

1. CERTIFICATION OF COMPLIANCE

Chairman Neiman 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. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert, Mr. Percal

3. SWEARING IN OF PROFESSIONALS

Mr. Magno was sworn in.

4. MEMORIALIZATION OF RESOLUTIONS

1. **SP 1998** (No Variance Requested)
Applicant: Congregation Birchas Chaim
Location: Vine Street
Block 1130 & 1131 Lots 1 & 1
Major Site Plan for a new school – corrected resolution

Mrs. Morris explained that this is a revised resolution which excludes any reference to the neighboring lot and clearing for recreational purposes.

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

2. **SD 1378A**
Applicant: Triple Z LLC
Location: Kennedy Boulevard East
Block 172 Lot 12
Amended Resolution to remove the condition requiring an HOA

This is a revised resolution to remove the HOA requirement.

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

5. PROPOSED ORDINANCE REVIEW

1. Hospital Support Zone – new zone

The Board was questioning where this zone was going to be.

Adam Pfeffer on behalf of Kimball Medical Center explained that they have been working with T&M Associates and the Township Committee to come up with this ordinance.

Conversation ensued concerning R-10 versus R-7.5 in that area.

A motion was made by Mr. Schmuckler to recommend the ordinance with the fact that the residences in this area should be R-10. Seconded by Mr. Follman.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert, Mr. Percal

2. Nonconforming Uses and Lots – regarding cases of two existing residential structures on one lot

Mrs. Morris believes that this provision would allow for example, a 10,000 sq ft lot in the R-10 zone that has two existing buildings on it could then be replaced with a duplex because the ordinance does not specifically state the area requirements. That duplex would then not have to get a use variance for an undersized lot.

A motion was made by Mr. Schmuckler, seconded by Mr. Percal to recommend the ordinance.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert, Mr. Percal

3. Rezoning of a parcel on New Hampshire Avenue from R-20 to B-5

The proposed lot lies just outside the B-5 zone. It is currently vacant and they are proposing to absorb that into the B-5.

A motion was made and seconded to recommend the ordinance.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert, Mr. Percal

4. Mixed-Use Development – definition, conditional use in the B-5 zone, and conditional use requirements

The Board has previously looked at this and now recommends it per their comments and changes.

A motion was made and seconded to recommend the ordinance.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert, Mr. Percal

6. PLAN REVIEW ITEMS

1. **SP 1999** (Variance Requested)
Applicant: Moshe Lankry
Location: Fourth Street
Block 118 Lot 21
Site Plan for proposed addition to existing restaurant

Project Description

The applicant is seeking Preliminary and Final Site Plan approval for the construction of a two-story building addition with unfinished basement to the existing restaurant with second floor apartment to expand the restaurant facilities on the first floor and provide a dining hall on the second floor. The site is located within the downtown section of the Township and fronts on the north side of Fourth Street, east of Clifton Avenue. The 50' X 100' property contains five thousand square feet (5,000 SF) or 0.11 acres. A two-story building with a basement exists on-site. The first floor of the building is utilized as a restaurant for a pizza parlor, and the second floor is utilized as an apartment. The site also contains an existing metal trailer and an existing metal shed, both of which would have to be removed for the proposed addition. The applicant is proposing approximately three thousand seven hundred square feet (3,700 SF) of addition space among the unfinished basement and two (2) floors. The proposed area for the unfinished basement is about one thousand four hundred square feet (1,400 SF). The proposed area for the first floor dining room is just less than one thousand one hundred square feet (1,100 SF). The proposed area for the second floor dining room is a little more than one thousand two hundred square feet (1,200 SF). The site is developed and existing utilities are available to the project. The surrounding lands and roadways are all improved with commercial development. Existing sidewalk and curb front the site. The site is located in the B-2 Central Business Zone. Restaurants are permitted uses in the zone. 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. The Survey and Site Plan does not show topography within two hundred feet (200') of the site. However, there is more than enough information provided to prepare the design. Therefore, we can support the "B-Site Features" requested waivers. A waiver has been requested from the submission of an Environmental Impact Statement due to the developed nature of the property and surrounding area. We can support the requested waiver from C13. II. Zoning 1. The site is situated within the B-2, Central Business Zone. Restaurants are permitted uses in the Zone. 2. All non-residential uses in the B-2 Zone are exempt from parking requirements. 3. No design waivers or variances are being requested. III. Review Comments A. Site Plan/Circulation/Parking 1. The General Notes indicate the Boundary, Topographic, and Site Improvement information were

taken from a survey prepared by DPK Consulting, dated 1-18-13. All elevations are based upon NAVD 1988 Datum and the benchmark is the existing inlet in front of the building. Horizontal datum shall be provided. 2. The proposed building dimensions must be coordinated between the site plan and architectural plan. Revisions are necessary. 3. The General Notes indicate waste and recyclables from the proposed establishment will be removed by private hauler. However, no trash enclosure is shown. 4. No loading or delivery areas are proposed. Testimony is required regarding future site operations, particularly deliveries for the restaurant use. 5. The site plan shows that an existing ten foot (10') wide access easement is to be modified. The proposed modified access easement is only three feet (3') wide. Testimony is required clarifying the reasons for the existing and proposed access easements, especially since the easements are not dedicated to any parties. It appears the area for the proposed three foot (3') wide modified access easement should be three hundred square feet (300 SF). 6. The applicant proposes to replace the existing pavement which is located on the property. The new pavement will require the removal of one (1) existing tree in poor condition which is shown on the site plan. 7. Existing and proposed building access points have been shown. The applicant's engineer should indicate whether concrete landings will be proposed. Note #3 on the Site Plan indicates that interior landing areas shall be provided in the addition for side and rear exterior entry/exit doors to allow grade level access. 8. No shade tree and utility easement exists or has been proposed since the building front yard setback is zero feet (0.0') from the right-of-way line. B. Architectural 1. Conceptual architectural floor plans have been provided for the proposed building addition. The proposed building addition includes two-stories and a new unfinished basement area. The site plan indicates the building height is about twenty-seven and a half feet (27.5'). The allowable building height is sixty-five feet (65'). 2. New restrooms are proposed in the building addition. The General Notes indicate the proposed building shall be served by the existing public sanitary sewer and potable water systems. 3. Testimony should be provided on whether a fire sprinkler system is proposed. 4. Testimony should be provided on handicapped accessibility. Testimony is required on the specific uses for the proposed individual floors, as well as the existing building. 5. The applicant's professionals should provide testimony regarding the facades and treatments of the proposed new building addition. We recommend that renderings be provided for the Board's review and use prior to the public hearing, at a minimum. 6. We recommend that the location of proposed HVAC equipment be shown. Said equipment should be adequately screened. C. Grading 1. No proposed grading plan has been provided. Proposed elevations and contours are required to complete the project design. 2. Per review of the existing elevations and per review of site conditions during our site investigation, we note the proposed addition will trap runoff on adjoining property to the west. A temporary construction/grading easement will be required. The plans note the following: "The contractor shall install pavement/finish grade areas around the building addition and adjacent buildings in a manner which provides positive overland storm water runoff flow away from the buildings. If this cannot be accomplished through land grading only, then a storm water collection system will be installed." 3. Note #2 on the Site Plan states the following: "The existing building has various different finished first floor elevations as a result of building additions completed in the past. As part of this application, it is intended to renovate the existing building to provide one consistent finished floor throughout the existing building and addition area. This is proposed to be accomplished by lowering the existing higher finished first floor elevations to match the existing floor elevation within the restaurant entrance (front) area. The existing basement clearance would be adjusted accordingly to accommodate the first floor changes. For construction specifics, the contractor shall review the latest project architectural plans and coordinate with the project architect." 4. Final grading can be reviewed after

resolution compliance submission should approval be granted. D. Storm Water Management 1. No storm water management system has been shown or designed for the site. The property is virtually impervious and small, being five thousand square feet (5,000 SF). However, our review indicates that runoff will be trapped off-site by the proposed addition. A storm water collection system will be required. Testimony should be provided on the existing and proposed storm water management conditions. E. Landscaping 1. No landscaping has been provided for the project. Virtually no land areas are available for landscaping. 2. Final landscape design (if any) is subject to Board approval and should conform to recommendations from the Township Shade Tree Commission as practicable. F. Lighting 1. There is existing street lighting along Fourth Street. No proposed lighting is depicted on of the plans. Testimony on site lighting should be provided from the applicant's professionals. G. Utilities 1. The plans state that the proposed building shall be served by the existing public sanitary sewer and potable water systems. Water and sewer approvals will be required from New Jersey American Water since the project is within their franchise area. H. Signage 1. The Site Plan proposes no freestanding or building mounted signage. 2. All signage proposed that is not reviewed and approved as part of this site plan application, if any, shall comply with Township ordinance. I. Environmental 1. No Environmental Impact Statement (EIS) was prepared for this project since it is a developed site and the tract is only five thousand square feet (5,000 SF). 2. To assess the site for environmental concerns, our office performed a limited natural resources search of the property and surroundings using NJ Department of Environmental Protection (NJDEP) Geographic Information Mapping (GIS) system data, including review of aerial photography and various environmental constraints data assembled and published by the NJDEP. Data layers were reviewed to evaluate potential environmental issues associated with development of this property. No environmentally-sensitive areas exist per available mapping. 3. No Tree Protection Management Plan is required. There are only two (2) existing small trees on-site. J. Construction Details 1. All proposed construction details must comply with applicable Township and/or applicable 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. A detailed review of construction details will occur during compliance review; if/when this application is approved. III. 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. Ocean County Planning Board; and c. All other required outside agency approvals.

Mr. Magno stated that there are submission waivers that the Board should act on. They are justified because of the size of the project.

Mr. Follman stepped down.

A motion was made and seconded to approve the waivers.

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

Mr. Gellar on behalf of the applicant explained that the plan is to add a two-story addition to an existing building. The building has a pizza parlor on the first floor and an apartment on the second. A metal trailer and shed in the back would be removed. The addition would be to the rear of the building to expand the dining room on the first floor and to add an additional dining room on the second floor. They can address everything in the engineer's report.

A motion was made and seconded to advance this application to the May 21, 2013 meeting. Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Rennert, Mr. Percal

- 2. SD 1883** (Variance Requested)
Applicant: Boneh Builders LLC
Location: East Kennedy Boulevard
Block 174 Lots 17, 18, 50
Major Subdivision to create thirteen lots

Project Description

The applicant is seeking a Preliminary and Final Major Subdivision approval. The applicant proposes the subdivision of three (3) existing lots to create thirteen (13) proposed lots. The thirteen (13) proposed lots would be developed as twelve (12) lots for new single-family residential dwellings and one (1) lot with an existing single-family dwelling to remain. The existing three (3) lots known as Lots 17, 18, and 50 in Block 174 are proposed to be subdivided into proposed Lots 17.01 – 17.06, 18.01, and 50.01 – 50.06 on the Major Subdivision Plan. The subject property is located in the northeast portion of the Township on the south side of Kennedy Boulevard East, east of Lucerne Drive. Kennedy Boulevard East at this location is an unimproved one hundred twenty foot (120') right-of-way which has recently been turned over to the Township from Ocean County. A portion of the southern half of this right-of-way would be improved from Lucerne Drive to provide access to the subdivision. The subdivision would create a cul-de-sac for the project that intersects the south side of the Kennedy Boulevard East extension. The cul-de-sac is proposed to be called Park Slope Terrace, upon which most of the residential lots would front. The subject property also has frontages on the northwesterly side of Brook Road and the northerly side of County Line Road East, both improved County Roads. An intersection project with a signal is slated by the County and construction improvements are proposed across these County Road frontages. Most of the existing 5.677 acre area of the site is open and very flat. However, the northern perimeter of the lands is wooded. The Environmental Impact Statement indicates the existing site is composed entirely of uplands. Our site investigation confirms this assessment. Presently, there are three (3) single-family residences and associated appurtenances on the properties to be subdivided. There is an occupied residence on each of existing Lot 17, 18, and 50. Except for the existing two-story dwelling on Lot 18, all other structures located on the site will be removed. The existing two-story dwelling will be located on proposed Lot 18.01. Though the existing dwelling faces Brook Road, the proposed lot will have a second frontage on the cul-de-sac. Proposed storm water management facilities and utilities are associated with this project. The proposed drainage system consists of a conventional storm sewer collection system that collects and directs runoff to an above ground infiltration basin. The infiltration basin is located within the Kennedy Boulevard East right-of-way, northeast of the proposed road extension. Proposed sanitary sewer and potable water for the subdivision will be extended from existing mains in Lucerne Drive. Four (4) off-street parking spaces are proposed for each lot. The project is also proposing curb and sidewalk for the cul-de-sac. The subject site is located within the R-15 Single-Family Residential Zone District. The lands surrounding the site are exclusively residential. We have the following comments and recommendations: 1. Zoning 1. The site is situated within the R-15, Single-Family Zone District. Single-family detached housing on minimum fifteen thousand square foot (15,000 SF) lots is permitted in the Zone. 2. According to

our review of the Major Subdivision Plan and the zone requirements, variances are requested for Minimum Lot Width. A proposed Lot Width of seventy-five feet (75') is requested, where one hundred feet (100') is required. 3. Kennedy Boulevard East is to be improved to just east of the intersecting cul-de-sac of the proposed subdivision. A waiver is required from constructing Kennedy Boulevard East across the remaining frontage of the property. 4. Concrete sidewalk is proposed throughout the cul-de-sac for the subdivision and along the site frontage with Kennedy Boulevard East. Unless a waiver is granted by the Board, proposed sidewalk should be added along the south side of Kennedy Boulevard East between Lucerne Drive and the site. 5. Improvements are proposed to County Line Road East and Brook Road with the County intersection project. Curb and sidewalk are proposed across the subdivision frontage of County Line Road East. No curb and sidewalk is proposed across the project's Brook Road frontage and is required unless a waiver is granted by the Board. 6. 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 A. General 1. As mentioned previously, Kennedy Boulevard East has recently been turned over to the Township from Ocean County. Accordingly, the Township has yet to enact any long term plan for the future of this mainly unimproved right-of-way. Therefore, any proposed improvements to Kennedy Boulevard East should be reviewed and acted upon by the Township Committee. The design of the infiltration basin proposed effectively blocks a roadway connection between Lucerne Drive and Brook Road. 2. Off-street parking: According to the plans provided, the applicant is proposing four (4) off-street parking spaces per unit which is enough to be in compliance with the RSIS and Township standards of four (4) off-street parking spaces required. Up to six (6) bedrooms per unit with an unfinished basement are permitted for this project to be in compliance with parking ordinance 2010-62. 3. The applicant shall confirm that trash and recyclable collection is to be provided by the Township of Lakewood. 4. A new road name, Park Slope Terrace, has been proposed for the project. 5. The proposed lot numbers shall be approved by the Tax Assessor. The Final Plat shall be signed by the Lakewood Tax Assessor. 6. The requirements in 18-821 (Building Uniformity in Residential Developments) must be addressed. A minimum of four (4) basic house designs are required for this development consisting of between seven (7) and fifteen (15) homes. 7. All proposed storm water management has been designed within existing and proposed right-of-ways. Therefore, it is anticipated the Township of Lakewood will be responsible for operation and maintenance. Accordingly, a one-time fee of nine thousand seven hundred fifty dollars (\$9,750.00) should be paid based on thirteen (13) single family dwellings at seven hundred fifty dollars (\$750.00) per unit. Department of Public Works approval will be required. B. Plan Review 1. Boundary and Topographic Surveys were submitted. The bench mark shown on the topographic survey is not shown on the construction plans and should be added. 2. The approval boxes should be revised from Zoning Board to Planning Board. 3. General Note #23 should be revised since reinforced concrete pipes, not polyethylene pipes, are proposed for storm drainage. 4. Proposed Sight Triangle Easements should be added at the intersection of Park Slope Terrace with Kennedy Boulevard East. 5. Proposed Shade Tree and Utility Easements should be added along the County Line Road East and Brook Road frontages. 6. Proposed off-street parking spaces shall be provided with minimum dimensions. The driveways accessing the County Roads should include turnarounds. 7. The Site Development Plan should have typical dimensions and road stationing added. 8. Curb and sidewalk is proposed for the cul-de-sac. The proposed sidewalk should have a consistent width of five feet (5') throughout the development. In this manner, pedestrian bypass areas will not be

necessary. Proposed sidewalk width shall be dimensioned along with distances from face of curb and right-of-ways. C. Grading 1. Grading is provided on a Grading & Drainage Plan which is Sheet 4 of 13. The design minimizes proposed grading and saves perimeter vegetation. A storm sewer collection system is proposed to collect runoff and recharge it within an infiltration basin. 2. Profiles have been provided for proposed East Kennedy Boulevard and Park Slope Terrace construction. The following revisions should be provided: a. Proposed road intersections added. b. Proposed horizontal control points added. c. Proposed vertical intersection points labeled. d. The curb line profile on Park Slope Terrace extended to start at station 4+18.65. e. Adjustments to the proposed vertical intersection points within the cul-de-sac such that the high points are equidistant from the beginning and end of the curb line profile. 3. A detailed review of the grading can be completed during compliance submission; if/when this subdivision is approved. D. Storm Water Management 1. A proposed storm sewer collection system has been designed to convey storm water runoff into an infiltration basin. The proposed infiltration basin has been designed in the unimproved Kennedy Boulevard East right-of-way. A proposed emergency outlet structure from the infiltration basin would connect to the existing drainage system located on the east side of Lucerne Drive. If approval is granted, a meeting with the Department of Public Works will be necessary during compliance to review proposed maintenance responsibilities. 2. Our review of the project indicates it will be classified as Major Development since more than a quarter acre of impervious surface will be added and over an acre of disturbance will take place. As a result, the project must meet water quality and water quantity reduction rate requirements. The Storm Water Management Report should be revised to address water quality. 3. Soils information has been provided within the proposed project to confirm the seasonal high water table is deep. The Storm Water Management Report should justify the permeability rate used in the routing calculations. 4. References to polyethylene pipe should be removed from the Drainage Notes. 5. The Storm Water Management Report and Design will be reviewed in detail during compliance, if/when approved. E. Landscaping 1. Shade trees have been provided on Sheet 6 of 13. 2. The proposed Shade Tree and Utility Easements shall be added to the Landscaping Plan. Proposed Sight Triangle Easements shall also be added. Proposed shade trees should not be located in the sight triangle easements. Where possible, shade trees should be located within proposed shade tree and utility easements. Most of the proposed shade trees along the Kennedy Boulevard East extension will have to be located within the right-of-way. 3. Proposed utilities should be added to avoid planting conflicts. 4. The Planting Schedule should be revised to indicate seven (7) Tulip Trees. 5. General Note #5 should be corrected. 6. 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. The site will be cleared as necessary for the construction of the project. The design attempts to preserve vegetation in the rear yards for most of the proposed lots. Compensatory plantings shall be addressed with the Tree Protection Management Plan. 7. Landscaping shall be reviewed in detail after compliance submission should subdivision approval be granted. F. Lighting 1. Lighting has been provided for the proposed cul-de-sac and the improved portion of Kennedy Boulevard East between the cul-de-sac and Lucerne Drive. The proposed lighting is shown on Sheet 6 of 13. 2. The Plan indicates that eight (8) Cobra Head, one hundred watt (100W) high pressure sodium pole mounted fixtures are proposed. A detail shows the proposed height of the fixtures to be twenty-five feet (25'). 3. A point to point diagram has been provided to verify the adequacy of the proposed lighting. 4. It is anticipated that all lighting will be owned and maintained by the Township after installation since all fixtures will be within public right-of-ways. Confirming testimony should be provided regarding street lighting ownership. 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 Lucerne Drive. The proposed design will be deep enough to provide gravity service to the basements. 3. Potable water is proposed to be extended from an existing main on the east side of Lucerne Drive. 4. Except for the water service from County Line Road East to the future dwelling on proposed Lot 50.06, all water and sewer services have been designed from the cul-de-sac. A ten foot (10') wide strip of land from the northeast rear corner has been included in the design of proposed Lot 50.06 to allow for a sewer lateral connection to the cul-de-sac. A twenty foot (20') wide utility easement is designed through the south side of proposed Lot 17.06 to permit water and sewer service to Lot 17.05 which fronts Brook Road. 5. Ocean County Board of Health approval will be required for the abandonment of all potable wells and septic systems on-site. 6. The plans state that proposed electric, telephone, and cable services are to be provided underground. H. Signage 1. Proposed regulatory signage has not been shown on the plans and should be added. Regulatory sign details should be completed. 2. No project identification signs are proposed. 3. 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 plans, aerial photography, and a site inspection of the property, the site is generally flat and composed entirely of uplands. There is only about two feet (2') of vertical relief throughout the existing lots. The northern perimeter of the lands is wooded, but much of the tract has been cleared and contains three (3) single-family residences with associated appurtenances. The three (3) residences that exist on Lots 17, 18, and 50 are occupied. Access to the site is currently gained from County Line Road East, Brook Road, and the unimproved right-of-way of Kennedy Boulevard East. 2. Environmental Impact Statement An Environmental Impact Statement (EIS) was submitted for the project. In summary, the context of the report determines the proposed development should have a minimal adverse impact on the natural environment due to the proper planning and implementation of the project and the existing conditions of the site. 3. Tree Management An Existing Conditions & Tree Management Plan has been submitted. A Tree Plot area has been surveyed indicating all trees having a diameter of ten inches (10") and larger. The plan shall be completed in accordance with current ordinance Chapter XIX, Protection of Trees. J. Construction Details 1. Construction details are provided on Sheets 12 and 13 of 13. 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. General Note #14 should be edited. 2. Proposed Shade Tree and Utility Easements should be added to the County Road frontages. 3. A ten foot (10') wide utility easement on proposed Lot 50.05 may be eliminated since the construction plans indicate a water service from County Line Road East instead of the cul-de-sac. 4. The proposed Easements that encumber multiple lots should provide areas on an individual lot basis. 5. Some proposed outbound corner monuments should be added. 6. The Legend should be corrected from "Monument Set" to "Monument to be Set". 7. The Surveyor's Certification should have the original date of the survey corrected to 12-28-12. 8. The approval boxes should be corrected such that references to Zoning Board will be changed to Planning Board. 9. Compliance with the Map Filing Law is required. 10. The Final Plat will be reviewed in detail after design revisions are undertaken for the project. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township

Committee (Kennedy Boulevard East); b. Developers Agreement at the discretion of the Township; c. Township Tree Ordinance; d. Ocean County Planning Board; e. Ocean County Soil Conservation District; f. Ocean County Board of Health; and g. All other required outside agency approvals. New Jersey American Water Company will be responsible for constructing potable water and sanitary sewer facilities.

Mr. Magno stated a variance is requested for minimum lot width. A waiver would be required for the road construction which does not go all the way to the end of the property along Kennedy Boulevard East. A section of sidewalk is not proposed along the south side of Kennedy Boulevard East between Lucerne Drive and the site. No curb and sidewalk is proposed across the project's Brook Road frontage and a waiver would be required for same. There is a proposal for an infiltration basin within the Kennedy Boulevard East right-of-way. If the Board would approve that configuration it would also require Township Committee approval.

Mr. Neiman asked then if there are any plans to continue Kennedy Boulevard East.

Mrs. Morris explained that the Township Committee is still discussing plans on what to do with Kennedy Boulevard East.

Mr. Franklin stated that there are areas that can still be developed and if you put that basin in there you can't develop those areas.

Mr. Flannery stated that they have had several meetings concerning this with the planning board engineer as well as public works. He said on the northern side is the Bookhill subdivision which all have a conservation easement on the back of them. On the southern side there is one lot with a single house on it. The final road before Brook Road, there is a shul on that lot. They will meet with the Township further and if the plans need to be revised, they can do that.

Mr. Schmuckler does not see how they could continue with an application where the Township Committee has not yet made a decision on the drainage. He believes it would not be wise to give away Kennedy Boulevard East. The plan should be ready for the Board.

Mr. Neiman does not understand why you would vacate Kennedy Boulevard East when you could extend it all the way to Brook and alleviate some congestion there.

Mr. Flannery stated that would put a lot of traffic on Brook Road where a lot of the site distances are bad and another intersection is right there. From a traffic perspective, it is not a good suggestion to extend it.

A motion was made by Mr. Schmuckler, seconded by Mr. Franklin to advance the application to the May 21, 2013 meeting.

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

- 3. SP 2001** (Variance Requested)
Applicant: Manley Performance Products Inc
Location: Swarthmore Avenue

Block 1606 Lot 13
Site Plan for proposed building addition

Project Description

The applicant is seeking Preliminary and Final Major Site Plan approval for expansion of the existing building in two (2) phases. Phase 1 would add 8,329 square feet of one-story manufacturing space to the rear of the existing building. Phase 2 would add 3,678 square feet of one-story administrative space to the front of the existing building. Virtually all of the site improvements would be constructed in Phase 1 of the project. The existing facility is located at 1960 Swarthmore Avenue within the Lakewood Industrial Park. According to the site plan, off-street parking will be expanded to eighty-eight (88) proposed spaces. Two (2) of the proposed spaces will be handicapped, both being van accessible. The site plan also indicates that eighty-six (86) off-street parking spaces are required. Based on the parking requirements of one (1) space per employee on maximum shift plus twenty (20) spaces for executives, this would allow for a total maximum shift of sixty-six (66) employees. Proposed parking spaces will be a minimum of 9' X 18'. Access to the site will be provided by an existing driveway from Swarthmore Avenue. The tract consists of a rectangular 300' X 436' lot, which is three (3) acres in area. The site is developed with a one-story metal building that manufacturers performance auto parts. There is a small wooded area on the northwest edge of the property. The property generally slopes downwards from the existing building. No freshwater wetlands or state open waters exist on-site or within three hundred feet (300') of the tract. The site fronts the northwest side Swarthmore Avenue, between the intersections of the Rutgers University Boulevard loop road. Access to the site is from Swarthmore Avenue which is an improved municipal road having a sixty foot (60') wide right-of-way with a forty foot (40') wide existing pavement width. Municipally supplied water and sewer services are already serving the site. The existing land behind the site, Lot 9, is wooded. Otherwise, surrounding lands are all improved with large commercial and industrial land uses. The site is located in the M-1 Industrial Zone. Manufacturing facilities are a permitted use in the zone. I. Zoning 1. The site is situated within the M-1, Industrial Zone. Per Section 18-903M of the UDO, manufacturing is an allowed permitted use. 2. Per review of the site plans and application, the following variance is required: • Minimum Front Yard Setback – A thirty-five foot (35') front yard setback is proposed, whereas a fifty foot (50') front yard setback is required, proposed condition. 3. Per review of the site plans and application, the following design waivers are required: • From Section 18-807C.3., of the UDO, which requires that off-street parking areas shall be paved. A gravel parking area for sixteen (16) spaces is proposed behind the rear building addition. • Providing sidewalk along the project frontage. It should be noted that there is no existing sidewalk along Swarthmore Avenue in the vicinity of this project which is in the Industrial Park. • Providing a shade tree and utility easement along the Swarthmore Avenue project frontage. There are existing shade trees across the project frontage and the trees are significantly setback from the right-of-way. II. Review Comments Per review of the current design plans, we offer the following comments and recommendations: A. Site Plan/Circulation/Parking 1. A Boundary and Topographic Survey has been submitted. A horizontal datum and a vertical bench mark shall be provided. 2. The survey shows an existing concrete pad in the rear of the site encroaching onto neighboring Lot 9. The Demolition Plan proposes to remove this concrete pad and alleviate the encroachment. 3. The Index of Drawings on the Cover Sheet requires revision. 4. The General Notes on the Cover Sheet require editing. 5. The plans indicate the broken portion of the concrete apron on the access drive to be replaced. 6. An existing site light fixture and landscape island must be shown as objects to be removed on the Demolition Plan. 7. Per Section 18-903M.6.c., of the UDO, for

industrial buildings having over fifty thousand square feet (50,000 SF) of floor area one (1) parking space shall be provided for each employee on the maximum work shift, plus twenty (20) spaces for executives. According to our review of the site plans, the number of required parking spaces will allow for a maximum shift of sixty-six (66) employees. Testimony should be provided on the work shifts. Our site investigations noted the existing parking to be insufficient with on-street parking occurring in front of the building on Swarthmore Avenue. 8. Two (2) handicapped parking spaces, both spaces being van accessible are proposed in the south corner of the site. Four (4) handicapped parking spaces are required per ADA requirements since the number of proposed off-street parking spaces exceeds seventy-five (75). 9. Detectable warning surface shall be added to all existing and proposed curb ramps. 10. The proposed off-street parking has been designed with all perpendicular spaces. Therefore, a minimum aisle width of twenty-four feet (24') is required. The plans shall be revised to provide the necessary aisle widths. 11. There are two (2) existing loading areas on the southwest side of the building which will remain. The area closest to the street consists of a two (2) bay loading dock. The second area further from the street is an at grade loading area. Testimony should be provided on loading/unloading for the site. 12. A 12' X 15' refuse area is proposed at the rear of the site. The refuse area is enclosed, but no screening has been provided. Furthermore, accessibility to the refuse area will be poor if vehicles are parked on-site. Testimony should be provided on collection of trash and recyclable material. The waste receptacle area should be designed in accordance with Section 18-809E., of the UDO. 13. The aggregate side yard setback is actually larger than the figure provided in the Zone Requirements, the value should be corrected. 14. An 18' X 18' storage shed is proposed in the western corner of the property. The proposed location meets the accessory side and rear yard setbacks. Testimony should be provided on the use of the shed, which will apparently replace the existing shed shown to be removed on the Demolition Plan. 15. Proposed dimensions should be completed for the rear building addition. 16. All existing and proposed building access points should be added to the site plan since they impact the design. 17. No sight triangles associated with the site access have been indicated and should be added. 18. Our site investigation notes the existing parking lot has undergone significant settlement and runoff puddles at many locations. Corrective action should be considered. B. Architectural 1. A basic "preliminary" architectural elevations and floor plan was submitted for review. Per review of the submitted plan, the maximum building height will be about thirty feet (30') high, far less than the sixty-five foot (65') allowable height. 2. The preliminary architectural plan should be advanced to show existing and proposed building dimensions and square footages. 3. The plan shows a proposed production area for the rear addition. The plan also shows a proposed office area and storage area for the front addition. Testimony should be provided on the proposed floor area usage. 4. The south elevation is missing a door which is on the floor plan. 5. The existing building has metal siding. Metal siding is proposed for the additions with the exception of the proposed office area which shows decorative concrete masonry. The applicant's professionals should provide testimony regarding the proposed building facade, and treatments. We recommend that renderings be provided for the Board's review and use prior to the public hearing, at a minimum. 6. The site plan shows all existing and proposed ground mounted HVAC equipment. Adequate screening of the equipment should be considered. C. Grading 1. A Grading Plan is provided on Sheet 4. 2. The existing contour lines shall be completed and corrected. Some of the existing contour lines run through existing curb and on the wrong side of existing spot elevations. 3. Spot elevations should be added to handicapped parking areas to insure slope compliance. 4. Proposed spot elevations should be completed and proposed high points added for us to complete our grading review. 5. A review of final grading revisions will be performed during

compliance if/when approval is granted. D. Storm Water Management 1. The proposed additions alone will add over twelve thousand square feet (12,000 SF) of new impervious coverage to the site, which is more than a quarter acre. This is exclusive of any site improvements which will add further new impervious coverage. Therefore, the project qualifies as major development and storm water management must be addressed accordingly. 2. Utility & Drainage Note #3 must be revised. While we have not attempted to determine if less than one (1) acre of disturbance will occur, it is clear that more than a quarter acre of new impervious surface will be created. The project is not exempt from providing storm water management 3. Proposed roof downspouts are shown for the building additions. An underground roof leader drainage system must be designed. 4. A storm water management design, report, and maintenance manual shall be provided in accordance with NJ Stormwater Rule (NJAC 7:8) and Township standards. E. Landscaping 1. The Index of Drawings indicates Sheet 5 to be Landscaping & Tree Save Plans. However, Sheet 5 in the plan set is a Tree Replacement Plan. 2. A landscape plan should be provided for the project. F. Lighting 1. A Lighting Plan has been provided which is Sheet 6 of 10. 2. Per review of the Lighting Plan, six (6) building mounted lights are proposed for the additions. Three (3) building mounted lights that face Swarthmore Avenue are proposed for the front addition. According to the plan they will replace the three (3) existing building mounted lights currently on the front of the building. Three (3) building mounted lights that face the back of the site are proposed for the rear addition. 3. The proposed height of the building mounted lights has not been indicated. Based on the Luminaire Schedule it is not clear whether the wattage will be two hundred fifty (250) or two hundred ninety (290). 4. An existing pole mounted light that will be in a proposed parking area is shown to be relocated to a landscape island. The status of another existing pole mounted light that will be in a proposed parking area has not been indicated. Our site investigation notes the existing light poles to be in poor condition. 5. Additional lighting may be necessary in portions of the site, and can be addressed during compliance review if/when approval is granted. A point to point diagram will be required to determine the adequacy of the lighting and compliance with the ordinance. G. Utilities 1. Public water and sewer services are being provided by the Lakewood Township Municipal Utilities Authority. 2. The site will continue to be served by the existing utilities. 3. Testimony should be provided regarding proposed fire protection measures. H. Signage 1. An existing site identification sign will remain. 2. No new proposed free-standing or wall mounted signage have been provided on the site plans. 3. All signage proposed that is not reviewed and approved as part of this site plan application, if any, shall comply with the Township Ordinance. I. Environmental 1. Site Summary Per review of the site plans, aerial photography, and a site inspection of the property, the tract is mostly developed with the exception of a wooded area on the northwest edge of the property. The property generally slopes downwards from the building. No freshwater wetlands or state open waters exist on-site or within three hundred feet (300') of the tract. To assess the site for environmental concerns, a natural resources search of the property and surroundings was completed using NJ Department of Environmental 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 environmentally-sensitive areas exist per available mapping. Testimony should be provided by the applicant's professionals as to whether there are any known areas of environmental concern (i.e. fuel tanks, fuel spills, etc.) that exist within the property. 2. Environmental Impact Statement An Environmental Impact Statement has been submitted. The report must be revised as it mixes in information from another project. 3. Tree Management Plan The project must comply with the new Township Ordinance Chapter XIX, Protection of Trees. We recommend the applicant's engineer contact our office to review the

Tree Replacement Plan provided. J. Construction Details 1. Construction details are provided on Sheet 9 of 10 in the plan set. 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. Construction details will be reviewed after revisions are submitted for the project. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Developers Agreement; b. Township Tree Ordinance (as applicable); c. Lakewood Industrial Commission; d. Lakewood Fire Commissioners; e. Lakewood Township Municipal Utilities Authority (water and sewer); f. Ocean County Planning Board; g. Ocean County Soil Conservation District; and h. All other required outside agency approvals.

Mr. Magno stated that a front yard setback variance as well as some design waivers including allowing a gravel parking area behind the addition, no sidewalk is provided along the frontage. It should be noted that no existing sidewalk exists in the vicinity. A waiver is also requested for shade tree and utility easement along Swarthmore Avenue. Since the report, they have received calculations regarding impervious coverage for stormwater management which showed they will be under the quarter acre for major development. That does relieve them from doing water quality and reductions in the runoff rating. It will not relieve them from providing a lesser or equal flow of drainage from the site.

Mr. Neiman asked if it his is going to be the only building with a 35' setback on Swarthmore Avenue.

Mr. Borden of PDS stated that he has not measured the setbacks of the adjoining buildings but he would do that before the public hearing. There are several shade trees along there which would alleviate that.

Mr. Magno stated that would need approval from the Industrial Commission as well.

Mr. Neiman would like to see them get approval from the Industrial Commission first.

Mr. Borden agrees with the rest of the comments and would submit revised plans.

A motion was made and seconded to advance the application to the May 21, 2013 meeting. Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Rennert, Mr. Percal

4. **SD 1885** (Variance Requested)
Applicant: Nathan & Miriam Zelikovitz
Location: Hope Chapel and Garfield Avenue
Block 7 Lots 1.01, 2, & 3
Minor Subdivision to create two lots

Project Description

The applicant seeks minor subdivision approval to subdivide an existing property containing twenty-three thousand square feet (23,000 SF) into two (2) new residential lots. The existing 0.528 acre site consists of Lots 1.01, 2, and 3 in Block 7. The subdivision proposes to provide

new Lot 1.02 for an existing two-story single family dwelling and new Lot 1.03 which may be developed with a future single family dwelling. The site is situated in the northwest portion of the Township. The existing property has frontage on three (3) roads, Garfield Street to the south, Van Buren Avenue North to the west, and Hope Chapel Road to the north. Garfield Street and Van Buren Avenue North are Township Roads, while Hope Chapel Road is a County Highway. The Township Roads are improved and both have fifty foot (50') right-of-ways. The County Highway is a well traveled improved road with a variable width right-of-way. The half right-of-way width of Hope Chapel Road in front of the site is twenty-five feet (25'). Sidewalk exists across the Garfield Street frontage. Otherwise, no curb and sidewalk exist across the frontages of the tract. The site contains a two-story dwelling and a shed with the driveway accessing Garfield Street. This existing dwelling would remain on proposed Lot 1.02. Proposed Lot 1.02 would become a 100' X 110' rectangular corner lot on Garfield Street and Van Buren Avenue North, having an area of eleven thousand square feet (11,000 SF). Proposed Lot 1.03 would become a 100' X 120' rectangular corner lot on Van Buren Avenue North and Hope Chapel Road, having an area of twelve thousand square feet (12,000 SF). Public sewer is not available. Public water terminates on Garfield Street in front of the existing dwelling. The lots are situated within the R-15 Single Family Residential Zone. As presently configured, lot area variances are being requested for proposed Lots 1.02 and 1.03. We have the following comments and recommendations: I. Zoning 1. The parcel is located in the R-15 Single-Family Residential Zone District. Single Family Detached Housing is a permitted use in the zone. 2. Per review of the Subdivision Map and the zone requirements, the following lot area variances are required: • Minimum Lot Area – Proposed Lots 1.02 and 1.03, eleven thousand square feet (11,000 SF) and twelve thousand square feet (12,000 SF) respectively, fifteen thousand square feet (15,000 SF) required – proposed condition. 3. Since minimum lot area variances are already being considered, we recommend radial dedications be provided at the right-of-way intersections to eliminate the need for sidewalk easements. The proposed dedications would slightly reduce the proposed lot areas. 4. The survey provided does not provide information on the height of the wood deck for the existing two-story dwelling. Therefore, a rear yard variance for the deck on proposed Lot 1.02 may be required with this subdivision request. 5. The survey and minor subdivision indicate an existing shed straddling the property line between the site and the neighboring lot to the east on Garfield Street. The shed must either be removed or relocated. Should the shed be relocated, accessory structure setbacks must be met or a variance sought. 6. 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. A Boundary and Topographic Survey has been submitted. However, information is missing which will impact the proposed Minor Subdivision and design of an Improvement Plan which will be required by the County and Township. In accordance with our site investigation, the survey should be updated to include at a minimum the following information: a. Elevation and dimensions of the wood deck. b. Dimensions of the shed. c. Location of the fence along the eastern property line. d. Sidewalk on Garfield Street. e. Water main, valve, and blow-off in Garfield Street. f. Signs. g. Utility poles. h. Large trees in the Van Buren Avenue North right-of-way which could impact proposed sidewalk location. i. Horizontal datum. 2. The survey shows the aforementioned shed straddling the property line between the site and the neighboring lot. The future status of the shed must be addressed on the Minor Subdivision Plan. 3. The survey indicates that vertical datum has been assumed and a bench mark has been provided. The vertical datum and bench mark should be referenced on the Minor Subdivision Plan. 4. The

existing driveway for the two-story dwelling on proposed Lot 1.02 is too short to double stack vehicles. Therefore, the available number of off-street parking spaces is three (3). The Schedule of Bulk Requirements should be corrected to indicate "3 spaces provided Lot 1.02". Four (4) off-street parking spaces would be provided for the future dwelling on proposed Lot 1.03 with vehicular access restricted from Hope Chapel Road. 5. The General Notes should correct the owner/applicant's address to Garfield Street. 6. General Note #13 shall be revised to also include the portion of the fence lying within the right-of-way. 7. The application is proposing an eight foot (8') wide right-of-way easement to the County along Hope Chapel Road. This is consistent with the neighboring property. Should a dedication be required, the proposed lot area and front setback of new Lot 1.03 will be impacted. 8. Six foot (6') wide shade tree and utility easements dedicated to the Township are proposed along the property frontages of Garfield Street and Van Buren Avenue North. The proposed easement information and areas are shown on an individual lot basis. The shade tree and utility easement should be extended along Hope Chapel Road behind the right-of-way easement. 9. Based on the proposed location of the sidewalk along Hope Chapel Road, a Sidewalk Easement will be required. 10. A 15' X 15' Sight Triangle Easement is proposed at the intersection of Garfield Street and Van Buren Avenue North. The proposed easement should be revised to 25' X 25', consistent with the Township's requirements. 11. An Improvement Plan will be required for the Minor Subdivision. The Minor Subdivision Plan proposes road improvements across the project frontages as follows: a. A half pavement width of eighteen feet (18') from the right-of-way centerline of Hope Chapel Road. b. A half pavement width of fourteen feet (14') from the right-of-way centerline of Van Buren Avenue North. c. A half pavement width of nineteen feet (19') from the right-of-way centerline of Garfield Street. The existing pavement on Garfield Street is offset toward the north side of the right-of-way. The half pavement width proposed for the subdivision will provide an overall road width of about twenty-eight feet (28'). 12. Four foot (4') wide sidewalk is proposed along the project frontages. Accordingly, pedestrian bypass areas will need to be designed. 13. Testimony should be provided on whether a basement is to be proposed for the future dwelling on new Lot 1.03. If so, seasonal high water table information should be provided. 14. New lot numbers should be assigned by the tax assessor's office. If approved, the map shall be signed by the tax assessor. 15. Unless a waiver is sought, the locations of the proposed shade trees should be added to the plans. 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 indicates the property to be mostly cleared. Existing trees should be located within the Van Buren Avenue North right-of-way since their locations will impact the future sidewalk. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review for proposed Lot 1.03. 16. Testimony is required on the disposition of storm water from the development of proposed Lot 1.03. 17. Testimony should be provided on proposed site grading for new Lot 1.03. 18. An existing water main that can service the existing dwelling on proposed Lot 1.02 terminates in Garfield Street. Testimony should be provided on whether public water will be extended to proposed Lot 1.03. The project is within the New Jersey American Water Company franchise area. 19. No sanitary sewer manholes were observed in the vicinity. Confirming testimony should be provided that the project will be serviced by individual septic systems approved by the Ocean County Board of Health. 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. The Legend shall be revised to "monument to be set". Proposed monuments have been offset to intersect with easement lines where they conflict with proposed sidewalk locations. 22. The Owner's Certification must be corrected. 23. The approval boxes must be corrected to reference

the Planning Board. 24. Compliance with the Map Filing Law is required. 25. An Improvement Plan must be provided to include grading and construction details as required. This Improvement Plan may be provided 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 Board of Health; d. Ocean County Soil Conservation District; and e. All other required outside agency approvals.

Mr. Magno stated that variance is requested for minimum lot area. They suggested that the Board require radial dedications at the corner to eliminate the need for sidewalk easements. A variance may be needed for a wood deck on lot 1.02. An existing shed straddles the existing property line. if the shed is going to be relocated a variance may be need for accessory structure setback.

Mrs. Miriam Weinstein, Esq. on behalf of the applicant stated that the shed was actually relocated.

Mr. Magno stated that he recently did a site visit and it looked like the shed was moved onto the property.

Mr. Flannery stated that they will locate it on the revised plans and show exactly where it. They do ask for the variance with respect to the deck. Also, if the County insisted on a dedication, they would request that as well unless the County accepts the easement. All of the engineer's comments would be addressed.

Mr. Neiman wants the applicant to be ready to explain why they are asking for the minimum lot area variance and to also bring a map for the area.

Mr. Flannery agreed.

A motion was made by Mr. Percal, seconded by Mr. Follman to advance this application to the May 21, 2013 meeting.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert, Mr. Percal

7. PUBLIC HEARING ITEMS

1. SP 2002AA (Variance Requested)

Applicant: Yeshivas Ohr Hatorah

Location: Vassar Avenue

Block 1602 Lot 3

Change of Use/Site Plan Exemption to convert existing warehouse into a school

Project Description

The applicant is seeking Site Plan exemption/Change of Use approval for conversion of a one-story metal warehouse building into a 28-classroom school per Section 18-906.B of the UDO. Per General Note #12 on the Change of Use Site Plan, the school will serve first grade through

eighth grade students. In addition to the building conversion, paved improvements will be added to the front of the facility, including an access drive, thirty-two (32) additional parking spaces and seven (7) bus drop-off spaces. In addition to paved improvements, the plans note that the school will be served by "existing utilities". Electric and potable water connections are depicted on the plans. Sewerage is not depicted. The site is located on the south side of Vassar Avenue, within the M-1 Industrial Zone. Surrounding properties are consistent with permitted M-1 uses.

I. Zoning 1. The property is located in the M-1 Industrial Zone District. Schools are a permitted use in the zone. 2. Per review of the Site Plan and the zone requirements, the existing and proposed layout complies with the Bulk requirements of the R-12 zone. 3. No bulk variances appear necessary for the change of use request. As noted on General Note #11, waivers for landscaping and lighting are requested.

II. Review Comments 1. Testimony should be provided by the applicant for the Board to determine the adequacy of existing site improvements to support the proposed change in use, including but not limited to the following issues: a. How many students (maximum) are proposed in the school? b. How many teachers and staffers are proposed at one time? c. How many buses are proposed? d. How students will be dropped off and picked up (by car)? e. Site clearing is proposed west of the converted building. Are other site amenities proposed at this time? 2. The final access drive design should provide for satisfactory circulation for the largest proposed bus to service the site (if not done already). Final design could occur during compliance if Board approval is granted. 3. No architectural plans are provided. However, the Change of Use Plans indicate that (28) classrooms and (6) offices are proposed. At least 38 off-street spaces will be provided, in excess of UDO requirements. 4. Per Section 18-906A(1) of the UDO, a 10-foot buffer is required, for schools, from non-residential uses. Per the site clearing on the Soil Erosion Plan, in excess of a 10-foot natural buffer will remain except for the existing paved area near the easterly property line. 5. The project, if/when approved will be subject to the Township's Tree Protection Ordinance. 6. Per General Note #8, solid waste and recycling will be provided by the DPW from an existing on-site dumpster. DPW approval should be sought as a condition of approval (if sought). 7. No lighting is proposed at this time. Lighting (if required) shall be provided to the satisfaction of the Board. 8. If approved by the Board, our office will review proposed site improvements (paving, etc.) during compliance review. 9. Information to support that existing utilities serving the building are adequate for the proposed school use. How is sewer service proposed? 10. Any information necessary to document compliance with Section 18-906, "Public and Private Schools" of the UDO. 11. Change of use approval, if granted, does not relieve the applicant from obtaining any other necessary outside agency approvals. Depending upon the Board's consideration of the above referenced information and testimony, additional site plan improvements may be necessary. The request for Site Plan exemption should be considered based on additional improvements (if any) deemed necessary to support the requested change in use.

Mr. Rennert stepped down.

No variances are required.

Mr. Glenn Lines, P.E., P.P. was sworn in. He stated they are converting an existing warehouse into a boys school which will have 28 classrooms with around 6 offices. They are proposing to extend the front parking area about 150' so they can have a circular traffic pattern which would hold about 7 busses. There will be 20-30 staff members.

Mr. Neiman asked if this is a new school.

Mr. Penzer said this is an existing school which is rapidly expanding.

Mr. Franklin would like to see a lighting plan. Landscaping should be shown on the plans as well.

Mr. Lines stated they can comply with all of the comments.

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

A motion was made by Mr. Percal, seconded by Mr. Follman to approve the application.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Percal

8. CORRESPONDENCE

1. CONCEPT PLAN REVIEW

Applicant: Tal Spruce LLC
Location: Spruce Street
Block 782 Lots 5 & 6
Minor Subdivision to create 6 dwelling units (3 duplex buildings)

As the Board is aware, a prior major subdivision application for four (4) duplexes (8 residential units) sharing a common access drive and off-street parking was denied at the February 5, 2013 Board meeting. The applicant's professionals have provided two (2) concept plans to seek input from the Board, with the intent of filing a new subdivision application. It should be noted that both concepts depict three (3) duplexes (6 residential units). We offer the following comments and recommendations: 1. As noted on the Concept Plan prepared by Glenn Lines, PE, PP, a paved "Proposed Cross Access Area" is depicted to provide access to the proposed lots. A rectangular "hammerhead"-type terminus, 38 feet wide, is provided to the last two lots to allow for turnaround movements at the end of the paved area. All six units would have four (4) off-street parking spaces, and all have access from the paved roadway. 2. As noted on the Conceptual Plan prepared by FWH Associates, an RSIS-compliant cul-de-sac is proposed to provide access to two (2) of the proposed duplex buildings. The third duplex building would have access directly from Spruce Street. All six units would have four (4) off-street parking spaces, and all have access from the paved cul-de-sac. 3. The primary advantages of Glenn Lines' concept plan are that all six lots will have direct access off of the paved access-way, and that the units would be located further away from existing lots (6.01-6.03 and 7) to the rear (compared to the FWH Associates' concept plan). However, since the access drive would not include an RSIS-compliant cul-de-sac, the Township would not take over or maintain the access way. If approved, the applicant would also need DPW permission to pick up trash and recyclables (or arrange for private pickup). 4. The primary advantage of FWH's concept plan is that an RSIS-compliant cul-de-sac would be provided, for which Township services could be provided. The primary disadvantage of this concept plan is that two (2) of the six lots would have direct access off of Spruce Street. 5. Lot layouts as presented on both concepts appear to

be compliant with R-10 bulk standards. The applicant's professionals should be available to provide input and answer questions at the forthcoming Board meeting.

Mr. Rennert stepped down.

The applicant has proposed two different concept plans to propose six duplexes instead of the previously proposed eight for the Board's recommendation.

Mr. Penzer said he sent out notices to all of the neighbors explaining the concept plans. He would like to hear if there are any neighbors who are against it. There are no variances requested for these two concept plans.

Mr. Neiman said that with the cult-de-sac plan, there is no question about using the road for the square footage, variances, etc.

Mr. Flannery agreed that it is a fully conforming plan which is explained in the engineer's review letter.

Mr. Schmuckler also prefers the cult-de-sac plan.

Mr. Mordechai Kriger stated that the neighbors are definitely leaning toward the cult-de-sac plan. He asked about the decks.

Mr. Flannery said the decks would be less than 3 ft above grade.

9. PUBLIC PORTION

10. APPROVAL OF MINUTES

11. APPROVAL OF BILLS

12. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Sarah L. Forsyth
Planning Board Recording Secretary