

## **1. FLAG SALUTE & CERTIFICATION OF COMPLIANCE**

Vice Chairman Eli Rennert called the meeting to order at 6:00 p.m. with the Pledge of Allegiance and Ally Morris 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 at least 48 hours in advance. The public has the right to attend this meeting, and reasonable comprehensive minutes of this meeting will be available for public inspection. This meeting meets the criteria of the Open Public Meetings Act.”

## **2. ROLL CALL**

Mr. Garfield, Mr. Franklin, Mr. Flancbaum, Mr. Rennert, Ms. Zografos

## **3. SWEARING IN OF PROFESSIONALS**

Mr. Terrance Vogt, P.E., P.P., C.M.E. was sworn.

## **4. MEMORIALIZATION OF RESOLUTIONS**

- 1. SD 2277 SES Cross LLC**  
688 & 672 Cross Street Block 524, Lots 2.01 & 2.02  
Extension of Minor Subdivision to adjust lot line

A motion was made and seconded to approve the resolution.

- 2. SP 2288 Congregation Machzikei Hadath**  
347 Ocean Avenue Block 246, Lot 38  
Preliminary and Final Major Site Plan for a synagogue

A motion was made and seconded to approve the resolution.

- 3. SP 2302AA Meir Shimon Kalmanowitz**  
1464 E Spruce Street Block 855.02, Lot 18  
Change of Use/Site Plan Exemption to convert a house to a school

Mr. Brian Flannery, P.E., P.P. said a plan was provided for the board showing the bus pull off.

Mr. Franklin commented that there should be sidewalk there.

Mr. Flannery agreed to add sidewalk.

A motion was made and seconded to approve the resolution.

## 5. PUBLIC HEARING

1. **SD 2318 Congregation Maalos Hatorah**  
1544 & 1552 Salem Street and Gates Ave Block 1159, Lots 31, 32, & 46-48  
Minor Subdivision to create five lots

*A review letter prepared by Remington & Vernick Engineers dated May 29, 2018 was entered as an exhibit.*

Mr. Rennert stepped down for this application.

Mr. Vogt said a variance is required for minimum lot width. Design waivers are requested from improving the right-of-ways of Gates Avenue and Clinton Avenue.

Mrs. Miriam Weinstein, Esq. said they are before the board for a minor subdivision to create five lots from an existing five lots so basically they can look at it as a lot realignment. Currently there are three very deep lots fronting on Salem Street and two lots behind that which now have frontage on the newly created Gates Avenue and Clinton Avenue. Those roads will be created as part of a recently approved subdivision at the Zoning Board, hence the request not to improve those streets now. The result of this application would be four lots fronting on Salem Street and the rear of the property would be consolidated into one new lot which have frontage on Gates and Clifton Avenues. The applicant will return to the Zoning Board to further develop this tract in accordance with their earlier approval in that area. She asked that this approval be granted beyond the typical 190 days as they will need to obtain permits from the NJDEP.

Mr. Jackson said that is a bit unusual.

Mr. Flancbaum thinks they should just come back for a time extension as typically done, otherwise everyone is going to be asking for the same.

Mr. Graham MacFarlane, P.E., P.P. was sworn. An aerial of the property taken in October of 2017 was marked as exhibit A-1, the minor subdivision submitted was marked as exhibit A-2. As indicated earlier, Gates and Clinton Avenue will be improved as part of a separate Zoning board application which is why they are seeking design waivers from improving those roads. Variances are being requested for minimum lot width for new lots 46.01 through 46.04 as 100 ft is required and 75 ft is proposed. This application would allow them to upgrade septic systems in the vicinity. There are some environmental constraints associated with this property as there is a stream corridor with a riparian buffer of 50 ft, a wetlands buffer and a flood hazard area. They have obtained approval from the NJDEP for a letter of interpretation for the wetlands, confirmation of the riparian buffer with 50 ft and a flood hazard area verification which confirms the line as shown on the plan. The portion of the site they would be restricted from developing is consistent with what is shown on the plans. The applicant would be required to obtain permits from the NJDEP for flood hazard area as there may be some disturbance. He referenced sections of the Master Plan and MLUL to support the variances requested. There are at least 150 lots within the Salem, New Hampshire and Pine area which are less than 100 ft wide required by ordinance. The lots proposed are consistent with the development pattern in the area and would maintain the minimum lot size which he believes is consistent with the goals of the Master Plan. He agrees to comply with any comments in the engineer's report. Exhibit A-3 is the plan submitted to the Zoning Board.

Mr. Grunberger asked how wide the lots are adjacent to this property on Salem.

Mr. MacFarlane said they are 100 ft wide.

Mr. Grunberger asked if there are any lots on Salem which are 75 ft wide.

Mr. MacFarlane doesn't believe so but there are many lots within the vicinity below the 100 ft requirement. The minimum lot areas all comply and they are not changing the density therefore the intensity of the development would remain in character with the rest of the neighborhood.

Mr. Franklin opened to the public, seeing no one come forward, he closed to the public.

A motion was made and seconded to approve the application.

Affirmative: Mr. Flancbaum, Mr. Grunberger, Ms. Zografos

No: Mr. Garfield, Mr. Franklin

**2. SD 2070B Adil Homes, LLC**

East County Line Block 190, Lots 73.25-73.26, 73.29-73.36, & 73.40

Amended Preliminary and Final Major Subdivision to adjust approved lots

*A review letter prepared by Remington & Vernick Engineers dated June 20, 2018 was entered as an exhibit.*

Mr. Flancbaum stepped down for this application.

Mr. Vogt said waivers have been requested from submission to the Ocean County Planning Board and the preparation of an amended final plat. Since the original project has been approved by the County and a final plat filed, we support these requests for completeness purposes only. If approved, an amended final plat will need to be prepared and an amended approval sought from the County. A submission waiver has been requested from providing architectural drawings. We recommend this submission waiver be granted since the proposed dwellings have already been shown on the amended construction plans. Variances are required for minimum front yard setback and combined side yard setback.

Mr. Rennert asked if they are new variances.

Mr. Adam Pfeffer, Esq. said after receiving comments from the NJDEP, they had to modify the application and they are actually reducing it by one lot. Some of these variances have previously been approved and they are just shifting some lines around and removing a lot.

Mr. Brian Flannery, P.E., P.P. was sworn. Exhibit A-1 is the 2016 subdivision plan, exhibit A-2 is the revised plan showing one less lot. A minimum front yard setback of 23.81 ft is proposed whereas 30 ft is required for the corner lot and the front setback is the side of the house. It is his testimony that the variance relief is reduced from what was originally approved as the number of lots is reduced. He referenced sections of the Master Plan and MLUL to support the variances requested. Any other comments in the engineer's report would be satisfied.

Mr. Rennert opened to the public.

Ms. Laurie Leeds was sworn. She said the applicant has to go through her property which is contaminated in order to provide water and sewer to this property. *(Very difficult to hear as she did not speak directly into the microphone.)* There was a case which was dismissed without prejudice and now the applicant is coming in

submitting the same application which the case was originally dismissed for. She spoke to the applicant's engineer and he said there are seven other connections for this pipe which wouldn't go through her property. The applicant cannot do anything on her property without her written permission per the NJDEP.

Mr. Flannery said the applicant cannot get a permit or go through her property without her permission. This is an outside agency approval which is for a water line. The MUA has said they want this applicant to loop the water line as an improvement for their system and she had an engineer come up with different layouts on how that can be accomplished so this applicant can do that without going through her property. If Ms. Leeds wants some sort of assurance tonight that the water main is not going to go through her property without getting permission to do so, he can certainly represent that because it is the law. This application is for one less unit and they will talk to the MUA who requested the interconnection which is not really needed as the water is already there and they are connected but it is a benefit the applicant is trying to provide. The applicant originally was going to go through Ms. Leeds property but as indicated, it was contentious and they withdrew that.

Ms. Leeds would like the plans to be revised to not show the pipe going through her property.

Mr. Flannery said they do not have another design to put on the plans as they haven't met with the MUA as far as going with another design but since it is an outside agency approval it is not needed as part of this application.

Ms. Leeds reiterated that the plans should not be approved showing that pipe going through her property.

Mr. \_\_\_\_\_ was sworn. He asked if there was some sort of retail proposed. *(Very difficult to hear)*

Mr. Flannery said they went to the Zoning Board for a use variance but he doesn't remember if it was denied or withdrawn but it is only a large lot in a residential lot at this point.

Mr. \_\_\_\_\_ asked about open space and basement apartments.

Mr. Flannery said the open area he is referring to is with respect to the initial application and it's the passive recreation area on the back of the properties which is woods and the Township owns it so it is open to anyone.

Mr. Rennert asked if they comply with the ordinance as far as open space requirements.

Mr. Flannery confirmed they comply with respect to open space and density. They wouldn't have received approval if they didn't comply. He agreed to document that during resolution compliance.

Mr. \_\_\_\_\_ asked about multiple basement apartments.

Mr. Rennert said this board gives approval for the lots and the building department would inspect the buildings to ensure there is not more than one basement apartment.

Mr. Vogt said if the board acts favorably a condition of approval should be that during compliance submission the plans would not show the water main or anything going through Ms. Leeds's property.

Ms. Morris suggested something could be added to the resolution.

Mr. Flannery said they would agree to the condition that they would remove the pipe from the plans and they will then deal with outside agencies. Once they come up with a solution, they will come back because it is not something this board approves anyway.

Mr. Rennert said the plans submitted for resolution compliance would not show the pipe going through her property.

Mr. Flannery confirmed.

Mr. Rennert closed to the public.

A motion was made and seconded to approve the application as well as the submission waivers.  
All were in favor.

- 3. SP 2294AA Minyan Ashenaz of Chestnut**  
1150 Mackenzie Court Block 1051, Lot 50.05  
Change of Use/Site Plan Exemption to convert a house to a synagogue

*A review letter prepared by Remington & Vernick Engineers dated June 14, 2018 was entered as an exhibit.*

Mr. Vogt said submission waivers are requested including plan design by engineer, method of water/sewer service, method of refuse removal, landscape, lighting, topography and proposed grading. A design waiver is required from providing lighting and landscaping.

Mr. Grunberger arrived.

Mr. Flancbaum said when it comes to change of uses in residential neighborhoods, he would rather hear the application first before granting the waivers.

Mr. Vogt said there is an existing nonconformance for minimum combined side yard setback, perimeter buffer relief is necessary, parking is located within 20 ft of the buffer adjacent to residential lots.

Mr. Rennert asked if the buffer relief required is existing as well.

Mr. Vogt said the parking would be for a different use so the board needs to decide whether to grant that relief for the proposed use within the buffer.

Mr. Brian Flannery, P.E., P.P. was sworn. As indicated, this is an application to change the use from an existing residence to a shul. The shul will have a sanctuary of 700 sf which requires no parking per ordinance but 2 parking spaces will be provided. The combined side yard setback of 24.8 ft whereas 25 ft is required is an existing situation and in his opinion is de minimis. The buffer relief requested for both the shul and parking is to an existing house and to an existing driveway and parking isn't even required. Technically, they could remove those spaces and then that relief wouldn't be needed but that certainly doesn't make any sense.

Mr. Rennert asked him to discuss the waivers requested.

Mr. Flannery said the submission waivers are for plan requirements that are typically relating to building something. They are not building anything new so as far as the method of refuse, it would be the same as if it were a residence and they would roll the can out to the street. The landscaping and lighting would also remain the same but if someone feels more is needed then they would add it. This is going to be a neighborhood shul and they are trying to keep it as non intrusive as possible and his recommendation would be to leave it as is. Topography and proposed grading is normally something the engineer would want to see to make sure it is going to grade properly and to know what is going to be built but this is already built. His testimony would be if they were building something new, the waivers would be something the board should not grant unless there was an exceptional reason but in this particular case there would be no reason to require something to show what is going to be built when it's already existing.

Mr. Rennert asked if there is any existing lighting.

Mr. Flannery guesses there is a spotlight on the house the same as mostly every other house. There are no plans to light it up any more and there is no requirement for parking so they wouldn't have a parking lot which they would need lighting for. He referenced sections of the Master Plan and MLUL to support the variances requested.

Mr. Rennert questioned the use of the garage.

Mr. Flannery said it would be used for storage.

Mr. Flanbaum asked how many congregants pray at this shul.

Mr. Pfeffer said approximately 30.

Mr. Flanbaum asked if it used during the week.

Mr. Pfeffer said Shabbos and holidays only right now but they may use it during the week.

Mr. Flanbaum said the applicant is not saying this is only going to be used on Shabbos and holidays.

Mr. Pfeffer said that is correct, currently it is only being used on Shabbos and on holidays but it would be used during the week as well.

Mr. Jackson asked if there is a basement.

Mr. Pfeffer said no.

Mr. Rennert opened to the public.

Mr. Stewart, 1145 Tiffany Lane, was sworn. He asked when the Planning Board became a substitute for the Board of Adjustment in granting use variances.

Mr. Rennert said it is a permitted use in this zone.

Mr. Stewart said this board approved a shul on the corner of Tiffany and Chestnut which lacks parking and it is a disaster. He questioned how the board is going to approve another shul with no parking. Unless it is a Shabbos shul,

the congregants are going to drive and there is not enough parking. He questioned if there was a request for an 18 ft high chain link fence.

Mr. Jackson said there is not a request for an 18 ft high fence.

Mr. Flancbaum said it isn't shown on the plan.

Mr. Stewart asked if the pool was approved.

Ms. Morris said permits may or may have not been issued by the zoning officer in the building department for the existing residential house such as a pool or a fence. Once the use is changed, then it would be subject to site plan requirements.

Mr. Jackson asked if there is a pool on the property.

Mr. Flannery said yes. He assumes a permit was approved by the building department.

Mr. Jackson asked why it is not shown on the plan.

Mr. Flannery said the intent of the application was to change the house to a shul so whatever is in the backyard doesn't impact that.

Mr. Rennert said there is definite impact as you're going to have kids running around. There should be some sort of fencing.

Mr. Flannery said the neighbor testified there is an 18 ft high chain link fence which he assumes was done with a permit issued by the building department.

Mr. Stewart said it should be noted on the plan.

Mr. Pfeffer said the plans were drawn up before the pool was installed.

Mr. Jackson asked if the board is comfortable going forward with this application or if they want to see an amended application with a current survey.

Mr. Rennert suggested that when the board receives an older survey they should also get an affidavit indicating there has been no significant changes.

Mr. Pfeffer has no objection carrying this application in order to get a current survey done.

Mr. Jackson asked if a pool is a normal accessory for a shul.

Mr. Flannery said the owner of this property also owns the lot in the back so this pool was put in on a residential property for residential use. The fence opens up to the property behind so the shul will not be using the pool, the owner of the property will be using it.

Mr. Jackson said that creates effectively a subdivision.

Mr. Flannery believes it does not because the properties are owned by the same entity.

Mr. Jackson argued that is hard to navigate now that there will be a shul use that has kind of merged over into the use of the residential lot and they are sharing facilities. This is not actually just a change of use for a shul but also they are seeking to have a pool for the use and benefit of an adjoining lot which may be a 'D' variance.

Mr. Vogt said the other question is the fence.

Mr. Pfeffer said they would survey the property, get these answers and come back to the board.

A motion was made and seconded to carry the application to the September 4, 2018 meeting.  
All were in favor.

**4. SP 2018AA Bnos Bracha Inc**

1655 Corporate Road Block 1160.05, Lot 49

Amended Change of Use/Site Plan Exemption to add a pool to a previously approved school

Mr. Rennert stepped down for this application.

Mr. Isaacson arrived.

Mr. Vogt said the applicant has received approval from the building department for an inground pool. The inground pool is shown slightly more than 10 ft from the rear property line. The pool is also within the perimeter buffer which needs relief as it is to a residential property.

Mrs. Miriam Weinstein, Esq. said the applicant applied for a building permit last year to install a pool for the existing girl's school. The Township issued the permit and when they came in to get their final CO, they were told they must go in front of the board for approval.

Mr. Brian Flannery, P.E., P.P. was sworn. Exhibit A-1 is a tax map showing where the property is located within the Industrial Park, exhibit A-2 is the change of use plan proposed. There were two recreation areas and the northern recreation area is where the pool is located. The pool is within the landscape buffer but the recreation area that was approved was also within that buffer and the pool is recreation so it is consistent with the approval granted.

Mr. Isaacson asked if the privacy fence will go around the entire pool as it is only shown on the property line.

Mr. Flannery believes so and if not but if not they would agree to provide it.

Mr. Isaacson asked what is to the north.

Mr. Flannery said apartments.

Mr. Franklin opened to the public, seeing no one come forward, he closed to the public.

A motion was made and seconded to approve the application.  
All were in favor.

**5. SP 2062 Yeshiva Ruach Hatorah, Inc.**  
1252 Ridge Avenue Block 189.03, Lot 35  
Extension of a Preliminary and Final Major Site Plan for a school campus

Ms. Miriam Weinstein, Esq. said they are before the board to seek an extension for the approval for this planned education campus. The ordinance change which changed the definition of a planned educational campus actually went into effect prior to the date this was passed. There was an extension granted for this last year which extended the approval through June 30, 2018. The applicant still isn't in a position to commence construction, one of the main reason being because this is such a unique concept that really only exists in Lakewood, they have had some difficulty with financing. The most recent changes to the ordinance which have been changed since the date the board granted the last extension does not affect the application in the sense that it would necessitate any new variance relief. The only change that would have affected the application from a variance standpoint was to change the actual definition but that was passed long before this board granted the extension last year. A one year extension is being requested.

Ms. Morris said this would be the final extension as two have already been granted.

Ms. Weinstein is certain there has only been one extension. The permit extension act extended the approval through June of 2017.

Ms. Morris said there was an extension in July 2016 and then there was another in July 2017.

Ms. Weinstein doesn't believe they needed the first extension as the permit extension act was in place. They are very close so one year should be all they need anyway.

A motion was made and seconded to approve a one year extension.  
All were in favor.

**6. SD 2335 1303 River Holdings, LLC**  
Blue River Way, 1303 River Ave Block 1077, Lots 39.01, 39.41, & 39.42  
Preliminary and Final Major Subdivision to create eight lots

*A review letter prepared by Remington & Vernick Engineers dated July 18, 2018 was entered as an exhibit.*

Mr. Vogt said submission waivers are requested for topography, contours and man-made features within 200 ft, an environmental impact statement and architectural drawings. The waivers for the B-site features are supported as long as enough information has been provided for design, the waiver from providing an EIS can be supported since the land has previously been disturbed and as long as the site contains no environmental constraints. Architectural drawings must be developed such that the required setbacks will not be violated. Variances are required including minimum lot area, minimum front yard setback, a sign setback for the existing diner sign and to permit off-street parking within 65 ft from the centerline of Route 9. Design waivers are required from proposing curb, sidewalk and street trees along Route 9, from providing adequate buffers on proposed lot 39.57 and for proposed side lines which are not perpendicular or radial to the right-of-way.

Mr. Glenn Lines, P.E., P.P. was sworn. They are proposing to subdivide a portion of the rear property to create three duplex lots and they will use a portion of one of those lots to be part of the Blue River Way development which this board approved, one of the open space lots would be used (*inaudible*). They do need to come back before the

board to amend the original approval for Blue River Way in order to move the tot lot to the rear of the development. Currently the lot is located on 39.42 which is indicated as an open space lot and they will come in to amend that to move it to existing lot 39.29 which is at the end of the cul-de-sac.

Ms. Morris questioned whether this application can be approved as the other application hasn't even been submitted yet.

Mr. Lines said they did submit the application.

Ms. Morris doesn't have any record of it being submitted.

Mr. Vogt said if the board acts favorably on this application, no plan shall be filed until that is resolved.

Mr. Pfeffer agrees.

Ms. Morris questioned what would happen if the board doesn't approve the amended Blue River application.

Mr. Pfeffer said they wouldn't be able to file the map for this application.

Mr. Lines said a minimum lot area variance is requested for lot 39.57 as .98 acres is proposed and 1 acre is required. They will be redeveloping that site with a commercial retail building but variances are required for the existing Copper Kettle Diner including a minimum front yard setback of 23 ft from the right-of-way line whereas 75 ft is required, a sign setback variance is required for the existing sign as it encroaches in into the right-of-way, and off-street parking within 65 ft from Route 9. As soon as they tear the building down, they will remove the parking and take the sign down so those variances would go away and any variances needed would be part of a new site plan which they would come before this board to request. Sidewalks, shade tree/utility easements would be provided. A waiver is requested from providing architectural plans as these will be custom homes. Every lot will have 4 parking spaces, most likely with basement apartments.

Mr. Vogt asked if design waivers are being provided for curb, sidewalk and street trees along Route 9 as well as from providing adequate buffers on proposed lot 39.57.

Mr. Lines confirmed they are requesting those waivers. Those items would be provided when they come back with a new site plan for the retail building.

Mr. Grunberger asked why the tot lot is being moved.

Mr. Lines said by moving it, the tot lot will be about 60% larger.

Ms. Morris said also if it were to stay where it is, it would block access to the roadway where the new lots are being proposed.

Mr. Franklin opened to the public, seeing no one come forward, he closed to the public.

A motion was made and seconded to approve the application.  
All were in favor.

**7. SP 2286 Excel Corporate Park IIA, LLC**  
575 Prospect Street Block 409, Lot 1  
Preliminary and Final Major Site Plan for an additional warehouse building

*A review letter prepared by Remington & Vernick Engineers dated July 19, 2018 was entered as an exhibit.*

Mr. Vogt said submission waivers are requested for topography, contours and man-made features within 200 ft, flood plains, wetlands and wetland buffers, natural and artificial water courses, streams, shore lines, water boundaries and encroachment lines, an environmental impact statement and a tree protection management plan. The latest partial survey does reflect the filling of the depression on the west side of the project. It is recommended that all topographic deficiencies noted in their previous review be addressed with a revised submission for resolution compliance should approval be granted. The waiver from providing an EIS can be supported since the site is currently developed. Their investigation noted existing trees on the site and a tree protection management plan should be required if approval is granted. Variances are required for minimum front yard setback, testimony shall be provide for the existing building fronting on Railroad Street as it may be nonconforming with respect to front yard setback, a variance is also required for the number of off-street parking spaces. Unless Railroad Street is either vacated or improved, a design waiver is required. Design waivers are requested from providing sidewalks along the road frontages and from providing street trees along the Prospect Street frontage. Given the industrial nature of the site, the revised submission requests a design waiver from screening the HVAC equipment and from proposing landscaping within the interior of the site.

Mr. Joseph Laka, P.E. was sworn. He said there are two existing buildings on the site. The new building is proposed to be 27,772 sf prefabricated industrial building/warehouse. There will be 27,597 sf of warehouse space and 3,651 sf of mezzanine for office space. A minimum front yard setback variance is required for the existing nonconformance to continue. One of the existing buildings is setback 49.5 ft from Summer Avenue, whereas a front yard setback of 100 ft is required. However, the minimum from yard setback may be reduced from 100 ft to 50 ft with approval from the Lakewood Industrial Commission. The other existing building fronting Railroad Street is setback 85.5 ft, however, the front yard setback may be reduced from 100 ft to 50 ft with approval from the Lakewood Industrial Commission. The revised plans estimate a total of 330 employees on the maximum work shift for the project after construction of the proposed warehouse/office which per ordinance requires 350 parking spaces. Once the site is built out, there will be 420 parking spaces which exceeds ordinance requirements. *(Very difficult to hear testimony)*

There was discussion as to the current and proposed uses of the site and whether they are permitted *(inaudible)*.

Mr. Franklin opened to the public, seeing no one come forward, he closed to the public.

A motion was made and seconded to approve the application.

Affirmative: Mr. Garfield, Mr. Franklin, Mr. Flancbaum, Mr. Isaacson, Ms. Zografos

No: Mr. Grunberger

**8. SP 2080 Erez Holdings LLC**

Pine Street & 100 Boulevard of Americas Block 961.01, Lots 2.03 & 2.06  
Amended Preliminary and Final Major Site Plan for an office building

Ms. Morris explained that the applicant is back before the board in order to remove the requirement from providing a pathway in order to get their bond released.

Mr. John Doyle, Esq. said the applicant is unable to get the bond released without providing that pathway. In 2002, the general development campus plan was approved which was a 20 year plan but it was not a specific site plan like what the board usually sees, it was a broad idea. Certain items which were specific were the streets. There was testimony at the original meeting that there would be a path along the Boulevard of Americas and Pine Street in and next to the right-of-way. Mr. Banas described it as a path adjacent to the roads and that the path would be determined later and didn't know at the time where the buildings would be placed so it would be dependent upon that. On the map, a small stormwater basin was shown and the alignment and construction of the path in that area shall be determined at the time of the final design of the stormwater basins. So they are trying to reconcile what happened 16 years ago with how the park has been subsequently developed. In this area, this applicant received approval for a subdivision which took part of the corporate park and divided it into four lots. One of those lots would house the building which is now on the Boulevard of the Americas, one was the old site of the basin which now is to be a hotel and the basin was moved to an adjacent lot. Now, instead of having the meandering path as it was described 16 years on public property or next to the roadway it would run along from Pine very close to the basin, curve around where the hotel would be built, behind the parking lot and meander next to the MUA's facility and back out to the Boulevard of the Americas. At this point, it makes little sense as now it would be on private property.

Mr. Jack Mueller was sworn. He confirmed Mr. Doyle's testimony as to the general nature of the development plan. He is concerned that the path will be on private property and would be a safety hazard as it is close to the road.

Mr. Flancbaum said it is an asphalt path.

Mr. Doyle said that is correct and it was actually referenced as a bicycle path which would encourage people to go on private property.

Ms. \_\_\_\_\_ was sworn. She works in the building and is concerned about people going on to private property (*inaudible*).

Mr. Franklin opened to the public, seeing no one come forward, he closed to the public.

A motion was made and seconded to approve the removal of the meandering path.  
All were in favor.

- 9. SP 2293 Kneseth Bais Yaakov of Lakewood**  
James Street Block 338, Lot 1  
Preliminary and Final Major Site Plan for a synagogue

Mrs. Morris said the public notice listed the incorrect lot number so the applicant will need to renotice. The application will be carried to the August 21, 2018 meeting.

- 10. SP 2297 Congregation Tiferes Shulem**  
Joe Parker Road Block 189.04, Lot 188.01  
Preliminary and Final Major Site Plan for an addition to a school

*A review letter prepared by Remington & Vernick Engineers dated August 1, 2018 was entered as an exhibit.*

Mr. Vogt said submission waivers are requested from providing a traffic study, proof of submission to the Ocean County Planning Board, topography, contours and man-made features within 200 ft, shade trees, an environmental impact statement, a tree protection management plan, a landscaping plan, a soil erosion/sediment control plan and a shade tree easement.

Rabbi Berel Leifer was sworn.

Mr. Abe Penzer, Esq. asked him about trash/recycling pick up.

The Rabbi said there are currently no issues.

Mr. Penzer asked how many additional and total students are proposed.

Rabbi Leifer said 100 more.

Mr. Penzer asked if any parents will drive and park at the school or will any students be dropped off or picked up by car.

Rabbi Leifer said no.

Mr. Penzer asked what the proposed drop off and pick up times will be.

Rabbi Leifer said drop off is 8:55 and 9:15 am and pick up is 3:15 and 3:55.

Mr. Penzer asked how many buses are proposed.

Rabbi Leifer said 1 or 2 more for each shift.

Mr. Penzer asked how many total employees there will be.

Rabbi Leifer said there are 44 employees now and he estimates there will be 5 more in the am and 5 more in the pm.

Mr. Glenn Lines, P.E., P.P. was sworn. He said the applicant is seeking approval to construct a second floor addition to an existing school site. He went through the submission waivers requested as listed in the engineer's review letter. The applicant can agree to everything in the engineer's report. The existing accessory building is located 5.2 ft from the side property line whereas 10 ft is required. Relief is required from providing a 20 ft wide buffer to an adjacent residential use, relief is required from proposing off-street parking facilities within the required 20 ft wide buffer adjacent to a residential use to lot 190.03. This was part of a subdivision and that neighbor understood the condition. A 6 ft high fence would be provided along that property line. A waiver is being requested for the bus loading and unloading zone. The site currently works as is and they have no issues. An existing site identification sign is located 3 ft from the front property line whereas 15 ft is required. A design waiver is required from providing street trees. However, it should be noted that proposed street trees would conflict with the existing sight triangle easement for the site access.

Mr. Franklin opened to the public, seeing no one come forward, he closed to the public.

A motion was made and seconded to approve the application.  
All were in favor.

**11. SD 2338 Clearview Equities, LLC**

529, 537, 547 Ocean Ave, 20 Linden Ave, 518 & 520 Bergen Ave  
Block 189.02, Lots 156-158, 173.01, 174.01, 174.02  
Preliminary and Final Major Subdivision to create twelve lots

Ms. Morris announced this application will be carried to the August 21, 2018 public hearing.

**6. APPROVAL OF MINUTES**

**7. APPROVAL OF BILLS**

**8. ADJOURNMENT**

The meeting was hereby adjourned. All were in favor.

Respectfully submitted  
Sarah L. Forsyth  
Planning Board Recording Secretary