

1. CERTIFICATION OF COMPLIANCE

Chairman Banas 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. Advance written Notice has been filed with the Township Clerk for purpose of public inspection and, a copy of this Agenda has been mailed, faxed or delivered to the following newspapers: *The Asbury Park Press*, and *The Tri-Town News* at least 48 hours in advance. This meeting meets all the criteria of the Open Public Meetings Act.”

2. ROLL CALL

Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Schmuckler, Mr. Rennert

3. SWEARING IN OF PROFESSIONALS

Mr. Vogt was sworn in.

4. MEMORIALIZATION OF RESOLUTIONS

- SD 1848** (Variance Requested)
Applicant: Pinchas Wolhendler
Location: Spruce Street, east of River Avenue (Route 9)
Block 778.06 Lot 59
Minor Subdivision to create two lots

A motion was made by Mr. Schmuckler, seconded by Mr. Banas to approve

Affirmative: Mr. Franklin, Mr. Schmuckler

Abstained: Mr. Herzl, Mr. Banas, Mr. Rennert

- SD 1854** (No Variance Requested)
Applicant: Dewey Court, LLC
Location: Dewey Avenue, south of East Fourth Street
Block 247 Lots 11-16
Preliminary & Final Major Subdivision to create 12 zero lot line lots
(6 duplex units)

A motion was made by Mr. Schmuckler, seconded by Mr. Banas to approve

Affirmative: Mr. Franklin, Mr. Schmuckler, Mr. Rennert

Abstained: Mr. Herzl, Mr. Banas

3. **SD 1857** (No Variance Requested)
Applicant: Platinum Developers & Tall Oaks, LLC
Location: Warren Avenue & Dr. Martin Luther King Drive
Block 775 Lot 5
Minor Subdivision to create two lots

A motion was made by Mr. Franklin, seconded by Mr. Schmuckler to approve
Affirmative: Mr. Franklin, Mr. Schmuckler, Mr. Rennert
Abstained: Mr. Herzl, Mr. Banas

4. **SD 1852** (Variance Requested)
Applicant: Rachel Friedman
Location: Corner of Hope Chapel Road & Van Buren Avenue
Block 3 Lots 8, 9 & 12
Minor Subdivision to adjust lot lines to form three new lots

A motion was made by Mr. Franklin, seconded by Mr. Shmcukler to approve
Affirmative: Mr. Franklin, Mr. Schmuckler, Mr. Rennert
Abstained: Mr. Herzl, Mr. Banas

5. **SD 1855** (No Variance Requested)
Applicant: Open Apple, LLC
Location: Thorndike Avenue
Block 266 Lot 4.01
Minor Subdivision to create two lots

A motion was made by Mr. Franklin, seconded by Mr. Shmcukler to approve
Affirmative: Mr. Franklin, Mr. Schmuckler
Abstained: Mr. Herzl, Mr. Banas, Mr. Rennert

6. **SD 1860** (No Variance Requested)
Applicant: Rabbi Jack Lebovic
Location: Melville Avenue
Block 763 Lot 7
Minor Subdivision to create three lots

A motion was made by Mr. Franklin, seconded by Mr. Shmcukler to approve
Affirmative: Mr. Franklin, Mr. Schmuckler
Abstained: Mr. Herzl, Mr. Banas, Mr. Rennert

7. **SP 1995AA** (No Variance Requested)
Applicant: Zalman Lebovic
Location: Melville Avenue
Block 763 Lot 7 (proposed Lot 7.01)

Change of Use/Site Plan Exemption to permit a synagogue in the basement of a new single-family dwelling

A motion was made by Mr. Franklin, seconded by Mr. Shmcukler to approve

Affirmative: Mr. Franklin, Mr. Schmuckler

Abstained: Mr. Herzl, Mr. Banas, Mr. Rennert

- 8. SP 1993AA** (No Variance Requested)
Applicant: Congregation Khal Bais Avrohom Inc
Location: 2 Poplar Street
Block 1.05 Lot 12

Change of Use/Site Plan Exemption to convert existing single-family home into house of worship

A motion was made by Mr. Franklin, seconded by Mr. Shmcukler to approve

Affirmative: Mr. Franklin, Mr. Schmuckler

Abstained: Mr. Herzl, Mr. Banas, Mr. Rennert

- 9. SD 1603A**
Applicant: Joseph Rosenbaum
Location: River Avenue
Block 415 Lots 10, 11, & 12

Revise condition 14 of the Resolution of Approval that requires the Homeowners Association documents to be filed with the Department of Community Affairs

A motion was made by Mr. Franklin, seconded by Mr. Shmcukler to approve

Affirmative: Mr. Franklin, Mr. Schmuckler

Abstained: Mr. Herzl, Mr. Banas, Mr. Rennert

5. PUBLIC HEARING ITEMS

- 1. SP 1994AA** (No Variance Requested)
Applicant: Rabbi Chaim Eidelman
Location: West Cross Street
Block 294 Lot 2.01

Change of Use/Site Plan Exemption to convert existing house to school. Barn to be converted for future classrooms

This item will be carried to the December 4, 2012 meeting. Applicant will renotece.

A motion was made by Mr. Herzl, seconded by Mr. Schmuckler to carry the application.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Schmuckler, Mr. Rennert

6. PLAN REVIEW ITEMS

- 1. SD 1859** (Variance Requested)
Applicant: S&H Builders
Location: Hope Chapel Road
Block 26 Lot 8.01
Minor Subdivision to create two lots

This item will be carried to the December 4, 2012 meeting. No further notice required.

A motion was made by Mr. Schmuckler, seconded by Mr. Herzl to carry the application.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Schmuckler, Mr. Rennert

- 2. SD 1866** (Variance Requested)
Applicant: UKR Consulting, LLC
Location: Shady Lane Drive
Block 12 Lots 212 & 243
Minor Subdivision/Lot Line Re-Alignment for two lots

Project Description

This application is for the re-alignment of property lines to provide adequate side yard setbacks for a proposed two-story dwelling. Existing Lots 212 and 243 in Block 12 would be reconfigured as designated on the subdivision plan. Existing Lot 212 contains 36,073 square feet (0.828 acres) and has an existing one-story dwelling with a pool, pool house, and shed. Existing Lot 243 contains 13,630 square feet (0.313 acres) and has a small one-story frame dwelling which would be replaced with a two-story frame dwelling. The proposed property line re-alignment would decrease the area of Lot 212 to 35,936 square feet (0.825 acres) and increase the area of Lot 243 to 13,767 square feet (0.316 acres). The site is situated in the northwestern portion of the Township on the north side of Shady Lane Drive, east of Forest Drive. The property slopes sharply downward to the north. Shady Lane Drive is an improved municipal road with a fifty foot (50') right-of-way. The north side of the street has been patched from trenching to install a water main. No curb and sidewalk exists or is proposed. Potable water is available, but it appears sanitary sewer is not. The proposed lots are situated within the R-12, Single-Family Residential Zone. The surrounding land uses are residential. We have the following comments and recommendations: 1. Zoning 1. The parcels are located in the R-12 Single-Family Residential Zone District. Single-family detached dwellings are a permitted use in the zone. 2. A Minimum Lot Width variance is requested for proposed Lot 243. A lot width of about sixty feet (60') is proposed, whereas ninety feet (90') is required. It should be noted that existing Lot 243 is already narrow (49.5') and the proposal is increasing the lot width. 3. A design waiver is required for the proposed side property line not being radial to the curve in Shady Lane Drive. However, we recommend the plan be revised to provide the initial thirty feet (30') of the side

property line radial to the curve of Shady Lane Drive and the remainder of the side property parallel to the western side property line of Lot 243. 4. Per review of the plan, the following additional design waivers are required: • Providing concrete curb and sidewalk along the project frontage. • Providing shade trees along the project frontage. 5. The applicant must address the positive and negative criteria in support of the requested variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. II. Review Comments 1. An updated Survey is required for Lot 212. The survey provided is over ten (10) years old and does not correctly show all the existing improvements. Furthermore, only partial topographic information has been provided. 2. Coordinates are required on at least three (3) outbound corners. Horizontal datum shall be provided. 3. A bench mark with assumed elevation has been provided for vertical datum. 4. The Zoning Information Table needs to be revised in general. All existing and proposed data shall be supplied. Accessory structure setbacks shall be added since there is a pool, pool house, and shed on Lot 212. 5. It is our understanding the existing one-story frame dwelling on Lot 243 will be replaced with a two-story frame dwelling. Therefore, a Minimum Front Yard Setback Variance will not be required since the new structure would be setback fifty feet (50') from the street, whereas the existing structure is only 23.5 feet from the front property line. A Minimum Front Yard Setback of thirty feet (30') is required. 6. The NJ R.S.I.S. requires 2.5 off-street parking spaces for a single-family dwelling when the number of bedrooms is not specified. The Zoning Information is not addressing off-street parking. Testimony should be provided on the number of bedrooms anticipated for the proposed dwelling on Lot 243 and the number of bedrooms for the existing dwelling on Lot 212. It should be noted there is a basement for the existing dwelling on Lot 212. Testimony on off-street parking shall be provided. 7. Should a basement be proposed for the new dwelling on Lot 243, a test pit log must be provided indicating a minimum two foot (2') separation from seasonal high water table has been maintained. Testimony should be provided on whether any basement proposed will be unfinished. The existing dwelling to remain on Lot 212 has a basement. In any event, parking shall be provided in accordance with parking ordinance 2010-62. 8. Unless a waiver is granted from the construction of curb and sidewalk, an Improvement Plan will be required. 9. Testimony is required on the disposition of storm water management for the proposed development of Lot 243. 10. Topography must be provided to determine whether the edge of pavement along Shady Lane Drive requires reconstruction and/or drainage. 11. Testimony should be provided on proposed site grading. Proposed lot grading should maximize the direction of runoff to Shady Lane Drive and minimize runoff directed towards adjoining properties. 12. The project is located within the New Jersey American Water Company franchise area. The existing water main on the north side of Shady Lane Drive should be included on the Improvement Plan. The locations of either sanitary sewer or septic systems must be indicated. 13. New lot numbers should be assigned by the Tax Assessor. The map shall be signed by the Tax assessor should approval be granted. 14. A proposed six foot (6') wide shade tree easement is shown along the property frontage. The easement shall be revised to a proposed six foot (6') wide shade tree and utility easement. Survey data shall be provided for the proposed easement on an individual lot basis. 15. Unless a waiver is granted, shade trees shall be added within the proposed six foot (6') wide shade tree and utility easement on the subdivision plan. Shade trees should be provided to the satisfaction of the Board and should conform to recommendations (if any) from the Township Shade Tree Commission as practicable. 16. Our site investigation indicates there are some large trees on the property. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review for proposed Lot 243. 17. Poles with

overhead electric exist on the north side of Shady Lane Drive. This information should be added to the plan. 18. Due to no construction proposed at this time, the Board may wish to require the cost of improvements to be bonded or placed in escrow to avoid replacing them in the future. 19. A Legend should be provided. 20. A monument shall be proposed at the northeast outbound corner of Lot 212. 21. Compliance with the Map Filing Law is required. 22. Construction details should be included on an Improvement Plan. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance (as applicable); b. Ocean County Planning Board; c. Ocean County Soil Conservation District; d. Ocean County Board of Health (if necessary); e. New Jersey American Water Company; and f. All other required outside agency approvals.

Mrs. Miriam Weinstein, Esq. on behalf of the application stated that the applicant has decided not to do construction on either of the lots. The applicant would like to realign the lot lines as to make the smaller lot have the 60' lot width so he could put up a house on it. They are willing to comply with all of the engineer's recommendations. An updated survey will be submitted.

Sidewalks, curbs and shade trees will be required as the lots are developed.

A motion was made by Mr. Herzl, seconded by Mr. Franklin to advance the application to the December 18, 2012 meeting. No further notice required.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Schmuckler, Mr. Rennert

- 3. SD 1871** (Variance Requested)
Applicant: Sheindy Schindler
Location: Forest Avenue and Second Street
Block 72 Lot 9
Minor Subdivision to create four lots

Project Description

The applicant proposes to subdivide the existing twenty-two thousand five hundred square foot (22,500 SF) tract into four (4) zero lot line properties with two (2) duplex buildings. Existing Lot 9 in Block 72 would be subdivided into proposed Lots 9.01 - 9.04 as designated on the subdivision plan. Proposed Lots 9.01 and 9.02 would contain a duplex building facing Second Street. Proposed Lots 9.03 and 9.04 would contain a duplex building facing Forest Avenue. Existing Lot 9 contains a dwelling and a detached garage. It is assumed all existing improvements will be removed. Public water and sewer is available. The site is situated in the northern portion of the Township at the northeast corner of Second Streets intersection with Forest Avenue. The surrounding area is predominantly developed. Second Street is an improved municipal road with a sixty foot (60') right-of-way. Forest Avenue is an improved municipal road with an eighty foot (80') right-of-way. Curb and sidewalk exist along the property frontage and is generally in poor condition. Potable water, sanitary sewer, gas, and electric all exist within the Second Street and Forest Avenue right-of-ways. The existing property which would be subdivided falls within the ROP Residential Office Park Zone. We have the following comments and recommendations: I. Zoning 1. The property is located within the ROP Residential Office Park Zone District. Per Section 18-9031.1.e., multi-family housing in accordance with the design regulations of the R-M District as specified in Section 902.H.4.b., is

permitted. Per Section 18-902H.1.b., Two Family and Duplex Housing are a permitted use in the zone. 2. Variances are required for Minimum Rear Yard Setbacks on proposed Lots 9.03 and 9.04. The proposed decks would be located only five feet (5') from the rear property line, whereas fifteen feet (15') is required. 3. Variances are requested for Maximum Building Coverage. A thirty percent (30%) building coverage is allowed, whereas the proposed building coverage exceeds thirty percent (30%). 4. The application indicates a variance is being requested for a six foot (6') high fence within the front building setback of proposed Lot 9.03. However, no information on this matter is shown on the plan. 5. The applicant must address the positive and negative criteria in support of the required variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. II. Review Comments 1. A Boundary and Topographic Survey has been submitted for review. The survey should be revised to add existing steps within the right-of-way of Second Street. The walk along Second Street shall be labeled "flagstone" and the walk along Forest Avenue shall be labeled "concrete". The large trees on the site have been located. 2. The Legend on the Minor Subdivision shall be revised from "monument set" to "monument to be set". 3. The correct Ordinance Sections shall be referenced in the Schedule of Bulk Requirements. In general, corrections are required to the Schedule of Bulk Requirements. 4. The NJ R.S.I.S. requires 2.5 off-street parking spaces for unspecified number of bedroom dwellings. The zoning schedule indicates that three (3) off-street parking spaces will be required for the proposed future dwellings. The zoning schedule indicates that three (3) off-street parking spaces will be provided for the proposed future dwellings on Lots 9.01 – 9.03. The zoning schedule also indicates that five (5) off-street parking spaces will be provided for the proposed future dwelling on Lot 9.04. 5. Testimony should be provided whether basements will be proposed for the future dwellings on proposed Lots 9.01 – 9.04. If basements are proposed, a minimum of four (4) off-street parking spaces would be required to comply with the Township Parking Ordinance. 6. If basements are proposed, seasonal high water table information will be required. 7. Proposed building and deck dimensions should be provided to verify building coverage, especially since variances are being sought. 8. Proposed aprons and driveway dimensions should be added to verify the number of off-street parking spaces. 9. A General Note should be added as to whether all existing improvements will be removed. The existing garage would require an accessory structure setback variance unless it is removed. 10. The proposed use in the General Notes should be revised to zero lot line duplex housing. 11. General Note #11 indicates that the AASHTO sight triangle falls entirely within the public right-of-way, and does not affect the subject property. This is true because of the large right-of-way widths. 12. The Minor Subdivision Plan shows new lot numbers were assigned by the tax assessor's office. If approved, the map shall be signed by the tax assessor. 13. The project will be serviced by New Jersey American Water Company since it is located within their franchise area. 14. Six foot (6') wide shade tree and utility easements dedicated to the Township are proposed along the property frontages of new Lots 9.01 - 9.04. The proposed easement areas are shown on an individual lot basis. 15. Unless waived by the Board, street trees are required along the property frontage of proposed Lots 9.01 – 9.04. Landscaping should be provided to the satisfaction of the Board, and should conform to recommendations (if any) from the Township Shade Tree Commission as practicable. Our site investigation prior to the hurricane indicates there are some large existing trees which have been located on the Survey. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review for proposed Lots 9.01 – 9.04. 16. The existing curb and sidewalk along Second Street and Forest Avenue is in poor condition and should be replaced. General Note #10 on the Minor

Subdivision Plan should be revised to note the replacement of curb and sidewalk along the property frontage of new Lots 9.01 – 9.04. A proposed curb ramp with detectable warning surface is required at the intersection. 17. Testimony is required on the disposition of storm water from the development of proposed Lots 9.01 – 9.04. The entire property does not slope toward the streets. There is an existing low point in the vicinity of the existing garage. 18. Testimony should be provided on proposed site grading. No proposed grading is indicated on the plan. Proposed grading must be included on the future plot plan submittals. 19. The Secretary's Certification requires revision. 20. Due to no construction proposed at this time, the Board may wish to require the cost of improvements to be bonded or placed in escrow to avoid replacing them in the future. 21. Compliance with the Map Filing Law is required. 22. Final review of construction details will be conducted during compliance if approval is given. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance (as applicable); b. Ocean County Planning Board; c. Ocean County Soil Conservation District; and d. All other required outside agency approvals. New Jersey American Water Company will be responsible for water and sewer service.

Mr. Rennert stepped down.

Mr. Abraham Penzer, Esq. stated that they can meet all the requirements in the engineer's review letter.

Mr. Schmuckler asked for a map showing similar variances in the area.

Mr. Flannery stated that the variances they are asking for are limited to the deck and parking. They will provide justification at the public hearing. A motion was made by Mr. Herzl, seconded by Mr. Franklin to advance the application to the December 18, 2012 meeting. No further notice required.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Schmuckler

4. **SD 1872** (Variance Requested)
Applicant: Tal Spruce, LLC
Location: Spruce Street
Block 782 Lots 5 & 6
Major Subdivision to create eight lots

Project Description

The applicant is seeking a Preliminary and Final Major Subdivision approval. The applicant proposes to remove four (4) single family dwellings and construct four (4) duplex buildings on eight (8) zero lot line properties to be known as Lots 6.01 – 6.08. A Homeowners Association would need to be formed for the access, utilities, and other common elements. According to the plans, forty-two (42) off-street parking spaces are proposed. Except for two (2) proposed perpendicular parking spaces along Spruce Street, which would serve the building on proposed Lot 6.01, the spaces are accessible from a common twenty-four foot (24') wide access aisle. The tract totals 1.12 acres in area and consists of two (2) existing residential properties, Lots 5 and 6 in Block 782. Associated site improvements are proposed for the major subdivision.

These improvements include proposed sewer, water, drainage; paved access driveway with curb, sidewalk, landscaping, and lighting. The subject property is located in the central portion of the Township on the south side of Spruce Street, west of Chelsea Court. Spruce Street is an improved municipal road with a fifty foot (50') right-of-way. The site is currently occupied by four (4) existing dwellings. All existing improvements will be removed to make way for the proposed residential subdivision. Except for the northern frontage of the property, the land generally slopes from north to south. Proposed storm water management facilities and utilities will be associated with this project. Proposed sanitary sewer will connect to an existing system in Spruce Street. Proposed potable water for the subdivision will be extended from an existing main on the north side of Spruce Street. A minimum of four (4) off-street parking spaces are proposed for each unit. The number of bedrooms for the units is not specified on the subdivision plans. The project is also proposing curb and sidewalk with the proposed access driveway. The subject site is located within the R-10 Residential Zone District. Therefore, zero lot line duplex housing is a permitted use in the zone district using twelve thousand square foot (12,000 SF) minimum lot areas for duplex structures. The site is situated within a mixed use area. We have the following comments and recommendations: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. B2 - Topography within 200 feet thereof. 2. B4 - Contours of the area within 200 feet of the site boundaries. 3. B10 - Man-made features within 200 feet thereof. 4. C13 - Environmental Impact Statement. 5. C14 - Tree Protection Management Plan. Topographic features, contours, and man-made features are shown on the site and the adjoining road. We support the granting of the requested B-Site Features waivers, the Environmental Impact Statement waiver, and the Tree Protection Management Plan waiver for completeness purposes. Survey work is sufficient for final design and the site has been previously developed. A completed Tree Protection Management Plan should be required as a condition of approval. Per communications with the applicant's professionals, the applicant agrees with these conditions. II. Zoning 1. The site is situated within the R-10, Single-Family Residential Zone District. As stated previously, "Two-Family Housing, with a minimum lot area of twelve thousand square feet (12,000 SF) for two-family structures" is listed as a permitted use. Zero lot line subdivisions for duplexes are permitted in the Zone. 2. Variances are required for minimum lot frontage on proposed Lots 6.03 – 6.08. Proposed Lot 6.03 has 3.47 feet of road frontage and Lots 6.04 – 6.08 have no road frontages, whereas 37.5 feet is required for zero lot line properties. 3. A front yard setback variance is required for proposed Lot 6.01. The proposed duplex unit is setback 26.34 feet from Spruce Street, where thirty feet (30') is required. 4. Variances are required for maximum building coverage. Including the proposed decks, all combinations of zero lot line properties exceed the twenty-five percent (25%) allowable coverage. Excluding the proposed decks, the combination of Lots 6.03 and 6.04, Lots 6.05 and 6.06, Lots 6.07 and 6.08 slightly exceed the twenty-five percent (25%) allowable coverage. 5. The applicant must address the positive and negative criteria in support of the requested variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. III. Review Comments A. General 1. The General Notes state that vertical elevation is based on NGVD 1929. A bench mark must be provided. 2. Except for proposed Lot 6.01, each unit has four (4) off-street parking spaces located perpendicular to the access driveway. Proposed Lot 6.01 has two (2) off-street parking spaces perpendicular to Spruce Street and two (2) spaces perpendicular to the access driveway. Spruce Street is heavily traveled. Therefore, for safety purposes we recommend the two (2) proposed Spruce Street spaces be relocated perpendicular to the access driveway. Per communications with the applicant's professionals,

this issue will be reviewed in further detail with our office prior to the public hearing. 3. The plans propose a total of forty-two (42) off-street parking spaces, where thirty-two (32) spaces are required. However, the ten (10) parallel off-street parking spaces proposed on the west side of the access driveway are only six feet (6') wide. These proposed parallel type spaces must be at least eight feet (8') wide to be viable. Per communications with the applicant's professionals, this issue will be reviewed in further detail with our office prior to the public hearing. 4. No handicapped parking has been proposed. Testimony should be provided on whether any of the units will be handicapped accessible. 5. The plans note that each structure shall have an area designed for trash and recycling containers on the side or rear. Therefore, we anticipate individual collection is to be provided by the Township of Lakewood. However, no turnaround has been designed for the access driveway. Per communications with the applicant's professionals, this issue will be reviewed in further detail with our office prior to the public hearing. 6. The applicant's professionals indicate the proposed lot numbers have been approved by the Tax Assessor. The Final Plat shall be signed by the Lakewood Tax Assessor. 7. The requirements in 18-821 (Building Uniformity in Residential Developments) must be addressed. 8. Per Subsection 18-911 F (2 (a-g)) of the zero lot line ordinance, a written agreement signed by the owner of the property is required, including provisions to address items associated with the use, maintenance, and repair of common areas and facilities associated with the overall property. Said agreement must be filed as part of this application to obtain the zero lot line subdivision approval from Lakewood Township. B. Plan Review 1. The existing curb and sidewalk along Spruce Street is in poor condition and should be replaced. 2. The proposed on-site sidewalk should connect to the sidewalk along Spruce Street. 3. Curb ramps with detectable warning surface shall be proposed on both sides of the access driveway. 4. Regulatory signage shall be added to the plans in accordance with the sign details provided. 5. No proposed Sight Triangle Easements have been shown at the intersection of the access driveway with Spruce Street. The plans must show the easements, or testimony should be provided as to why they are not required. 6. The General Notes shall address the ownership of the various components of the proposed storm water management system. General Note #16 on Sheet 2 of 6 shall be completed. 7. Dimensions should be provided for all the proposed building boxes. Based on scaling of the proposed building boxes and decks, the units will exceed the maximum lot coverage of twenty-five percent (25%). C. Grading 1. Grading is provided on Sheet 3 of 6. Runoff is being directed around and behind the units with swales. This runoff should be collected by a proposed inlet prior to leaving the site. An inlet and appropriate storm drainage should be added. 2. Proposed finished floor and basement floor elevations have been provided. Proposed building corner elevations must be added. 3. Proposed spot grades and contours must be completed. 4. The proposed gutter for Spruce Street shall be designed to a constant slope. 5. An Ocean County Note shall be removed from Sheet 3 of 6. 6. A detailed review of the grading can be completed during compliance submission; if/when this subdivision is approved. D. Storm Water Management 1. A roof drainage collection system has been designed to convey storm water runoff from the individual units into proposed recharge trenches. The proposed recharge system design shall be completed. Proposed inverts and slopes must be added to the roof drain conveyance piping. The proposed invert on the Cleanout Detail should be corrected. 2. The project will be designed to comply with applicable requirements of the NJ Stormwater Rule. Per communications with the applicant's professionals, the design will be reviewed in further detail with our office prior to the public hearing. 3. Soils information must be provided within the proposed project to confirm the seasonal high water table. Permeability testing is required for use in the recharge calculations. 4. The Storm Water Management Report and Design will be reviewed in detail

after revisions to the project are made. 5. A storm water maintenance manual will be required in accordance with State and Township standards. E. Landscaping 1. Shade trees have been provided on Sheet 5 of 6. 2. The overall landscape design is subject to review and approval by the Board and should conform to recommendations from the Shade Tree Commission as practicable. 3. The Landscape Note should be revised since most of the buildings do not face an improved street. 4. Corrections are required to the General Planting Notes and General Seeding Notes. 5. A six foot (6') wide shade tree and utility easement is proposed along Spruce Street. Proposed sight triangle easements and utilities should be added to the plan to prevent planting conflicts. 6. Landscaping shall be reviewed in detail after compliance submission should subdivision approval be granted. F. Lighting 1. Lighting has been provided for the proposed access driveway on Sheet 5 of 6. 2. Proposed lighting has been provided for the access driveway area. The Plan indicates three (3) pole mounted fixtures are proposed. A detail shows the proposed height of the fixtures to be sixteen feet (16'). 3. A point to point diagram must be provided to verify the adequacy of the proposed lighting. 4. A Note states that all site lighting shall be installed by JCP&L and shall be maintained by JCP&L after installation. Testimony should be provided regarding site lighting ownership since the access driveway would be privately owned. Per communications with the applicant's professionals, this issue will be reviewed in further detail with our office prior to the public hearing. 5. Lighting shall be reviewed in detail after compliance submission should subdivision approval be granted. G. Utilities 1. Potable water and sanitary sewer service will be provided by the New Jersey American Water Company. The project is within the franchise area of the New Jersey American Water Company. 2. The proposed sanitary sewer will connect to an existing system in Spruce Street. Only a preliminary layout has been designed with a proposed slope less than required for servicing the basements. 3. Potable water is proposed to be extended from an existing main on the north side of Spruce Street. 4. Fire protection and access for emergency vehicles should be addressed. H. Signage 1. No signage information is provided within the current design submission. A full signage package for any signage requiring relief by the Board must be provided for review and approval as part of the application. 2. All signage proposed that is not reviewed and approved as part of this application, if any, shall comply with Township ordinance. I. Environmental 1. Site Description Per review of the site plans, aerial photography, and a site inspection of the property, the tract has four (4) existing residential dwellings located on the property. Except for the northern frontage, existing on-site topography slopes from north to south away from Spruce Street. The site has no appreciable vegetation, habitat, or significant environmental value. 2. Environmental Impact Statement A waiver was requested from submitting an Environmental Impact Statement (EIS) for the project. Our office performed a limited natural resources search of the property and surroundings using New Jersey Department of Protection (NJDEP) Geographic Information Mapping (GIS) system data, including review of aerial photography and various environmental constraints data assembled and published by the NJDEP. No known environmental constraints exist within or adjacent to this site per NJDEP mapping. 3. Tree Management As a condition of approval, if/when granted, a completed Tree Protection Management Plan in accordance with the current ordinance shall be submitted. The applicant must comply with the requirements for tree protection and removal as applicable for this site. J. Construction Details 1. Construction details are provided on Sheet 6 of 6 of the plans. 2. All proposed construction details must comply with applicable Township or NJDOT standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete. 3. Final review of construction details will take place after compliance submission, if/when this project is approved by the Board. K. Final Plat (Major Subdivision) 1. The coordinates are

based on an assumed datum, but are missing from the plan. 2. Proposed unit dimensions and decks should be added to the plan. 3. The proposed Minimum Lot Widths must be corrected. Most proposed lots have no road frontage. 4. The proposed Maximum Building Coverage for all lots must be revised to include the decks. 5. The proposed Shade Tree and Utility Easement Data shall be provided on an individual lot basis. 6. Proposed Sight Triangle Easements should be added and dedicated to the Township of Lakewood. 7. All proposed easement data must be completed. A Homeowners Association is being proposed. 8. The date on the Surveyor's Certification requires correction. 9. Lots and Block numbers in the Title Box shall be corrected. 10. Compliance with the Map Filing Law is required. 11. The Final Plat will be reviewed in detail after design revisions are undertaken for the project. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Developers Agreement at the discretion of the Township; b. Township Tree Ordinance; c. Lakewood Fire Commissioners; d. Ocean County Planning Board; e. Ocean County Soil Conservation District; and f. All other required outside agency approvals. New Jersey American Water Company will be responsible for constructing potable water and sanitary sewer facilities.

Mr. Rennert stepped down.

Mr. Vogt stated that the applicant is requesting several waivers. He supports the waivers with the caveat that a tree management plan would be provided if approved.

Mr. Flannery stated that the applicant can comply.

Mr. Vogt announced the various variances requested.

Mr. Flannery stated that they will bring a map to the public hearing.

Mr. Vogt stated they will have to work out issues with the side yard setbacks and the parallel parking.

Mr. Flannery stated that these items will be addresses in the revised plans prior to the public hearing.

A motion was made by Mr. Herzl, seconded by Mr. Schmuckler to advance the application to the December 18, 2012 meeting. No further notice required.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Schmuckler

7. CORRESPONDENCE

8. PUBLIC PORTION

9. APPROVAL OF 2013 MEETING SCHEDULE

A motion was made by Mr. Herzl, seconded by Mr. Schmuckler to approve.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Schmuckler, Mr. Rennert

10. APPROVAL OF MINUTES

Minutes from the October 16, 2012 Planning Board Meeting

A motion was made by Mr. Schmuckler, seconded by Mr. Rennert to approve

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Schmuckler, Mr. Rennert

11. APPROVAL OF BILLS

A motion was made by Mr. Schmuckler, seconded by Mr. Rennert to approve

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Schmuckler, Mr. Rennert

12. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Sarah L. Forsyth
Planning Board Recording Secretary