



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 concept.

3. Bulk variance will be required in accordance with Section 902 E.4. as follows:

	<b>Required</b>	<b>Provided</b>
Minimum Side Yard Setback (Access.)	10 ft.	2 ft. (trash)

4. Additional variances will be required as follows:

- a. In accordance with Section 807 B., a minimum of 33 off-street parking spaces are required for this site, whereas 32 spaces are provided.
- b. In accordance with Section 803 E., a minimum 50 ft. wide buffer is required along the side and rear property lines, whereas no buffers are proposed.

5. The following comments should be addressed with regards to the Site Plan:

- a. The location of the proposed ground sign should be shown.
- b. The applicant may want to consider converting the rear parking lot to either all 90° parking or 60° angled parking.
- c. The striped parking areas should be curbed islands.
- d. Striping in accordance with applicable fire codes should be provided.
- e. The entrance and exit doors should be shown at the same locations as shown on the architectural plans. Sidewalks should be aligned accordingly.
- f. Handicap parking signs should be provided for the handicap parking spaces. The handicap spaces should be located closest to the building entrance.
- g. A 6 ft. vinyl fence should be provided along the side and rear property lines.
- h. A concrete driveway apron should be proposed at the entrance.
- i. A stop bar and stop sign should be provided at the driveway exit.
- j. The tree clearing limit should be shown on the plan.
- k. Concrete bollards should be shown around the light pole foundation in the rear parking lot.
- l. The applicant should discuss vehicular circulation within the site including turnarounds, trucks, deliveries, trash removal, etc.
- m. The existing right-of-way of East County Line Road is 54.75 feet. The applicant should confirm that the County does not want any additional dedications or easements along this section of County Line Road.
- n. Concrete curb and sidewalk should be proposed along the entire frontage of East County Line Road.

6. The following comments should be addressed with regards to the Grading and Utilities Plan and stormwater management:

- a. Berming should be provided in between the parking area and road.
- b. The applicant may want to consider regrading the parking areas to locate the inlets along the curb line.
- c. Some of the invert elevations do not correspond with the pipe lengths and slopes.
- d. Invert and rim elevations should be provided for the Bay Saver unit.
- e. Location of soil borings should be shown on the plan.
- f. Soil logs and permeability test information should be provided.

- g. It appears Inlet 5 collects both roof runoff and a portion of lawn runoff. Inlet 5 connects directly into the infiltration basin without addressing water quality. Only roof runoff can enter the basin without addressing water quality.
  - h. The detail provided for the infiltration basin is incorrect.
  - i. Additional details and documentation for the Bay Saver unit should be provided.
  - j. The flow lengths used to calculate the pre-development time of concentration do not match the lengths shown on the pre-development drainage area map.
7. The following comments should be addressed with regards to the Landscape Plan:
- a. Additional landscaping should be provided along the eastern property line.
  - b. Landscaping should be provided in the proposed striped areas of the rear parking lot, as well as around the trash enclosure.
  - c. There appear to be some discrepancies between the planting schedule and plan.
8. The following comments should be addressed with regards to the Lighting Plan:
- a. The proposed lights should be shielded from the adjacent residential properties.
9. The following comments should be addressed with regards to the Construction Details:
- a. A roof drain detail should be provided.
  - b. A ground sign detail (if applicable) should be provided.
  - c. A county curb and pavement detail should be provided.
  - d. An onsite curb and pavement detail should be provided.
10. Ocean County Planning Board approval must be indicated on the plans.
11. The applicant shall submit to, and appear before, other Local, State and Federal agencies having jurisdiction over this project.

From: Ed Mack, Zoning Officer

It is obvious that this is an area in transition as the commercial influence of County Line Road evolves. I don't think however that enough is being done to protect the existing residences.

Abraham Penzer represented applicant. This is a continuation from the September 10th meeting. There were objectors at the last meeting and he worked with the neighbors concerns.

Mr. Halberstam thanked Mr. Penzer for going to mediation with the neighbors.

Brian Flannery, sworn.

Mr. Flannery – In the R-10 zone there is no requirement for parking. Applicant will be user a large portion of the building. One parking space per 400 square feet would be appropriate for this site.

Mr. Penzer distributed a new site plan showing the parking.

Mr. Halberstam asked if this plan changes anything that would alter his reports.

Mr. Priolo – have not seen the plan if there were any changes in the parking. The standards required 1 parking space per 300 square feet and think that they would need a variance for the parking.

Mr. Flannery – they would request that variance. The parking is adequate for the use.

Mr. Halberstam - Is drainage and everything staying the same as before?

Mr. Flannery – yes.

Mr. Penzer – Changes proposed are that they took away all parking in the rear. There will now be a 30 foot buffer, with 10 to 12 foot high trees with a bond to be posted for 3 years that if any tree dies they have to be replaced. . There will be an electronic mechanical gate that you can only get in with a card. There will be an 8 foot fence on the back and the side of the property. There will be a speed bump in front. They also moved the building 4 feet over and there will be vegetation there also.

Mr. Priolo – the buffer requirement is 50 feet not 30 feet for rear and side.

Mr. Penzer – the user of the building knows that he will not be needing that much parking.

Mr. Zaks – For a 9,900 square foot building does 23 parking spaces work?

Mr. Priolo – standard is 1 per 300 square feet of 33 spaces.

Mr. Flannery – 23 spaces will be sufficient. Applicant will occupy the building and they know the amount of employees they have.

Mr. Mack – County Line Road now is a problem with parking.

Mr. Flannery – the applicant is the user and they know that the parking is sufficient.

Mr. Zaks – maybe you could use the shul next door for their parking during the day.

Mr. Penzer - No problem asking.

Mr. Halberstam – I'm sure that they will be more than happy to give it to you.

Mr. Gelley - They have no started studies during the day.

Ms. Goralski - Asked about the approval from Planning Board.

Mr. Harrison – in agreement with Mr. Penzer - the deed was never filed for the subdivision. The 2 lots will be put back together. That could be a condition of the approval.

Mr. Penzer - If we do get turned down than they will put a school there of 20,000 square feet. This is the least intensive use.

Mr. Naftali – do not like the idea of the synagogue getting involved - the main issue was with the neighbors. The parking lot will affect the applicant. If the neighbors are fine the application should just move forward.

Open to Public.

Shoshana Bergman, 34 Cabinfield Circle, affirmed. Met with the applicant. In favor of the application. The rear buffer was an issue. The offer was a 12 foot buffer. They were willing to remove the parking spaces. The applicant said that he didn't need the parking.

Mr. Penzer - The applicant is willing to take the risk if there is enough parking. The synagogue does support this application.

Closed to Public.

**Motion to approve subject to**

- 1) letter from shul,**
- 2) buffer,**
- 3) trees over 10 feet tall,**
- 4) mechanical gate,**
- 5) speed bumps**
- 6) consolidation of lots,**
- 7) Mr. Priolo's review of plan**

Mr. Zaks

Second – Ms. Goralski

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

Mr. Penzer - If the synagogue does not give a letter the approval is void.

**APPEAL # 3524A – BIG SHOP**

32 Spruce Street, Block 782 Lots 1-3, HD-7 zone. To construct a 21,493 square foot 3 story office building and retail building. Use variance approved. Site plan.

Mr. Halberstam recused himself from this application.

Secretary read reports.

From: Jim Priolo, Engineer/Planner - October 22, 2007

1. The subject property is located on the Southeast corner of River Avenue (Route 9) and Spruce Street and is within the HD-7 (Highway Development) Zone and R-10 (Single-Family Residential) Zone. The site contains an existing 2-story commercial building, 1-story dwelling, inground pool, shed, trailer and basketball court. The applicant is proposing to construct a 21,493 s.f. 3-story office and retail building with associated parking facilities and site amenities. All existing structures except for the existing commercial building will be removed.

2. The applicant previously received approval from the Zoning Board of Adjustment under Appeal No. 3524 (Adopted January 3, 2005) for special use (non-permitted use) for the proposed retail/office use. The applicant is back before the Board to seek Preliminary & Final Major Site Plan approval.

It should be noted that the original variance plan was for a 2-story addition. The applicant is now proposing a 3-story addition. The proposed use still remains the same.

3. The following bulk variances may be required in accordance with Section 902.F., Section 903.H. and Section 803.E. of the Ordinance:

	<b>Required HD-7 Zone</b>	<b>Existing</b>	<b>Proposed</b>
Front Yard Setback	150 ft. (State Hwy.)	141 ft. (Rt. 9)	141 ft. (Rt. 9)
Improvement Setback	100 ft. (State Hwy.)	9.8 ft. (Rt. 9)	9.8 ft. (Rt. 9)

4. Additional variances will be required as follows:
  - a. In accordance with Section 803.E., a minimum 50 ft. buffer is required along the eastern property line, whereas 40 ft. is 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. The following comments should be addressed with regards to the architectural plans:
  - a. A rear elevation of the proposed and existing building should be provided.
  - b. The right elevation does not include the existing and proposed building combined.
7. The following comments should be addressed with regards to the Site Plan:
  - a. In accordance with Section 809, a gate should be provided in front of the trash enclosure. The size and location of the enclosure shall be determined by the Department of Public Works.
  - b. 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 and entire site.
  - c. The locations and dimensions of the piers for the building overhangs should be shown on the plan.
  - d. A 24 ft. right-of-way dedication or road widening easement will be required along River Avenue (Route 9) to conform with the NJDOT's desired typical section of 114 ft. Any approval should include a condition that the applicant will forfeit the 21 parking spaces to accommodate any future highway expansion.
  - e. A stop bar and stop sign should be provided at the existing driveways on River Avenue and Spruce Street.
  - f. A 6 ft. high decorative fence should be provided along the eastern property line.
  - g. Loading Zones should be addressed and shown.
  - h. Fire lane striping and signage should be provided.
  - i. The applicant should discuss if the parking for the office will be designated to a certain location.
  - j. Curb and sidewalk shall be replaced or installed along all road frontage as directed by the Township Engineer. A note should be added to the plan.

- k. A concrete driveway apron should be proposed at the new driveway along Spruce Street.
  - l. The parking label for the eastern parking aisle should indicate 21 spaces.
  - m. The parking calculations should be revised to indicate that 178 spaces are provided.
  - n. All approval blocks should reference the Lakewood Township Zoning Board.
8. The following comments should be addressed with regards to the Grading, Drainage and Utility Plan and stormwater management:
- a. The finished floor elevation (FFE) of the existing building should be shown on the plan.
  - b. Additional spot elevations should be provided in the area of the handicap parking stalls to insure compliance with the ADA standards have been met.
  - c. Inlet CB-1 should be relocated to the curb line in the parking lot.
  - d. Water quality controls must be addressed prior to subsurface infiltration.
  - e. A minimum 2 ft. of separation must be provided between the season high water table and the bottom of the recharge trench, whereas 1.5 ft. is provided.
  - f. A stormwater management maintenance plan should be provided.
  - g. The applicant and/or owner should be responsible for the maintenance of the stormwater management system.
9. The following comments should be addressed with regards to the Landscape and Lighting Plan:
- a. House shields should be provided on the lights on the eastern property line.
  - b. The existing landscaping and lighting should be shown on the plan. If deficient, landscaping should be provided for the entire site.
  - c. Hours of operation of the proposed lighting should be provided on the plan.
  - d. Additional evergreen trees and screening should be provided along the eastern property line. The trees should be staggered.
10. The following comments should be addressed with regards to the Construction Details:
- a. A stop bar detail should be provided.
  - b. A reinforced concrete driveway apron detail should be provided.
  - c. The trash enclosure detail should be revised to indicate a 6" reinforced concrete pad.
11. Ocean County Planning Board approval should be provided.
12. The applicant shall submit to, and appear before, other Local, State and Federal agencies having jurisdiction over this project.
13. 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

This area alongside the highway has become less desirable for residential. The expansion of this retail/office type of use is predictable, especially considering its proximity to the hospital. Great care should be taken to buffer the remaining residential uses.



Abraham Penzer, attorney for applicant.

Mr. Penzer read letter from Mr. Weber, attorney for objector, Mr. Baehney. Letter dated November 5, 2007. Windows will be tinted on his side. Dumpster will be relocated behind the existing building. Moving of the proposed trees westerly. Weaving of a solid fence among the trees. Both fence and trees will be meandering. Around the trees they would use wood chips. Applicant agreed to all conditions. Also paid legal fees for Mr. Baehney.

Mr. Flannery – use variance approved for a retail office building. Reviewed Mr. Priolo's report.

A-1 rendering of Site plan  
A-2 architectural elevations  
A-3 additional architectural drawings.

Mr. Flannery - they are adding a second entrance on Spruce Street.

Mr. Priolo – the plans were submitted, rear and right elevations were given out tonight.

Mr. Gonzalez – the 3 story building was not what he approved.

Mr. Flannery - The use is the same. The application was bifurcated, all that was approved was the use. There are 178 parking spaces provided and 161 is required.

Mr. Zaks - If they widen route 9 will there still be enough parking?

Mr. Priolo – yes. Concerned that there are no loading zones proposed.

Mr. Flannery – will design a loading zone at the rear of the existing building.

Mr. Priolo – there is a 5 foot alley between the new building and the proposed building.

Mr. Flannery – there are 3 existing handicapped spaces and an additional 3 proposed.

Ms. Goralski - Is the existing building and the new building attached?

James Monteforte, 708 Route 35, Neptune, architect, sworn. Prepared plans.

Board accepted credentials

Mr. Monteforte – the building is connected on the 2nd floor. The corridor will be lit. The façade of the front building will be renovated.

Mr. Mack - The buffer is adequate for the residential property. Asked that the parking lot be restriped.

Mr. Penzer – agreed.



Mr. Flannery agreed to an additional 2 handicapped parking spaces.

Open to Public.

Aryeh Retter, 738 Cypress Avenue, affirmed. Nobody in his neighborhood was notified. It is a beautiful residential block. This will ruin the neighborhood. It is impossible to get through Spruce Street. Traffic will be treacherous. The building will be a nuisance.

Closed to Public.

Mr. Lieberman – in favor of the application.

Ms. Goralski – 2 story is a better fit – a 3 story will stand out.

**Motion to approve subject to a loading dock, handicap parking, conditions of neighbor, striping of parking lot – Mr. Zaks**

Second – Mr. Lieberman

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

**Recess.**

**APPEAL # 3630A – HARVARD COMMUNITY**

East Harvard Street, Block 208 & Block 225, various lots R-10 zone.  
Density variance in order to construct age restricted attached dwellings.

Mr. Halberstam returned to the dais.

Obed Gonzalez had a conflict and left the dais.

Secretary read reports.

From: Jim Priolo, Engineer/Planner - October 15, 2007

1. The subject property is approximately 2.34 acres in size and is located East End Avenue, East Harvard Street and East End Street and is within the R-10 & R-12 (Single-Family Residential) Zones. The proposed site is comprised of several properties split by Township right-of-way and contains approximately five existing dwellings. The applicant is proposing an age restricted development consisting of 34 multi-family residential units within five (5) buildings and associated parking facilities. All existing structures will be removed. The applicant is also proposing a minor subdivision on Block 208, Lots 141, 142, 181 and 151 for the purpose of providing additional parking.

It should be noted that only Lot 151, Block 208 is located within the R-12 Zone.

2. The applicant previously received approval from the Zoning Board of Adjustment under Appeal No. 3630 for special use (non-permitted use) for the proposed age-restricted development. The applicant is back before the Board to seek Preliminary & Final Major Site Plan and Minor Subdivision approval.

It should be noted that the original use variance approval did not include an approval for density.

The specific conditions of the use variance approval were as follows:

- a. Dwellings will be marketed to the general public as a fifty-five and over age-restricted adult community.
  - b. Applicant must return to the Board for site plan approval.  
Applicant must provide a community center within one of the buildings.
3. Special reasons variances are required for this project because the applicant is:
    - a. **Requesting an increase in the maximum permitted density.** Based on the requirements for age-restricted developments, the maximum permitted density is 10 units/acre, whereas 16.5 units/acre is proposed, and therefore a density variance is required.

The applicant must demonstrate that the requested 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 dwellings 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 allow an increase in the maximum permitted density. In order to achieve this, the applicant should explain why exceeding the maximum density is a better planning and zoning alternative than matching the required density for this type of development.

4. The following bulk variances are required in accordance with the age-restricted section of the ordinance (18-1011 Age-Restricted Multi-Family Housing) and/or the R-10 Zone requirements:

	Required Age Restricted Communities	Proposed New Lots 1.01 & 1.02
Minimum Tract Area	15 acres	2.06 acres
Maximum Density	10 units/acre	16.5 units/acre
Min. Perimeter Building Setback	100 ft.	7.1 ft.
Min. Parking Setback Area	35 ft.	3 ft.
Max. Principal Bldg. Length	150 ft.	161 ft.
Minimum Lot Depth	500 ft.	50 ft.
Minimum Lot Width	500 ft.	73.08 ft.
Minimum Lot Frontage	500 ft.	281 ft. (East End Ave.)
Max. Building Coverage	25%	38.8%
Max. Impervious Coverage	30%	76%

It should be noted that the lot coverage should include the decks. Also, the dedication to Ocean County on Lot 1, Block 225 should be factored into the lot coverages.

The lot area listed for Lot 1.02 is incorrect on the plan.

5. In accordance with Section 803 E., a minimum 30-foot wide buffer is required along the side and rear property lines of new Lot 1.01 and new Lot 1.02.
6. The following comments should be addressed with regards to the Site Plan:
  - a. A 5 ft. right-of-way dedication or easement should be provided along each side of East Harvard Street. The right-of-way is currently undersized at 40 feet wide.
  - b. The pavement widths on East Harvard Street and East End Street are only proposed to be 25-26 feet in width which does not allow for on street parking. The Board should consider requiring a wider pavement width of 36 feet to allow for on street parking on both sides of East End Street and East Harvard Street.
  - c. 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.
  - d. The trash enclosure should be located on a 6" reinforced concrete pad and be enclosed by a stockade or similar type of fence.
  - e. The dumpster location on the northern side of the site should be relocated as it interferes with parking in its current location.
  - f. A stop bar and stop sign should be provided at the intersection of East End Avenue and East Harvard Street.
  - g. A 6 ft. decorative vinyl fence should be provided along the proposed lot line of Block 208, Lot 15.01 and the common lot line of Block 225, Lot 2.
  - h. Handicap ramps should be provided at the handicap spaces. Additional elevations should be provided to ensure compliance with ADA standards.
  - i. A right turn only sign should be provided at the exit of the side parking lot.
  - j. The square footage of the right-of-way dedication on County Line Road should be shown on the plans.
  - k. Concrete driveway aprons with depressed curb should be proposed at the entrances on East End Avenue.
  - l. Handicap ramps should be provided at all street/driveway intersections and along East Harvard Street.
  - m. A full width pavement reconstruction and/or overlay should be proposed along East End Avenue in the area of the sewer main installation, and along East End Street and East Harvard Street.
  - n. East End Street should be labeled along with its right-of-way width on the plan.
  - o. The County Line Road East widening should be shown to match the curb alignment on adjacent Lot 2.
  - p. Sight triangle easements should be shown on all street corners.
  - q. Easements for the various utility companies should be shown on the plans.
7. The following comments should be addressed with regards to the Grading and Drainage Plan and stormwater management:
  - a. The header pipes for the two infiltration trenches should be labeled.
  - b. The soil boring locations with labels should be shown on the plan.

- c. Pre- and post-development drainage area maps should be provided.
  - d. The system of pipes for the infiltration basins should be shown on the plan.
  - e. Water quality must be addressed prior to subsurface infiltration.
  - f. Soil Log SP-12 indicates that a septic field is present on the site, but no system is shown on the plans. This discrepancy should be clarified.
  - g. All labeling for the drainage system should be shown on the plan.
  - h. Maintenance of the stormwater management system should be the responsibility of the Homeowner's Association.
8. The following comments should be addressed with regards to the Utility Plan and profiles:
- a. The water and sewer line crossings should be shown on the drainage profiles and the drainage crossings should be shown on the sewer and water profiles to ensure no conflicts are present.
  - b. The sanitary manhole MHS-1A should be shown on the plan. It appears to have been cutoff.
  - c. Sanitary sewer and water utility easements are required.
9. The following comments should be addressed with regards to the Landscape and Lighting Plan:
- a. Additional landscaping should be provided along the southern side of the parking lot on the residential side.
  - b. Landscaping should be provided along three sides of the trash enclosures.
  - c. Landscaping should be provided along the border of Block 225, Lot 1.
  - d. The landscaping proposed in the building courtyards (as shown on the architectural plans) should be shown on the plan.
  - e. There are some discrepancies between the plan and planting schedule. This should be revised.
10. The following comments should be addressed with regards to the Construction Details:
- a. A stop bar detail should be provided.
  - b. A concrete driveway apron detail should be provided.
  - c. A trash enclosure detail in accordance with Section 809 should be provided.
  - d. A detail for the keystone block retaining wall should be provided.
  - e. A concrete curb and pavement detail should be provided.
11. The following comments should be addressed with regards to the Minor Subdivision plan and map filing law:
- a. A point of beginning should be provided.
  - b. A note must be added to the plan indicating that the lot, block, and street addresses have been assigned by the Lakewood Township Tax Assessor's office.
  - c. Sight triangle easements should be shown on all street corners.
  - d. All easements and/or right-of-way dedications should be shown on the plan.
12. Ocean County Planning Board approval must 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

Although the amount of units has been decreased the size of the units has been increased so that the amount of impervious coverage is still very high as is the impact on the surrounding area.

Abraham Penzer, attorney for applicant

Mr. Harrison – because it is density it will need 5 affirmative votes.

Mr. Penzer disagreed.

Mr. Penzer – this application was approved for age restricted housing. This is an inherently beneficial use. They now have put in elevators and will cost in excess of \$600,000. They need this density to be able to pay for the costs. They have also provided a community center.

Mr. Flannery reviewed Mr. Priolo's report.

Mr. Flannery – number of units were reduced from 36 to 34 in 5 buildings. Bedroom count reduced from 56 to 51. There is now a clubhouse or community building. They have shown the elevators. Additional landscaping has been added. They have provided all parking off-site. This is an inherently beneficial use. There is an overwhelming demand for this type of housing. To grant this application makes sense from a planning prospective. Will propose dense landscaping in the area of the adjacent single family dwelling. The demand has been phenomenal. Will agree to an easement along Harvard Street. Will satisfy Mr. Priolo. There are no negatives and the positives are providing this inherently beneficial use.

Mr. Halberstam asked Mr. Priolo if the drainage system can work with 76% lot coverage?

Mr. Flannery – the drainage will work.

Mr. Priolo – would recommend parking on both sides of East End Street. East Harvard Street could have no parking. Would like to see a truck circulation plan.

Mr. Flannery -There is a dumpster on each side of East Harvard Street. The density of what is permitted is much more than the amount proposed for the age restricted.

Mr. Penzer –Economically they cannot make it work by cutting units because they are bringing an elevator into the project, bringing water and sewer in the area and this is inherently beneficial. The extra units are because financially they would not be able to build the project. Without variances they could build 8 duplex units with basements.

Mr. Priolo – 8 units + a basement is 16.

Mr. Penzer said that it would be 32 units.

Mr. Zaks – you are allowed 20 units requesting 34 units on what basis?

Mr. Flannery – inherently beneficial – in order to accomplish the inherently beneficial use they need 34 units. They need this many units.

Mr. Penzer – there is no egress to these basements.

Mr. Zaks – concerned about density.

Mr. Flannery – there may be more units but less bedrooms than what would be allowed.

Mr. Halberstam – we do not know if the 8 duplex units would even fit – they are not sketched out.

Ms. Goralski – This is an R-10 zone. Basically for financial reasons you are putting this dense a project on this property. Not in favor.

Open to Public.

Chaim Green, 1379 45th Street, Brooklyn, affirmed. This is a good plan for seniors. His son lives here and he could see the children.

P.G. Waxman, Steven Lane, affirmed. In favor of plan.

Nathan Lowinger, 947 Park Terrace, affirmed. The applicants are trying very hard to work with the neighbors to try and alleviate some of the problems. Not against the project. They are working to get a light on East End and County Line Road. They have agreed with the applicant that the parking lot will not be used as a public parking lot – will be only for the development.

Colov Gestetner, 1166 Buckwald Court, affirmed. Owner of Kosher Village supermarket. In favor of this application.

Avi Pollack, Park Terrace, affirmed. In favor of application.

Abraham Flam, applicant, affirmed. There are many undesirables hanging out in the area. The streets are in desperate need of repair. Want this to be something special, unique and beautify the neighborhood. The use was voted in. There will be plenty of parking. There are no driveways throughout the project.

Closed to Public.

Mr. Naftali – too dense – add some recreation

Mr. Monteforte - There are 3 elevators – building 1 & 2 are served with an elevator –

building 4 & 3 and the clubhouse is served with an elevator and building 5 & 6 is served with elevator.

Mr. Lazzaro - This is a good project – we need to try and make it work.

Mr. Priolo - Concerned about the density.

Mr. Mack – the concept is good – density is an issue.

Mr. Lazzaro – can an ambulance get in there?

Mr. Zaks – what is missing is space – by removing units maybe they could have a park.

Mr. Halberstam – could we continue the meeting?

Mr. Penzer – offered to take out 4 units and make a park.

Mr. Halberstam – there are other ways to take out units so it doesn't look so dense. The look is too dense.

Mr. Flannery – that would open it up in the middle – the applicant agreed.

Mr. Lieberman – Have no problem with the 34 and certainly 30.

Mr. Gelley – less dense

Ms. Goralski – less dense

**Motion to continue on December 3, 2007 – Mr. Lieberman**

Second – Mr. Lazzaro

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

No further notice and a waiver a time.

**RESOLUTIONS**

**APPEAL # 3609A – SOMERSET DEVELOPMENT**

Vine & Pine Street, Block 778.02, Lot 21, Block 779 Lot 1, 2, Block 780 Lot 1 and Block 781 Lot 1, A-1 & R-12 zone. Resolution to approve site plan and subdivision.

**Motion to approve – Mr. Naftali**

Second – Mr. Gelley

**Roll call vote:** affirmative: Mr. Gelley, Mr. Lazzaro, Mr. Naftali, Mr. Zaks



**APPEAL # 3655 - DAVID ROSENBAUM**

Block 61 Lot 2, 425 12th Street, R-12 zone. Resolution to approve the construction of a single family home on an undersized lot.

**Motion to approve – Mr. Gelley**

Second – Mr. Zaks

**Roll call vote:** affirmative: Mr. Gelley, Mr. Lazzaro, Mr. Naftali, Mr. Zaks

**CORRESPONDENCE FROM MR. MACK**

Mr. Mack - Beth Medrash, 9th Street & Madison Avenue, needs a roof desperately – the roof will probably run in the high 5 figures could even go to the 6 figures. They want to construct a 4th floor. They do need to go to a board. They cannot wait to do the roof. He said that it was okay to put on the 4th floor as an attic area but will not be utilized until they go before a board. It will be strictly designed as an attic area. Just wanted to explain it to both boards. This does not give them an automatic approval. Planning Board will get the exact same letter.

**Motion to approve – Mr. Lieberman**

Second – Mr. Lazzaro

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

**MOTION TO PAY BILLS.**

All in favor.

**MOTION TO ADJOURN.**

All in favor.

Meeting adjourned at 11:50 P.M.

Respectfully submitted,  
Fran Siegel, Secretary