

**LAKWOOD ZONING BOARD OF ADJUSTMENT  
MINUTES  
JANUARY 7, 2008**

Meeting was called to order at 7:00 P.M.

Meeting properly advertised according to the New Jersey State Sunshine Law.

**ROLL CALL:**     Attending:       Mr. Gelley, Mr. Lazzaro, Mr. Naftali, Mr. Zaks, Mr. Lankry,  
  Mr. Lieberman, Ms. Goralski, Mr. Halberstam  
                          Absent:         Mr. Gonzalez  
                          Also present:  Glenn Harrison, Attorney  
  Jim Priolo, Engineer/Planner  
  Ed Mack, Zoning Officer  
  Jackie Wahler, Court Stenographer  
  Fran Siegel, Secretary

**SALUTE TO THE FLAG.**

**REORGANIZATION**

- **Motion for Abe Halberstam as Chairman – Mr. Lazzaro**  
**Second – Mr. Zaks**  
**Roll call vote:**   affirmative:  Mr. Gelley, Mr. Lazzaro, Mr. Naftali, Mr. Zaks  
  Mr. Lankry, Mr. Lieberman, Ms. Goralski, Mr. Halberstam
  
- **Motion for Sharon Goralski as Vice Chairman – Mr. Gelley**  
**Second – Mr. Lazzaro**  
**Roll call vote:**   affirmative:  Mr. Gelley, Mr. Lazzaro, Mr. Naftali, Mr. Zaks  
  Mr. Lankry, Mr. Lieberman, Ms. Goralski, Mr. Halberstam
  
- **Motion for Ed Mack as Zoning Officer – Mr. Zaks**  
**Second – Ms. Goralski**  
**Roll call vote:**   affirmative:  Mr. Gelley, Mr. Lazzaro, Mr. Naftali, Mr. Zaks  
  Mr. Lankry, Mr. Lieberman, Ms. Goralski, Mr. Halberstam
  
- **Motion for Fran Siegel as Secretary – Mr. Lazzaro**  
**Second – Ms. Goralski**  
**Roll call vote:**   affirmative:  Mr. Gelley, Mr. Lazzaro, Mr. Naftali, Mr. Zaks  
  Mr. Lankry, Mr. Lieberman, Ms. Goralski, Mr. Halberstam
  
- **Motion for Jackie Wahler as Court Stenographer – Mr. Naftali**  
**Second – Mr. Lankry**  
**Roll call vote:**   affirmative:  Mr. Gelley, Mr. Lazzaro, Mr. Naftali, Mr. Zaks  
  Mr. Lankry, Mr. Lieberman, Ms. Goralski, Mr. Halberstam
  
- **No motion for Zoning Board Attorney or Engineer. Waiting for bids.**

- **Motion to approve minutes of December 3, 2007 with a waiver to read – Ms. Goralski**  
**Second – Mr. Naftali**  
**Roll call vote:** affirmative: Mr. Gelley, Mr. Lazzaro, Mr. Naftali, Mr. Zaks,  
Mr. Lieberman, Ms. Goralski, Mr. Halberstam
- **Motion to approve calendar for 2008 – Mr. Zaks**  
**Second – Mr. Naftali**  
**Roll call vote:** affirmative: Mr. Gelley, Mr. Lazzaro, Mr. Naftali, Mr. Zaks  
Mr. Lankry, Mr. Lieberman, Ms. Goralski, Mr. Halberstam
- **Motion to approve Annual Report – Mr. Lazzaro**  
**Second – Mr. Zaks**  
**Roll call vote:** affirmative: Mr. Gelley, Mr. Lazzaro, Mr. Naftali, Mr. Zaks  
Mr. Lankry, Mr. Lieberman, Ms. Goralski, Mr. Halberstam

**Request to carry Appeal # 3647 to the February agenda.**

**Motion to carry until February 4th – Mr. Gelley**  
**Second – Mr. Zaks**

**Roll call vote:** affirmative: Mr. Gelley, Mr. Lazzaro, Mr. Naftali, Mr. Zaks  
Mr. Lankry, Mr. Lieberman, Ms. Goralski, Mr. Halberstam

**APPEAL # 3649 – STANLEY RIEDER**

424 4th Street, Block 71 Lot 3, Reconsideration

Mr. Penzer – if this plan is considerably different than it needs a new application, if this plan is not different than he is asking for a reconsideration.

From: Ed Mack, Zoning Officer

Despite the changes in this application I still feel that 23 units per acre is way too dense.

They will get a new application with a new number and a complete new plan but will not have to be renoticed.

**Motion to carry until March 3, 2008 – Mr. Gelley**  
**Second – Mr. Naftali**

**Roll call vote:** affirmative: Mr. Gelley, Mr. Lazzaro, Mr. Naftali, Mr. Zaks  
Mr. Lankry, Mr. Lieberman, Ms. Goralski, Mr. Halberstam

**APPEAL # 3662 – TEMPLE BETH AM SHALOM**

Route 70, Block 1160.04 Lot 47, M-1 zone.

Use variance to construct a 17,000 square foot House of Worship. Use Variance.

Secretary read reports.

From: Jim Priolo, Engineer/Planner – November 1, 2007

1. The subject property is located on N.J.S.H. Route 70 with frontage on Paco Way also and is within the M-1 (Industrial) Zone. The site is mostly wooded with an existing cemetery in the southeast portion of the lot. The applicant proposes to construct a ±16,825 s.f. synagogue/house of worship with access to Route 70 and Paco Way with associated parking and other site amenities as well as a cemetery expansion.
2. A special reasons variance is required for this project because the applicant is:
  - b. **Requesting a use not permitted in this zone.** In accordance with Section 903 M. of the ordinance, synagogues/houses of worship are not permitted in the M-1 Zone, and therefore a use variance is required for the proposed synagogue/house of worship.

The applicant must demonstrate that the requested use variance can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance. The applicant should address the Board regarding the visual impacts the proposed use will have on the surrounding properties.

The applicant must provide testimony to the Board detailing the special reasons which would allow the Board to grant a variance to depart from the zoning regulations to permit a **use in a district restricted against such use (synagogue/house of worship use)**. In order to achieve this, the applicant should explain why the synagogue/house of worship use is a better planning and zoning alternative than the traditional industrial use or other uses permitted in the zone.

3. The concept plan indicates a proposed Jewish community center as part of a potential Phase II of this project. The applicant should be prepared to discuss the details of this and the anticipated use of the remainder of the site. Any approval should include a minimum requirement for tree save areas especially along Route 70 which would act as a buffer to the highway.
4. The Applicant should provide a traffic impact analysis to determine what impacts the non-permitted use will have on Route 70.
5. The applicant should present architectural elevations of the proposed temple.
6. Any use variance approval shall be subject to Preliminary and Final Major Site Plan approval.

From: Ed Mack, Zoning Officer

I have no objections to this application.

Sean Gertner represented applicant.

Mr. Gertner – asking for a use variance. Asking for use only will come back for site plan. This is a merging of Temple Beth Am in Lakewood and Temple Beth Shalom in Toms River. The site is well suited for this proposal. The cemetery is a pre-existing, non conforming use.

Marcia Shiffman, Mazer Consulting, Clinton, NJ, sworn/affirmed. Planner.  
Board accepted qualifications.

A-1 aerial photo of Site  
A-2 photos of neighboring properties  
A-3 preliminary site plan  
A-4 preliminary site plan

Ms. Shiffman – The site is located on the northerly side of Route 70. Has about 400 foot frontage on Paco Way and approximately 400 feet on Route 70, about 17 acres. Proposed a 17,000 square foot House of Worship and a small caretakers quarters. Proposed are 125 parking spaces. The existing cemetery will remain with future expansion. There are 240 members of Beth Am merging with 315 members in Tom River. This represents a consolidation of 2 established Houses of Worship. Described A-1, the area and adjacent properties. In granting this application there will be no detriment to the Public. A school and offices would be used on the site, which are permitted uses. This use is inherently beneficial.

Besrick Plummer, Mazer Consulting, licensed civil engineer, sworn.  
Board accepted qualifications.

Mr. Plummer described A-4

Mr. Plummer – There are two entrances to the site, one from Route 70 and one from Paco Way.

Mr. Gertner - There are no plans for the proposed community center at this time, which is a permitted use. Just letting the Board know that it is only a concept now. Route 70 will be the main entrance to the site.

Maurice Rached, 100 American Metro Blvd, Hamilton, NJ, Traffic Engineer, sworn.  
Board accepted qualifications.

Mr. Rached – conducted a trip generation analysis.

Open to Public.

David Drukaroff, 1433 Laurelwood Avenue, affirmed. Member of Temple Beth Shalom and am in favor of the application.

Closed to Public.

**Motion to approve use for temple, caretakers unit and existing expansion of cemetery, condition of tree save plan – Mr. Zaks**

**Second – Mr. Lankry**

**Roll call vote:** affirmative: Mr. Gelley, Mr. Lazzaro, Mr. Naftali, Mr. Zaks  
Mr. Lankry, Ms. Goralski, Mr. Halberstam

## **APPEAL # 3656 – AREVALO PROPERTIES**

425 Clifton Avenue, Block 118 Lot 28, B-2 zone.

Extension of existing apartments.

Secretary read reports.

From: Jim Priolo, Engineer/Planner – November 1, 2007

1. The subject property is located on the east side of Clifton Avenue between Fourth and Fifth Streets and is located within the B-2 (Central Business) Zone. The site contains an existing  $\pm 2,425$  s.f. (footprint) combined business and residential use consisting of a dry cleaners on the first floor and apartments on the second floor. The applicant is proposing to construct a  $\pm 700$  s.f. expansion to the second story apartment use.
2. In accordance with Section 18-903 B. of the ordinance, a **Special Reasons Variance** will be required because the applicant is;
  - a. **Expanding an existing non-conforming use.** The existing combined business and residential use is expressly prohibited in this Zone. Therefore, a special reasons variance will be required for the expansion of a non-conforming use.

The Applicant must provide testimony to the Board detailing the special reasons, which would allow the Board to grant a variance to depart from the zoning regulations to permit an expansion of a use in a district restricted against such use.

The Applicant must demonstrate to the Board that the requested use variance can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance. Additionally, the applicant should address the Board regarding the visual impacts which the proposed improvements will have on the surrounding properties.

3. The B-2 Zone has no parking requirements and therefore the applicant has requested a waiver from the submission of a survey or site plan. Upon testimony from the applicant, the Board must determine whether to grant this waiver or require a survey or minor site plan.
4. In accordance with Section 18-807 A. and R.S.I.S., a minimum of four (4) parking spaces are required for the apartment use (2 spaces/apartment). All available parking appears to be on-street or within nearby parking lots.

From: Ed Mack, Zoning Officer

I am against the expansion of the second floor residential use in this area of town. The residential and commercial mixed use has historically not worked well.

Steven Pfeffer represented applicant. This property has a French cleaners downstairs and at one time had two apartments, over the years the second apartment was not utilized. Not seeking to change footprint.

Mrs. Arevalo, 174 Arlington Avenue, sworn. In 2004 she purchased the real estate and the French Cleaners. They received approval to fix up an apartment on the second floor and it has been rented. His niece would like to rent out the apartment in the rear. They received permits to fix up the apartment.

Mr. Pfeffer - There are two apartments on the second floor - they received a co for the front apartment. The rear apartment is about 700 square feet.

Mr. Mack - When permits were issued they did not realize that it was a second apartment. They thought that it was to renovate the front apartment. The second apartment is an expansion of a pre-existing non-conforming use. A permitted use would be an office.

Sal Santoro, 65 County Line Road, architect, sworn.

Mr. Santoro – they renovated existing apartment in front. He prepared plans for rear apartment and received permits. Construction was about 50% complete when they received a stop work order. There were inspections done. Stayed in the exact footprint of the existing structure. Just reconditioned what was there.

Mr. Mack – the permit was for the existing apartment in front. Downtown residential is not allowed. This was just a misunderstanding was not done maliciously. There have been no problems there.

Mr. Harrison – each case is taken by itself – there is no precedence set if approved.

Open to Public.

Gerri Ballwanz, Governors Road, sworn. Concerned about overcrowding.

Hershel Tomor, owner of Arrow Locksmiths, affirmed. They are very nice good people. In favor of the application.

Jose Santiago, Jackson, sworn. Pastor of the family. Trust worthy, hard working people and no malice was intended.

Gedalia Tomor, affirmed. Good people, in favor of the application.

Mr. Vega, 1422 Jeffrey Street, sworn. Know the family for many years. Hard working people. In favor of the application.

Harry Hirsch, 305 6th Street, affirmed. In favor of the application.

Mr. Santoro -700 square feet and is not a very large apartment. Each bedroom is approximately 12 x 12 and there is a kitchenette, small living room and bathroom.

Closed to Public.

**Motion to approve – Mr. Lieberman**

**Second – Mr. Lazzaro**

**Roll call vote:** affirmative: Mr. Gelley, Mr. Lazzaro, Mr. Naftali, Mr. Zaks  
Mr. Lieberman, Ms. Goralski, Mr. Halberstam

**APPEAL 3132AAA – SYMCHA REALTY**

292, 294, 296, 298 7th Street, Block 95 Lots 5.01, 5.02, 5.03, 5.04 R-OP zone.  
Amended site plan.

Secretary read reports.

From : Jim Priolo, Engineer/Planner – December 27, 2007

1. The subject property is located on the southeast corner of Seventh Street and Clifton Avenue and is within the R-OP (Residential Office Park) Zone. The site contains four (4) 2-family dwellings. The applicant acquired use and site plan approval for five (5) townhouse dwellings on this site under Appeal No. 3132 in March of 1999, and then received amended approval for the reduction of the number of units to four (4) under Appeal No. 3132A in October of 1999. The dwellings have since been constructed. The applicant has been requested to appear before the Board to seek approval for items constructed inconsistent with the original approval.
2. The resolution for Appeal No. 3132 & 3132A had certain specific express conditions. Items constructed inconsistent with these conditions are as follows:
  - a. Rear decks shall not be greater than 10 ft. x 10 ft., whereas the proposed/existing rear decks are 10 ft. x 12 ft.
  - b. Garbage enclosures that match the exterior of the building should be provided, whereas no garbage enclosures are provided.
  - c. The first floor elevation shall not be higher than 3.5 feet above exterior grades. The actual difference in elevation is 4-5 feet.
3. The required dimensions for parking are 9 ft. x 18 ft., and each unit should have two (2) spaces. Parking on Lot 5.02 only provides 9 ft. x 17 ft. spaces. Parking on Lot 5.04 only provides one (1) conforming space. Parking on Lot 5.03 provides no conforming spaces. This change has occurred due to the construction of the front porch and steps. Therefore, parking variances are required.

From: Ed Mack, Zoning Officer

It is up to the applicant to demonstrate how he will handle the parking and garbage storage that were left out as per the resolution. I also think that the decks should be changed because of the difference in the rear setbacks on the variance plan. We also need details on the fence required on the south side by the resolution.

Abe Penzer, represented applicant. Symcha realty is owned by Mr. Kalter. The builder built the building wherever he wanted and did whatever he wanted.

Brian Flannery, sworn. The units were built different than they were approved. Reviewed Mr. Priolo's report. The decks were built at 10 x 12 instead of 10 x 10. Asked that the decks remain since they are 12 feet wide and does not affect the setbacks. They will construct an 8 foot vinyl fence. They will provide garbage enclosures with exteriors that match the buildings. 3.5 feet in elevation – they will put planter boxes with vegetation to raise the grade where they can. Each unit was supposed to have two 9 x 18 parking spaces, only one unit complies. Lot 5.02 has 9 x 17 foot parking spaces but is close enough. Lot 5.04 has only one space that is conforming and can fit two vehicles without hanging over the sidewalk. The one in the middle they will demolish the front steps that are there and construct the steps to the side.

Mr. Halberstam - Is there any off-street parking that can be utilized.

Mr. Flannery - There is only parking on one side of the street.

Mr. Halberstam - Like the way the building looks now. Would think that changing the steps on one unit it will not look right.

Mr. Flannery – it will look fine because of the jogs in the building.

Mr. Halberstam – maybe we should close the driveway up completely.

Mr. Zaks – there is no parking in that area. We should get as much parking on site as possible.

Mr. Halberstam – The steps should all be one way.

Mr. Penzer – the building has been sitting so the basement is empty. Will not touch the trees.

Mr. Priolo – changing the stairs on the two units 5.03 and 5.04, you can fit the parking and it will have a uniform look.

Mr. Zaks – we are trying to maximize parking.

Mr. Penzer – the cost is quite expensive to move the steps on the two units. Would like to change only the one unit.

Mr. Flannery – On 5.02 there is a 17 foot depth and a 4 foot sidewalk.

Open to Public.

Gerri Ballwanz, Governors Road, sworn. There should be no people living in the basement.

Harry Hirsch, 305 6th Street, affirmed. The buildings are not done properly.

Mr. Mack - They do not have a final Certificate of Occupancy.

Eli Gass, 624 Clifton Avenue, affirmed. Parking is a big problem in the neighborhood. Would like something in the resolution about the basements being rented. These are 7 bedroom homes.



Closed to Public.

Mr. Penzer – there is a playground with the Board of Education across the street. The ordinance requires a playground at 25 units not 4 units.

Mr. Mack – putting in the resolution that the windows are small enough so there cannot be any bedrooms in the basement.

**Motion to approve subject to: change steps at lot 5.03 to side for 2 parking spaces, 8 foot white vinyl fence on the southern and western sides; flower pots to bring up grading, no removal of trees, basement can be finished but with no living quarters, no apartments, no bedrooms just playrooms**

Mr. Mack – need to limit the basement development – because of the size of the windows not conducive to be bedrooms – should leave out the partitions in the basement.

– can be finished but no partitions in the basement, garbage enclosures – Mr. Zaks

**Second – Mr. Gelley**

**Roll call vote:** affirmative: Mr. Gelley, Mr. Lazzaro, Mr. Naftali, Mr. Zaks  
Mr. Lieberman, Ms. Goralski, Mr. Halberstam

## **RECESS**

Mr. Halberstam had to leave the meeting.

### **APPEAL #3659 – ZELDY OPPEN**

Prospect Street, Block 442 Lot 8, R-20 zone.

To construct a single family house on an undersized lot.

Secretary read reports.

From: Jim Priolo, Engineer/Planner – December 14, 2007

1. The subject property is located on Massachusetts Avenue and is within the R-20 (Single-Family Residential) Zone. The existing site is vacant. The applicant proposes to construct a two-story single-family dwelling and a septic system. Beaver Street is an unimproved right-of-way.

2. In accordance with Section 902.E of the Ordinance, bulk variances will be required for the construction of the proposed two-story addition as follows:

	Required	Proposed
Minimum Lot Area	20,000 s.f.	10,000 s.f.

The applicant must demonstrate to the Board that the requested variances can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.

The applicant should address the Board regarding the visual impact that the dwelling will have on the surrounding properties.

3. Any approval should include a condition that all curb and sidewalk shall be constructed as directed by the Township Engineer and Ocean County.

4. The plot/variance plan should be corrected to indicate that the property is located in Lakewood Township and that the site is situated in the R-20 Zone.

5. The applicant is proposing to construct a septic field and well. The applicant should research the possibility of connecting into a public sanitary sewer and water system. Any approval should be subject to approval from the Ocean County Health Department for the well and septic system.

6. Prior to commencement of construction, the applicant shall post a performance guarantee and inspection fund in accordance with the provisions of the Township's Land Use Ordinance and the Municipal Land Use Law.

From: Ed Mack, Zoning Officer

I have no objection to this application.

John Paul Doyle represented applicant. This is an undersized. Submitted proof that the appropriate letters were sent to the two adjacent neighbors and were unable to obtain additional land.

Brian Flannery described area. Typical isolated lot. No negative criteria. Received Ocean County Board of Health approval for septic and well. Proposing what is consistent in the area.

Open to Public.

Gerri Ballwanz – Governors Road, sworn. Objected to variance. Department of Environmental Protection is looking at this area for open space. This is an R-20 zone and to allow a 10,000 square foot lot is ridiculous.

Closed to Public.

Mr. Zaks - Did the township ever offer to purchase this property?

Mr. Doyle – no – the township owns no adjacent property. The Township was notified because they do have one parcel with 200 feet.

**Motion to approve – Mr.Zaks**

**Second – Mr. Lazzaro**

**Roll call vote:** affirmative: Mr. Gelley, Mr. Lazzaro, Mr. Naftali, Mr. Zaks  
Mr. Lankry, Mr. Lieberman, Ms. Goralski

**APPEAL # 3661 – MTR VENTURES**

350 Cedarbridge Avenue, Block 763 Lots 2 & 17, R-7.5 zone.  
To construct a 10,000 square foot office building – Use variance

Secretary read reports.

From: Jim Priolo, Engineer/Planner – December 11, 2007

1. The subject property is located on the Southwest corner of Melville and Cedar Bridge Avenues and is within the R-7.5 (Single-Family Residential) Zone. The site contains an existing 1-1/2-story dwelling, shed and concrete pads. The applicant is proposing to construct a 10,000 s.f. 2-story office building with associated parking facilities and site amenities. All existing structures will be removed.

- 2. A special reasons variance is required for this project because the applicant is:
  - b. **Requesting a use not permitted in this zone.** In accordance with Section 902 G. of the ordinance, office uses are not permitted in the R-7.5 Zone, and therefore a use variance is required for the proposed office building.

The applicant must demonstrate that the requested use variance can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance. The applicant should address the Board regarding the visual impacts the proposed office building will have on the surrounding residential properties.

The applicant must provide testimony to the Board detailing the special reasons which would allow the Board to grant a variance to depart from the zoning regulations to permit a **use in a district restricted against such use (office use)**. In order to achieve this, the applicant should explain why the office use is a better planning and zoning alternative than the traditional single-family residential use or other uses permitted in the zone.

- 3. Should the use variance be approved by the Board, the following bulk variances may be required in accordance with Section 902 G.4 of the Ordinance:

	Required	
	R-7.5 Zone	Proposed
Front Yard Setback	25 ft.	16.6 ft. (Melville Avenue)

- 4. Additional variances will be required as follows:
  - a. In accordance with Section 803 E., a minimum 50-foot wide buffer is required along the south, east and west property lines, whereas only a 15 ft. (south), 10 ft. (east) and 3 ft. (west) buffers have been provided.
- 5. In accordance with Section 816 F., all non-residential site plans shall submit plans to the Township Public Safety Office and the NJDOT to allow for the Title 39 Enforcement.
- 6. All Board approval blocks should reference the Lakewood Township Zoning Board.

7. The following comments should be addressed with regards to the Layout Plan:
  - a. The driveway apron shown on Cedar Bridge Avenue should be shown as to be removed.
  - b. The height of the chain link fence should be shown on the plan. Also, a note should be indicated on the plan stating whether the fence is to remain or not.
  - c. The fence around the trash enclosure should be shown.
  - d. The applicant should discuss vehicular circulation within the site including turnarounds, trucks, deliveries, etc. The sizes and types of trucks accessing this site should be provided and turning movements should be verified. A truck circulation plan should be provided for the entrance/exit, dumpster access and entire site.
  - e. A curbed landscape island should be installed in place of the first 2 parking stalls in the middle parking field. This may create a parking variance.
  - f. It appears the southern handicap parking space does not provide sufficient area for reversing movements.
  - g. Dimensions and areas of the proposed easements and dedications should be shown on the plans.
  - h. The building overhang piers/columns should be shown on the plan.
  - i. A note should be added to the plans indicating that curb and sidewalk shall be removed and replaced as directed by the Township Engineer.
  
8. The following comments should be addressed with regards to the Grading & Drainage Plan and stormwater management:
  - a. Corner and finished floor elevations of the adjacent dwellings should be shown on the plan.
  - b. Spot elevations in the area of the handicap accessible parking spaces should be provided to insure compliance with the ADA standards.
  - c. Profiles of the storm drainage should be provided.
  - d. Corner elevations of the proposed building should be shown.
  - e. The stormwater maintenance plan should be put on the plans and filed with the Township as a condition of approval.
  
9. The following comments should be addressed with regards to the Lighting and Landscaping Plan:
  - a. Additional buffering should be addressed on the eastern side of the building. The existing dwelling is approximately 5 feet from the proposed parking lot.
  - b. Low lying plants should be provided along Cedar Bridge Avenue to shield the parking area.
  - c. The hours of operation of the lighting should be provided on the plan.
  - d. The proposed lighting appears to negatively impact adjacent Lot 12.
  
10. The following comments should be addressed with regards to the Construction Details:
  - a. The trench detail provided does not match the trench proposed on the grading and drainage plan.
  - b. The trash enclosure detail does not match the enclosure proposed on the layout plan. In addition, the detail should indicate a 6" reinforced concrete pad.
  - c. A detail for the storm captor unit should be provided.

11. The following comments should be addressed with regards to the Architectural Plans:
  - a. The plans show an additional entrance on the southwest corner of the building, while no sidewalk access is provided on the site plan.
  - b. Side and rear elevations should be provided.
12. Ocean County Planning Board approval should be provided.
13. The applicant shall submit to, and appear before, other Local, State and Federal agencies having jurisdiction over this project.
14. Prior to commencement of construction, the applicant shall post a performance guarantee and inspection fund in accordance with the provisions of the Township's Land Use Ordinance and the Municipal Land Use Law.

From: Ed Mack, Zoning Officer

I think that the use of the setbacks for the R-7.5 zone make this a less than desirable application. If we are going to use the logic that Cedarbridge is a commercial area than we should use commercial criteria. I think that different design standards which allow for buffers and a reasonable distance from the roads especially should be employed. I think the exceptionally long list of comments by the Zoning Board Engineer is indicative of the degree of non-conformity involved in this application.

Abe Penzer represented applicant. This is the least impacted use. There are commercial uses on this side of Cedarbridge Avenue.

Ray Carpenter, Planner/Engineer sworn.  
Board accepted credentials.

Mr. Carpenter described the area.

A-1 elevation.

Elliott Zaks had an emergency and had to leave the meeting.

Mr. Penzer asked for a continuation to the February meeting.

**Motion to carry as old business on February 4, 2008 – Mr. Gelley  
Second – Mr. Lankry**

**Roll call vote:** affirmative: Mr. Gelley, Mr. Lazzaro, Mr. Naftali,  
Mr. Lankry, Mr. Lieberman, Ms. Goralski

No further notice. Mr. Penzer agreed to waive time.

## **RESOLUTIONS**

### **APPEAL # 3630A – HARVARD COMMUNITY**

East Harvard Street, Block 208 & Block 225, various lots R-10 zone. Resolution to approve density variance and site plan in order to construct age restricted attached dwellings.

**Motion to approve – Mr. Lieberman**

**Second – Mr. Naftali**

**Roll call vote:** affirmative: Mr. Gelley, Mr. Lazzaro, Mr. Naftali, Mr. Lieberman,  
Ms. Goralski

### **APPEAL # 3649 – STANLEY RIEDER**

424 4th Street, Block 71 Lot 3, R-OP zone. Resolution to deny density variance for 8 multi-family units.

**Motion to approve –Mr. Naftali**

**Second –Mr. Gelley**

**Roll call vote:** affirmative: Mr. Gelley, Mr. Lazzaro, Mr. Naftali, Mr. Lankry,  
Mr. Lieberman, Ms. Goralski

## **MOTION TO PAY BILLS.**

All in favor

## **MOTION TO ADJOURN.**

All in favor.

Meeting adjourned at 10:00 p.m.

Respectfully submitted,  
Fran Siegel