**