

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 at least 48 hours in advance. The public has the right to attend this meeting, and reasonable comprehensive minutes of this meeting will be available for public inspection. This meeting meets the criteria of the Open Public Meetings Act.”

2. ROLL CALL

Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

3. SWEARING IN OF PROFESSIONALS

Mr. Vogt was sworn in.

4. MEMORIALIZATION OF RESOLUTIONS

1. Franklin Street Redevelopment Area

A motion was made by Mr. Sussman, seconded by Mr. Follman to approve.
Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman
Abstain: Mr. Rennert

2. **SD 1972** (No Variance Requested)
Applicant: Sabrina Mermelstein
Location: Hope Chapel & Tori Drive
Block 2 Lot 22 & 135
Minor Subdivision to realign lot line

A motion was made by Mr. Sussman, seconded by Mr. Follman to approve.
Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman
Abstain: Mr. Rennert

3. **SP 2082** (No Variance Requested)
Applicant: JRK Properties LLC
Location: Oberlin Avenue
Block 1609 Lot 6
Minor Site Plan for parking lot addition

A motion was made by Mr. Sussman, seconded by Mr. Follman to approve.
Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

- 4. SP 2083** (No Variance Requested)
Applicant: Component Hardware Group
Location: Lehigh Avenue
Block 1606 Lot 5
Minor Site Plan for parking lot addition

A motion was made by Mr. Sussman, seconded by Mr. Follman to approve.
Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

- 5. SD 1958** (No Variance Requested)
Applicant: Paramount Developers, LLC
Location: East Fourth Street
Block 243 Lots 28 & 29
Preliminary & Final Major Subdivision to create 8 lots

Mrs. Morris stated that there a few changes required and it would be carried to the next meeting.

- 6. SD 1968** (Variance Requested)
Applicant: Barbara Flannery
Location: James Street
Block 375; 377; 378 Lots 1; 26 & 26.01; 1
Amended Preliminary Major Subdivision to create 41 lots

A motion was made by Mr. Sussman, seconded by Mr. Rennert to approve.
Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

- 7. SD 1564A** (Variance Requested)
Applicant: Harvard Partners LLC
Location: Lanes Mill Road & Hidden Lane
Block 187.15 Lot 9
Amended Preliminary and Final Major Subdivision to create 15 lots

A motion was made by Mr. Sussman, seconded by Mr. Follman to approve.
Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

- 8. SD 1960** (Variance Requested)
Applicant: Joseph Goldberg
Location: Delaware Trail
Block 2.04 Lots 2.02 & 2.03
Minor Subdivision to create 3 lots

A motion was made by Mr. Sussman, seconded by Mr. Follman to approve.
Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

- 9. SD 1961** (Variance Requested)
Applicant: Rachel Reiner
Location: 515, 521, & 533 Stirling Avenue
Block 189.01 Lots 191, 194, & 195
Preliminary and Final Major Subdivision to create 10 lots (5 duplex buildings)

A motion was made by Mr. Sussman, seconded by Mr. Follman to approve.
Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

- 10. SD 1962** (Variance Requested)
Applicant: Ben Parnes
Location: Hudson Street
Block 107 Lot 8
Minor Subdivision to create 2 lots

A motion was made by Mr. Sussman, seconded by Mr. Follman to approve.
Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

- 11. SP 2078** (No Variance Requested)
Applicant: Park Lane Associates
Location: New Hampshire Ave & Bellinger Street
Block 1160.06 Lots 265 & 249.02
Preliminary and Final Major Site Plan for expansion of an existing manufacturing building

A motion was made by Mr. Sussman, seconded by Mr. Follman to approve.
Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

- 12. SP 2079** (No Variance Requested)
Applicant: Sudler Lakewood Land, LLC
Location: Oak Street & Paco Way
Block 1160 Lots 240 & 251
Preliminary and Final Major Site Plan for 2 new buildings

A motion was made by Mr. Sussman, seconded by Mr. Follman to approve.
Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

- 13. SD 1963** (Variance Requested)
Applicant: Nachman Taub
Location: Read Place
Block 855.02 Lot 26
Minor Subdivision to create two lots

A motion was made by Mr. Sussman, seconded by Mr. Follman to approve.
Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

- 14. SP 2089AA** (Variance Requested)
Applicant: Bais Medrash of Albert Corp
Location: Albert Avenue
Block 855.06 Lot 15
Change of Use/Site Plan Exemption to put trailers on site for a synagogue

A motion was made by Mr. Sussman, seconded by Mr. Follman to approve.
Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman
Abstain: Mr. Rennert

- 15. SP 2090AA** (Variance Requested)
Applicant: Congregation Damesek Eliezer, Inc.
Location: West County Line Road & Teaberry Court
Block 27 Lot 1.26
Change of Use/Site Plan Exemption to convert existing residence into a synagogue

A motion was made by Mr. Sussman, seconded by Mr. Follman to approve.
Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

- 16. SP 2091AA** (No Variance Requested)
Applicant: Kehillas Yoel Yaakov, Inc.
Location: Ridge Avenue & County Line Road East
Block 186.03 Lot 1.06
Change of Use/Site Plan Exemption for an addition to an existing house to be used as a synagogue

A motion was made by Mr. Sussman, seconded by Mr. Follman to approve.
Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

- 17. SP 2093** (Variance Requested)
Applicant: Khal Skulen deLakewood
Location: Park Avenue
Block 238 Lot 5
Preliminary & Final Major Site Plan for a synagogue

Mrs. Morris stated this resolution is not ready and will be carried to the next meeting.

Mr. Penzer asked if the Board would allow for a temporary trailer for a maximum of two years.

Mr. Neiman asked where they are going to park. There is no parking available in that area.

Mr. Penzer said they would need to park on side streets.

Mr. Neiman suggested that they come back next week with some sort of plan showing the trailer.

Mr. Penzer said that is fine. He asked that the resolution be prepared in the meantime.

- 18. SD 1892A** (No Variance Requested)
Applicant: Yeshiva Yesodei Hatorah
Location: Bellinger Street, South Bell Ave, South Lafayette Ave, Read Place
Block 804; 805; 822; 823; 830 Lots 1 & 2; 1; 1-3; 1; 40 & 41
Amended Major Site Plan and Major Subdivision for 41 townhouses and site improvements on a total of 44 new lots, with a mikvah and school offices

Mr. Jackson said the only issue with this resolution is whether or not the Board can enforce the applicant to install sidewalks on Albert Avenue as that is an off-site improvement. There is no transcript available so he is not sure if the applicant agreed to do it. He would prefer to leave that out of the resolution. If there is an appeal, a transcript would have to be made.

Mr. Penzer is willing to take that risk and would like to proceed with the resolution. The portion they are speaking of is on someone else's property and they cannot enforce them to install sidewalks there.

Mr. Neiman remembers the Albert area neighbors were opposed to this application in the beginning and then agreed to this application based on testimony that the applicant would give them something.

Mr. Jackson read the resolution into record.

A motion was made by Mr. Banas, seconded by Mr. Follman to approve the resolution without the condition that sidewalks are required on Albert Avenue.

Affirmative: Mr. Herzl, Mr. Sussman, Mr. Neiman, Mr. Follman

No: Mr. Sussman

Abstain: Mr. Banas, Mr. Rennert

5. PLAN REVIEW ITEMS

1. **SD 1965** (Variance Requested)
Applicant: Arlington Heights, LLC
Location: Arlington Avenue
Block 769 Lots 16.03, 18.01, & 19.03
Minor Subdivision to create 9 lots

Project Description

The applicant seeks approval to subdivide three (3) existing lots into two duplex properties (Lot 18.01 and Lot 19.03) and one single-family property (Lot 16.03). The existing tract consists of three (3) adjacent lots with a total area of twenty-five thousand one hundred fifty-four square feet (25,154 SF), or 0.577 acres. Existing Lot 19.03 to the north is an irregularly shaped ten thousand one hundred fifty four square foot (10,154 SF) property. Existing Lots 19.04 and 19.05 are rectangular 50' X 150' lots to the south, with seven thousand five hundred square feet (7,500 SF) of area. All lots contain one-story dwellings. All existing structures and accessory structures are to be removed. The site is located in the central portion of the Township. The lots are located on the eastern side of Arlington Avenue north of Lincoln Street. Arlington Avenue is an improved municipal road with a fifty foot (50') wide right-of-way. The pavement has been patched, curbing exists along the property frontage, but sidewalk does not. The site generally slopes toward the west. Existing potable water and gas mains are located in the Arlington Avenue right-of-way. Sanitary sewer is also available. No improvements have been proposed with this subdivision application. The proposed lots are situated within the R-7.5 Single-Family Residential Zone. Unless vacant, the surrounding land uses are generally residential. We have the following comments and recommendations: I. Zoning 1. The parcels are located in the R-7.5 Single-Family Residential Zone District. Duplex housing with a minimum lot size of ten thousand square feet (10,000 SF) and a minimum lot width of sixty feet (60') is a permitted use under R-7.5 Zoning requirements. Zero lot line subdivisions for duplexes are permitted in the zone. Single-family dwellings are also permitted. 2. The same applicant is proposing to develop an adjoining site under Application # SD-1964. Testimony should be provided as to why the projects are not a single Major Subdivision. Fact. 3. A Front Yard variance is required for single-family Lot 16.03 (20 feet proposed, 25 feet required). 4. Side yard variances are required for Lot 18.01 (6 feet proposed, 7 feet required). 5. Aggregate side yard variances are required for Lot 18.01 (12 feet proposed, 15 feet required). 6. The applicant must address the positive and negative criteria in support of any 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. The existing utilities in the right-of-way should be updated on the survey. Addressed. 2. The survey shows a shed behind Lot 19.04 encroaching onto Lot 19.06. Shown to be removed. 3. The Lincoln Street right-of-way should be clarified on the Minor Subdivision plan. Addressed. 4. The Schedule of Bulk Requirements indicates that four (4) off-street parking spaces will be required and provided per dwelling unit. Off-street parking should be provided to the satisfaction of the Board and comply with Ordinance 2010-62. Fact. 5. Existing sanitary sewer lines should be shown. Fact. 6. Sidewalk does not exist along the Arlington Avenue frontage. If sidewalk is not a proposed improvement, a design waiver would be necessary. Fact. 7. The shed encroaching onto neighboring Lot 19.06 will be removed. The driveway encroachment onto neighboring Lot 20 must be indicated to be removed. Facts. 8. Zone Boundary Lines should be clarified on the plan. Properties on the west side of Arlington Avenue, north of Lincoln Street are in the R-M Zone. Addressed. 9. Lot 16.03 is under construction. Fact. 10. New lot numbers should be assigned by the Tax Assessor. The map shall be signed by the Tax Assessor should approval be granted. Fact. 11. A six foot (6') wide shade tree easement exists along the Arlington Avenue frontage. The proposed easement areas should be provided on an individual lot basis. Fact. 12. No street trees are proposed within the shade tree easement for the project and are required unless a waiver is granted. 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. Fact. 13. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan Review for the proposed lots. The northern edge of the site has a small wooded area. Fact. 14. Should basements or recharge systems be proposed for the future dwellings, seasonal high water table information will be required. Fact. 15. We recommend the replacement of curb in front of the site because of the amount of disturbance required from installing utility connections, removing the old driveways, and installing the new driveways. Fact. 16. Should proposed utility connections on Arlington Avenue disturb more than twenty percent (20%) of the road length in front of the site, an overlay would be required. Existing utilities should be shown. Fact. 17. A space for the owner's name shall be left in the Notary Public's Certification. Addressed. 18. The Surveyor's Certification has the incorrect survey date. Addressed. 19. Grading and storm water management designs should be provided when an Improvement Plan is submitted. Fact. 20. Water and sewer service is to be provided by New Jersey American Water Company since the project is within their franchise area. Fact. 21. The Plan and Legend shall be clarified to indicate monuments found, monuments set, and monuments to be set. Fact. 22. 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. Fact. 23. Compliance with the Map Filing Law is required. Fact. 24. The Improvement Plan to be provided must include proposed grading, drainage, and construction details in accordance with any conditions of approval imposed by the Board. Fact. 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.

Mr. Brian Flannery, P.E., P.P. stated that he marked SD 1964, which was just approved by this Board, in orange. In the orange plan there are three lots. One lot has a previous approval for a house on an undersized lot, a second, where there is an existing home, the third lot is part of this application. They are proposing to square off the lots lines so certain lots are no longer triangular and would be square. This is a lot line adjustment.

Mr. Neiman said they are not creating any new variances, they are just helping a smaller lot get a little bigger.

Mr. Flannery asked since it is a simple lot line adjustment, he asked that this be heard in full tonight.

Mr. Neiman has no problem with that.

Mr. Vogt said there are variances associated with the application.

Mr. Flannery said the variances requested are the same for SD 1964, which was just approved by the Board.

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

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

Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

- 2. SD 1996** (Concept Plan Review)
Applicant: 70 East, LLC
Location: Locust Street
Block 1081 Lot 4
Concept Plan for 28 duplexes

Project Description

The applicant is seeking Board input for a proposed Two-family (duplex) major subdivision proposed at the southeast corner of the intersection of NJ Route 70 and Locust Street. The property is several acres in size, undeveloped in its current condition, and surrounded primarily by multi-family residential and commercial uses. Two (2) concept plans – entitled “Sketch A” and Sketch B” have been provided for review. “Sketch A” depicts twenty-eight (28) duplex properties of at least 10,000 sf in size (i.e., fifty-six (56) residential duplex units) and a proposed shul (and parking). Similarly, “Sketch B” proposed the same number of units (and a shul), but on minimum 8,000 sf sized lots. I. Zoning 1. The property is located in the B-5A (Single Family Residential) Zone. Two family residential development, including duplexes is a permitted use, subject to the requirements of UDO subsection 18-903F (and B-2 bulk requirements, except density). Density is permitted at seventeen (17) units per acre. In addition, both sketches appear compliant with duplex development conditions identified in UDO Subsection 18-1014, “Duplexes” (amended per Township Ordinance 2014-8) 2. Per review of the Site Plan and the zone requirements, “Sketch A” (i.e., 10,000 sf duplex lots) appears to meet the B-2 bulk requirements and bulk requirements as permitted per Township Ordinance 2014-8 except for maximum building coverage (40% proposed, 30% allowed per B-2 zone standards).. 3. Similarly, per review of the Site Plan and the zone requirements, “Sketch A” (i.e., 8,500 sf duplex lots) appears to meet the B-2 bulk requirements and bulk requirements as permitted per Township Ordinance 2014-8 except for maximum building coverage (40% proposed, 30% allowed per B-2 zone standards) and minimum lot area (8,500 sf proposed 10,000 sf required per B-2 standards). II. Review Comments 1. Testimony should be provided by the applicant for the Board summarizing the proposed project and duplex units (i.e., number of bedrooms, number of off-street parking spaces, etc. 2. Testimony should be provided regarding the proposed shul (i.e., size, number of floors, etc.).3. As depicted on the concept sketches, both concepts propose two (2) cul-de-dacs from an existing multifamily development access drive to serve the duplex properties and shul. Confirmation should be provided that these roads would be RSIS-compliant (and Township or privately-owned and maintained). 4. All other design elements (e.g., grading, drainage, landscaping, lighting, etc), as well as any necessary bulk variance relief would be addressed at time of Major Subdivision application for this project.

Mr. Rennert stepped down.

Mr. Abraham Penzer, Esq., on behalf of the applicant, stated they have two ways to build this. One way would be without any variances but the plan looks a little ugly. The other plan would require a variance but would look neater.

Mr. Brian Flannery, P.E., P.P. said sketch "A" would have lots that meet the definition. Some of the lots are little awkward. Sketch "B" is the same number of lots, a bigger shul, but there would be a minimum of 8,500 sf. The Township Committee recently passed an ordinance which says duplexes and townhouses are permitted. The duplex lots can go down to 8,500 sf as long as the townhouse density is not exceeded. Plan "B" isn't exceeding any density and it makes sense but they wanted to get a feel from the Board before they spent the money and drew up the plans.

Mr. Neiman likes sketch "B" better. It does look cleaner.

Mr. Banas agrees.

Mr. Neiman doesn't see any recreation area.

Mr. Flannery said there is a lot next door that was opened by the same applicant. Toms River Township has since bought that lot and it would be used for recreation.

6. PUBLIC HEARING

- 1. SD 1964** (Variance Requested)
Applicant: Arlington Heights, LLC
Location: John Street & Lincoln Street
Block 769 Lots 18, 19, 19.01, 19.02, 19.06, & 19.07
Minor Subdivision to create 9 lots

Project Description

The applicant seeks approval to subdivide six (6) existing lots into four (4) duplex lots and five (5) single family lots. The site, consisting of existing Lots 18, 19, 19.01, 19.02, 19.06, and 19.07 in Block 769 would be subdivided into proposed Lots 18.01 and 19.08 through 19.15. The duplexes will be on proposed Lots 19.12 through 19.15 as designated on the subdivision plan. The existing lots are vacant and wooded. The existing tract consists of six (6) adjacent lots with frontages along John Street, Melville Avenue, and Lincoln Street. Melville Avenue was vacated by Ordinance No. 2014-29. Proposed Lots 19.10 and 19.11 contain land from vacated Melville Avenue. The site is located in the central portion of the Township. The existing lots are located on the southern side of John Street and northern side of Lincoln Street, east of Arlington Avenue. John Street is an improved municipal road with a sixty-six foot (66') wide right-of-way. Lincoln Street is an improved municipal road with a right-of-way of varying width at the frontage of the property. The site generally slopes toward the east. No improvements have been proposed with this subdivision application. The proposed lots are situated within the R-7.5 Single-Family Residential Zone. Unless vacant, the surrounding land uses are generally residential. We have the following comments and recommendations: 1. Zoning 1. The parcels are located in the R-7.5 Single-Family Residential Zone District. Single-family detached housing is a permitted use under R-7.5 Zoning requirements. Two-family housing and duplexes are permitted provided that newly created lots have a minimum lot size of ten thousand square feet (10,000 SF) and have a minimum lot width of sixty feet (60'). Zero lot line subdivisions for duplexes are permitted in the zone. 2. Variances are required for Minimum Side Yard Setback for proposed duplex lots 19.10 and 19.11, where 6 feet is proposed (vs. 7 feet required). 3. Variances are required for Minimum Side Yard Setback for proposed single-family lots

18.01, 19.08 and 19.09, where 6 feet is proposed (vs. 7 feet required). 4. Variances are required for Minimum Aggregate Side Yard Setback for proposed single-family lots 18.01, 19.08 and 19.09, where 12 feet is proposed (vs. 15 feet required). 6. A waiver is required for the 25' X 25' road widening easement proposed for new Lot 19.11, instead of a right-of-way dedication. It should be noted that a right-of-way dedication would increase the severity of the variances proposed for new Lot 19.11. However, the proposed easement is for an existing stub on Melville Avenue which would no longer be required since the street has been vacated. Testimony should be provided on the proposed design. 7. Waivers are required for proposed lot lines which are not perpendicular to the right-of-way. However, we recommend approval of these waivers since John Street is skewed with respect to the rest of the Block. 8. The applicant must address the positive and negative criteria in support of the required variance. 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. Existing utilities in the right-of-ways should be updated on the survey. Addressed. 2. A revision date must be added to the Minor Subdivision for this resubmission requesting additional variances. Addressed. 3. The Schedule of Bulk Requirements indicates that four (4) off-street parking spaces will be required and provided per dwelling unit. Off-street parking should be provided to the satisfaction of the Board and comply with Ordinance 2010-62. Fact. 4. General Note #7 should be "Applicant/Owner" and include Lot 19. Addressed. 5. Zone Boundary Lines should be clarified on the plan. Properties on the west side of Arlington Avenue, north of Lincoln Street are in the R-M Zone. Addressed. 6. The right-of-way for Lincoln Street should be clarified on the survey and the improvement plan. Addressed. 7. New lot numbers should be assigned by the Tax Assessor. The map shall be signed by the Tax Assessor should approval be granted. Fact. 8. The existing shed on proposed Lot 19.15 must be labeled "to be removed". Fact. 9. A six foot (6') wide shade tree easement exists along the Lincoln and John Street frontages. The proposed easement areas should be provided on an individual lot basis. The easement will need to be revised on proposed Lot 19.11. Fact. 10. No street trees are proposed within the shade tree easements for the project and are required unless a waiver is granted. 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. Fact. 11. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan Review for the proposed lots. Most of the site is wooded with large trees. Fact. 12. Improvement Plans which include road widening, curb, and sidewalk must be provided for John Street. Fact. 13. Concrete sidewalk is required along the frontage of Lincoln Street unless a waiver is granted by the Board. Fact. 14. Proposed concrete sidewalk should be designed to a width of five feet (5') unless pedestrian passing lanes are added. Fact. 15. Should basements or recharge systems be proposed for the future dwellings, seasonal high water table information will be required. Fact. 16. Grading and storm water management designs should be provided when an Improvement Plan is submitted. Fact. 17. Water and sewer service is to be provided by New Jersey American Water Company since the project is within their franchise area. Fact. 18. The Plan and Legend shall be clarified to indicate the monuments found, monuments set, and monuments to be set for this project. The monument locations are inconsistent between the plan and the easement to be vacated. Fact. 19. 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. Fact. 20. Compliance with the Map Filing Law is required. Fact. 21. The Improvement Plan to be provided must include proposed profiles, grading, drainage, and construction details in accordance with any conditions of approval imposed by the Board. Fact. 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.

Mr. Vogt stated variances required are minimum side yard setback, minimum aggregate side yard setback and a waiver is required for the road widening easement.

Mr. Brian Flannery, P.E. P.P., was sworn in. The application is to take some existing lots and subdivide them into a combination of duplex and single family. They are very deep lots with improved roadways on either side. The relief asked for is with respect to the side lines. They are asking for 6 ft where 7 ft is required so they can get more usable units for the future owners.

Mr. Neiman asked if all the lots have frontage.

Mr. Flannery said yes. The units will front on John and Lincoln. They will satisfy the comments in the engineer's review letter.

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

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

Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

- 2. SD 1966** (Variance Requested)
Applicant: Yehuda Ehrman
Location: Lanes Mill Road
Block 189.16 Lot 50.01 & 50.02
Minor Subdivision to create 3 lots

Applicant is requesting to carry to the 10/28 meeting. This project will not be heard.

A motion was made and seconded. All were in favor.

- 3. SD 1970** (Variance Requested)
Applicant: Yisroel Oelbaum
Location: Linden & Bergen Avenues
Block 189.02 Lot 13
Minor Subdivision to create 2 lots

Project Description

The applicant seeks minor subdivision approval for the subdivision of one (1) existing residential lot into two (2) residential lots for two (2) single family dwellings. The project involves an existing fifteen thousand square foot (15,000 SF), 0.344 acre property known as Lot 155 in Block 189.02. The proposed properties are designated as new Lots 155.01 and 155.02 on the subdivision plan. Existing Lot 155 is a rectangular corner parcel containing a one-story dwelling and a shed. Two (2) single family residences are proposed for new Lots 155.01 and 155.02. Public water and sewer is available. Curb in poor condition exists along the Bergen Avenue frontage, but sidewalk does not. Curb and sidewalk, both in poor condition exist along the Linden Avenue frontage of the property. The site is situated in the northern portion of the Township on the northwest corner of Linden Avenue and Bergen Avenue. Both streets are improved Township Roads in poor condition. Linden Avenue and Bergen Avenue have varying right-of-way widths, and pavement widths of thirty feet (30'). However, the half right-of-way widths along the frontages of the site are only twenty feet (20'). Therefore, five foot (5') dedications are required. Proposed Lots 155.01 and 155.02 would become single family properties, with main frontage on Bergen Avenue. Each proposed 75' X 100' property would have an area of seven thousand five hundred feet (7,500 SF), exclusive of any dedications. The site slopes gently southward toward Bergen Avenue. Large individual trees are existing onsite and have been located on the survey. Sanitary sewer

exists under the centerline of Bergen Avenue. Potable water is available. Overhead electric exists on the south side of Bergen Avenue and the west side of Linden Avenue. The surrounding lots are predominately residential uses. The lots are situated within the R-10 Single Family Residential Zone. Variances are required for this proposed subdivision. We have the following comments and recommendations per testimony provided at the 9/9/14 Planning Board Plan Review Meeting and comments from our initial review letter dated September 2, 2014: I. Zoning 1. The parcel is located in the R-10 Single-Family Residential Zone District. Single family detached housing is permitted. Statements of fact. 2. Five foot (5') wide right-of-way dedications are required along both road frontages. Instead of a dedication, a five foot (5') wide road widening easement has been proposed along Bergen Avenue. Right-of-way dedication has not been addressed along Linden Avenue. If waivers are granted from right-of-way dedications, road widening easements will be required. It should be noted that any right-of-way dedications would increase the number and magnitude of the variances already being requested. The Board shall take action on the waivers required from right-of-way dedications. 3. A Minimum Lot Area variance is required for proposed Lots 155.01 and 155.02. A lot area of seven thousand five hundred square feet (7,500 SF) is proposed. A ten thousand square feet (10,000 SF) lot area is required. The Board shall take action on the required lot area variances. 4. A Minimum Front Yard Setback variance is required for proposed Lot 155.02. A front yard setback of twenty-five feet (25') is proposed to Linden Avenue. A thirty foot (30') front yard setback is required. The Board shall take action on the required front yard setback variance. 5. A Minimum Combined Side Yard Setback variance is required for proposed Lot 155.01. A combined side yard setback of twenty feet (20') is proposed. A twenty-five foot (25') combined side yard setback is required. The Board shall take action on the required combined side yard setback variance. 6. The applicant must address the positive and negative criteria in support of any 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 Sight Triangle Easement to Lakewood Township is proposed at the intersection of Bergen Avenue and Linden Avenue. A basis for the proposed easement dimensions shall be provided since the legs are not equal. A proposed 25' X 25' Sight Triangle Easement shall be established from either the dedications or easements of Bergen and Linden Avenues. The corrected Sight Triangle Easement can be provided for resolution compliance submission if approval is granted. 2. Six foot (6') wide shade tree and utility easements dedicated to the Township are proposed along the property frontages of new Lots 155.01 and 155.02. Proposed easement dimensions shall be completed on new Lot 155.02. The proposed easement areas are shown on an individual lot basis. Either a right-of-way dedication or right-of-way easement must be provided along Linden Avenue in order for this to be properly addressed. This matter can be completed for resolution compliance submission should approval be granted. 3. The future status of the existing improvements (assumed to be removed) shall be addressed on the plans and in the General Notes. This can be addressed with resolution compliance submission should approval be granted. 4. The Requirements indicate that a minimum of four (4) off-street parking spaces per dwelling unit will be required, and a minimum of four (4) off-street parking spaces per dwelling unit will be provided on proposed Lots 155.01 and 155.02. Testimony should be provided regarding the proposed number of bedrooms, if known. Testimony should be provided on the proposed number of bedrooms. 5. If known, testimony should be provided on whether basements will be proposed for new Lots 155.01 and 155.02, since off-street parking could be impacted. If basements are proposed, seasonal high water table information will be required. Off-street parking shall be provided to the satisfaction of the Board. Testimony should be provided on whether basements will be proposed. 6. 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. The map shall be signed by the tax assessor prior to filing should approval be granted. 7. The existing curb is in poor condition. We recommend replacement of the curb along the entire property frontage of new Lots 155.01 and 155.02.

Gutter reconstruction will be required with the curb replacement for grading and drainage purposes. The proposed gutter reconstruction will need to extend slightly west of the site so as not to create a low point in front of the adjoining property. Reconstruction of concrete curb has been indicated. Proposed top and curb and gutter grades shall be corrected to provide an adequate positive slope for drainage purposes. The corrections can be provided with resolution compliance submission should approval be granted. 8. Public water and sewer is available to the project site. The project will be serviced by New Jersey American Water Company, since the site is within their franchise area. Statements of fact. 9. Should proposed road reconstruction and utility connections disturb more than twenty percent (20%) of the road length along a site frontage, an overlay would be required. Statement of fact. 10. The Improvement Plan proposes four (4) "Red Maple" street trees. The locations of the proposed shade trees are shown on the Improvement Plan. Landscaping should be provided to the satisfaction of the Board, and should conform to recommendations from the Township Shade Tree Commission as practicable. The Shade Tree Commission recommended the addition of foundation plantings. Foundation plantings can be added for resolution compliance submission should approval be granted. The Board should provide landscaping recommendations. 11. Our site investigation noted several mature trees exist on the property and they have been properly located on the survey. Compensatory plantings should be provided in accordance with the Township Code (if applicable). Additionally, protective measures around mature trees to remain (e.g., snow fencing or tree wells at drip lines) should be provided. If this subdivision is approved, final plot plans for proposed Lots 155.01 and 155.02 submitted for Township review should include tree protective measures to save mature vegetation where practicable. Tree removal can be addressed with resolution compliance submission should approval be granted. 12. Testimony is required on the disposition of storm water from the development. The project is too small to qualify as major development. The Improvement Plan indicates runoff from the northerly half of the proposed roof areas shall be piped into dry wells. Furthermore, proposed dry wells will be sized for storm water management and shall be provided when plot plans are submitted. Proposed grading shall be revised such that runoff is not trapped on adjacent properties. The proposed grading corrections can be provided with resolution compliance submission should approval be granted. 13. The proposed grading indicated on the Improvement Plan will need to be adjusted after the curb replacement is designed. The proposed grading scheme is directing runoff towards the surrounding streets and away from adjoining properties. The large trees requiring removal shall be indicated. Proposed grading corrections shall be provided with resolution compliance submission should approval be granted. 14. Compliance with the Map Filing Law is required. Statement of fact. 15. Construction details should be revised on the Improvement Plan in accordance with the conditions of any approvals. At a minimum, a gutter reconstruction detail will be required for resolution compliance submission should approval be granted. 16. Final construction details will be reviewed during compliance should subdivision approval be granted. Statement of fact. 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.

Mr. Vogt stated that variances are required for minimum lot area, minimum front yard setback and minimum combined side yard setback as well as the 5 ft wide right-of-way dedication.

Mr. John Doyle, Esq., on behalf of the applicant, stated this is in the R-10 zone and they are requesting two 7,500 sf lots. The house is old and not consistent with the neighborhood.

Mr. Brian Flannery, P.E. P.P., was sworn in. This R-10 zone was the topic of the 2007 Master Plan and was suggested to be re-zoned to R-7.5 to provide additional housing opportunities compatible with the redevelopment of that area. He entered a copy of the plan as exhibit A-1. A copy of the tax map with

the zone lines highlighted was entered as exhibit A-2. A variance is also requested for a 6 ft fence along Lincoln Avenue.

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

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

Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

- 4. SD 1971** (Variance Requested)
Applicant: Naftoli Eisen
Location: Ashley Avenue
Block 774.04 Lot 14.03 & 14.04
Minor Subdivision to create 2 lots

Project Description

The revised plan amends the application to subdivide Lots 14.03 and 14.04 in Block 774.04, which were created by Filed Map K3913, into two (2) new lots and a lot line adjustment to Lot 14.03. Existing Lots 14.03 and 14.04 are now vacant. The applicant proposes to subdivide the existing tract, Lots 14.03 and 14.04 in Block 774.04, into two (2) separate lots, designated as new Lots 14.05 and 14.06 on the subdivision plan and also provide a lot line adjustment to Lot 14.03. Proposed Lot 14.05 would become a 10,762 square foot irregular lot which would have limited frontage on Ashley Avenue, a partially improved street. Proposed Lot 14.06 would become a twelve thousand square foot (12,000 SF) irregular lot without street frontage. Existing Lot 14.03 would be reduced in area from 12,750 square feet to 11,866 square feet. Public water is available from the terminus of Ashley Avenue and public sewer is available from an existing manhole in Ashley Avenue on the north side of Wynatt Street. Public water and sewer is also available in Pine Street. The site is situated in the central portion of the Township, south of the terminus of Ashley Avenue and on the north side of Pine Street. The surrounding area is predominantly residential. The northeast corner of the tract has limited frontage (half the right-of-way width) on the terminus of Ashley Avenue. Ashley Avenue is a partially improved municipal road that has an existing right-of-way width of fifty feet (50'). A dead end stub of Ashley Avenue, south of Wynatt Street almost extends to the site. Potable water exists under the sidewalk on the west side of the stub. There is a new trench for an underground gas line in the west side of the pavement. Overhead electric exists within the east side of the right-of-way. The closest sanitary sewer manhole was observed on Ashley Avenue, north of Wynatt Street. The south side of the tract has frontage on Pine Street. Pine Street is an improved municipal road that has an existing right-of-way width of sixty-six feet (66'). Curb and sidewalk exist along Pine Street and all utilities are readily available within the Pine Street right-of-way. Most of the existing 0.795 acre property falls within a valley. There are many small trees on the site. The tract is located in the R-10 Single Family Residential Zone. Variances are requested to create this subdivision. We have the following comments and recommendations per testimony provided at the 9/9/14 Planning Board Plan Review Meeting and comments for our initial review letter dated September 5, 2014: I. Zoning 1. The property is located within the R-10 Single-Family Residential Zone District. Single-family detached dwellings are a permitted use in the zone. Statements of fact. 2. All lots must have frontage on an improved street. Therefore, a variance is required for proposed Lot 14.06. Proposed Lot 14.05 will have limited frontage, half right-of-way width, on the terminus of Ashley Avenue, which is a partially improved street. The street condition appears to meet the requirements of a "Public Street" as defined per Subsection 18-200 B of the Lakewood UDO. Twenty-five foot (25') wide access easements are proposed for new Lots 14.05 and 14.06. A note has been added that proposed Lot 14.06 requires a variance for lot frontage on an unimproved street. The Board shall take action on the required variance. 3. The following variances are being requested for proposed Lots 14.05 and 14.06: •

Minimum Lot Width - 61.50 feet for new Lot 14.05 and 63.52 feet for new Lot 14.06, seventy-five feet (75') required - proposed condition. • Minimum Side Yard Setback – five feet (5') proposed, ten feet (10') required – proposed condition. • Minimum Aggregate Side Yard Setback – ten feet (10') proposed, twenty-five feet (25') required – proposed condition. The Board shall take action on the required variances. 4. The addition of Lot 14.03 to the application requires another variance. A fifteen foot (15') Minimum Aggregate Side Yard Setback is proposed, whereas twenty-five foot (25') is required. The Board shall take action on the required aggregate side yard setback variance. 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. Surveys for Lots 14.03 and 14.04 have been submitted with the revised Minor Subdivision Plan. The Survey for Lot 14.04 erroneously shows access easement information which does not yet exist. A corrected survey shall be supplied with resolution compliance submission should approval be granted. 2. The Survey for Lot 14.03 incorrectly shows a fence offset to the west. A corrected survey shall be provided with resolution compliance submission should approval be granted. 3. The revised Minor Subdivision Plan shows an existing fence on proposed Lot 14.06 to be relocated. However, it does not address the fence encroachment onto neighboring Lot 13. This matter shall be addressed with resolution compliance submission should approval be granted. 4. Environmental Constraints Mapping indicates the possibility of freshwater wetlands on this site. Per communications with the applicant's professionals, the applicant agrees to provide wetlands assessment by a qualified professional as a condition of approval, if/when granted. Statements of fact. 5. The applicant must demonstrate that the proposed Lots 14.05 and 14.06 can be serviceable by emergency and public vehicles such as garbage trucks. The applicant's professionals indicate that testimony will be provided. 6. The General Notes indicate that four (4) off-street parking spaces are to be provided for each future dwelling. Proposed dwellings are not shown for new Lots 14.05 and 14.06. The applicant should provide testimony detailing the number of bedrooms for the proposed dwellings on new Lots 14.05 and 14.06, to have the off-street parking requirements on the record. Off-street parking must be provided to the satisfaction of the Board. The revised plan indicates that four (4) off-street parking spaces are to be provided for each dwelling on Lots 14.03, 14.05, and 14.06. The applicant's professionals indicate that testimony will be provided on the number of bedrooms for the proposed dwellings. 7. Testimony should be provided as to whether basements will be proposed for the future dwellings on the proposed lots. If basements are proposed, seasonal high water table information will be required. The applicant's professionals indicate that testimony will be provided on basements. 8. Twenty-five foot (25') wide access easements are proposed on the portions of new Lots 14.05 and 14.06 where Ashley Avenue was vacated. The plan does not show the dedicated party. Furthermore, the proposed area of the access easement on new Lot 14.05 shall be corrected to 1,537.50 square feet. The Planning Board Attorney should review the Access Easement Notes. Notes showing the dedicated party for the easements have been added. The proposed area for the access easement on new Lot 14.05 has been revised. The Planning Board Attorney shall review the Access Easement Notes prior to map filing should approval be granted. 9. The subdivision is located within the franchise area of New Jersey American Water Company. The plan indicates that public water and sewer are to be provided. Statements of fact. 10. Many corrections are required to the Schedule of Bulk Requirements. The following corrections are required to the Schedule of Bulk Requirements: a. The area of Lot 14.03 should be 11,866 square feet. The area of proposed Lot 14.06 should be twelve thousand square feet (12,000 SF). b. The lot width for proposed Lot 14.06 should be 63.52 feet. c. The front yard setback of proposed Lot 14.05 should be thirty feet (30'). d. The combined side yard setback for Lot 14.03 should be fifteen feet (15') with a variance denoted. e. The allowable maximum building coverage should be thirty percent (30%). 11. Our site investigation indicates there are many existing small trees on the property. This development, if approved must comply with the Township Tree Ordinance at time of Plot

Plan review for proposed Lots 14.05 and 14.06. Since Lot 14.03 has been added to the application, this development if approved must comply with the Township Tree Ordinance at time of Plot Plan review for Lots 14.03, 14.05, and 14.06. 12. An Improvement Plan with construction details shall be provided during compliance review, if/when granted. The Improvement Plan shall include Lot 14.03. 13. Existing topography and proposed grades will be required for the improvements connecting to Ashley Avenue. Existing topography and proposed grades will also be required along Pine Street, should approval be granted. 14. Testimony is required on grading and the disposition of storm water from the development of the proposed lots. The applicant's professionals indicate that testimony will be provided. 15. Proposed lot numbers must be assigned by the tax assessor's office. The tax assessor has approved the lot numbers. The map shall be signed by the tax assessor prior to filing should approval be granted. 16. Compliance with the Map Filing Law is required. Statement of fact. 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. New Jersey Department of Environmental Protection; and e. All other required outside agency approvals.

Mr. Vogt stated that a variance is required for lot frontage on an unimproved street, minimum lot width, minimum side yard setback, minimum aggregate side yard setback.

Mr. Brian Flannery, P.E., P.P. was sworn in. This application is to create 3 lots. The development of the two lots in the back would be an extension off of Ashley Avenue. The units have 25 ft of frontage on Ashley. There would be an easement across the front of those two lots. Due to the unique nature of these lots, they are asking for the side yard setbacks to provide units that will better serve the future residents.

Mr. Neiman opened to the public.

Mr. John Brown, 203 Pine Street, was sworn in. He was under the impression that this is a two lot minor subdivision. This property runs parallel to his property. He is concerned about the entrance way in the back. He owned that property at one point and created that flag lot. He is concerned about the traffic going out of Ashley Avenue as it is only 26 ft wide. He would like to know what type of homes will be built.

Mr. Flannery said there are currently two lots and they are dividing it into three. One lot would have a single family home, another could have a larger single family home or a small duplex. The most would be three units coming out on Ashley Avenue. Each unit can only have one rentable basement.

Mr. Neiman closed to the public.

A motion was made by Mr. Banas, seconded by Mr. Herzl to approve.
Affirmative: Mr. Herzl, Mr. Banas, Mr. Neiman, Mr. Follman, Mr. Rennert
Abstain: Mr. Sussman

5. **SP 2085** (Variance Requested)
Applicant: 236 4 Street Limited Liability
Location: Fourth Street
Block 119 Lot 12.01
Preliminary & Final Major Site Plan to construct a 3 story mixed-use building (retail and offices)

Project Description

The applicant is seeking Preliminary and Final Site Plan for a new three story retail store and office building to be constructed on an existing parking lot. The 47' X 60' site is two thousand eight hundred twenty square feet (2820 SF) in area. The plans and application indicate a new building with a basement, retail use on the first floor and second floor mezzanine, and offices on the third floor is proposed. The proposed building is located on the south side of Fourth Street, east of the intersection with Clifton Avenue. Curb and sidewalk exist along Fourth Street. The application indicates the applicant is proposing six thousand five hundred square feet (6,500 SF) of space which does not include the basement. The site is developed with an existing parking lot and utilities are available to the project. The surrounding lands and roadways are all improved with commercial development. The site is located in the B-2 Central Business Zone. Retail and office facilities are permitted uses in this zone. We have the following comments per review of the revised submission and our remaining comments from our initial review dated 9/2/14: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. C13 - Environmental Impact Statement. 2. C14 - Tree Protection Management Plan. 3. C15 – Landscaping. 4. C17 – Drainage Design and Calculations. A waiver has been requested from submitting an Environmental Impact Statement. We can support this request due to the previous site development. Approved at workshop hearing. A waiver has been requested from submitting a Tree Protection Management Plan. We can support this request since there are no significant trees onsite. Approved at workshop hearing. A waiver has been requested from submitting a Landscape Plan. Depending upon the final size of the proposed building, the request is reasonable. At most, only foundation plantings may be considered. Approved at workshop hearing. No drainage design has been provided. This is acceptable since virtually no impervious area would be added to the project site. Fact. II. Zoning 1. The parcel is located in the B-2 Central Business Zone. Retail and offices are permitted uses in the Zone. Fact. 2. A Rear Yard Setback variance is required. A rear yard setback of five feet (5') is proposed for the first floor of the building. Since the building will be cantilevered, a rear yard setback of zero feet (0') is proposed for the upper floors, where ten feet (10') is required. Fact. 3. A seven foot (7') side yard setback with an aggregate of fifteen feet (15') is required. The ordinance indicates a side yard setback is not required between two (2) business uses. While a business use is located on the west side of the project, a municipal parking lot is located on the east side of the property. No side yard setbacks are proposed as the building intends to encompass the entire lot width. Therefore, a side yard setback variance is required for the proposed zero foot (0') side yard setback on the east side of the project. Fact. 4. All non-residential uses in the B-2 zone are exempt from off-street parking requirements. Fact. 5. The applicant must address the positive and negative criteria in support of any variances that may be required. 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. Site Plan/Circulation/Parking 1. Zones and Zone Boundary Lines shall be added to the plans. Addressed. 2. No loading or delivery areas are proposed. Testimony is required regarding future site operations, particularly deliveries for the retail use. Fact. 4. Testimony is required addressing trash and recycling collection. No trash enclosure area is shown. Fact. 6. Proposed building access must be addressed. A proposed door shown on the Left Side Elevation will conflict with the municipal parking lot. Sidewalk shall be extended to the main access. Addressed on site plans. 7. No shade tree and utility easement exists or has been proposed since the building front yard setback will be on the right-of-way line. Fact. B. Architectural 1. Architectural plans have been provided for the proposed building. The set includes some preliminary floor plans and building elevations. The proposed building includes three (3) floors and a basement. The first two (2) floors will be used for retail and the third will be used for office space. Fact. 2. The height of the proposed building will be thirty-four feet, four inches (34'-4"), which is less than the maximum of sixty-five feet (65') allowed. The Project Data shall be corrected accordingly. Fact. 3. The proposed upper floors cantilever by five feet (5'). However, the proposed building widths conflict among the floors from forty-five feet (45') to forty-seven feet (47'). Fact. 4. Testimony should be provided on handicap

accessibility. Testimony is required on the specific uses for the proposed individual floors. Fact. 5. Confirmation shall be provided that HVAC equipment will be roof mounted since there appears to be no available onsite ground area. Said equipment shall be adequately screened. Fact.6. Proposed utility connections shall be provided. Addressed on site plans. 7. Testimony should be provided regarding the facades and treatments of the proposed new building. We recommend that color renderings be provided for the Board's review and use prior to the public hearing. Fact. C. Grading 1. No proposed grading plan has been provided. Proposed elevations, including finished floor, are required to complete the project design. Grading is provided on Sheet 2 of the site plans, and is well-prepared for an initial submission. 2. Final proposed grading will be reviewed after resolution compliance submission should approval be granted. Fact. 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 less than three thousand square feet (3,000 SF). Testimony should be provided on the existing storm water management conditions. Fact. E. Landscaping 1. No landscaping has been provided for the project. Unless the proposed building is reduced in size, there is no land available for landscaping. Fact. 2. Final landscaping design (if any) is subject to Board approval and should conform to recommendations from the Township Shade Tree Commission as practicable. Fact. F. Lighting 1. No proposed lighting is depicted on the plans. Testimony on site lighting should be provided. Fact. G. Utilities 1. Water and sewer connections will be required from New Jersey American Water Company since the project is within their franchise area. Proposed utility connections are depicted on the site plans. H. Signage 1. The site plan proposes no freestanding signage. The architectural plans indicate a proposed wall sign on the front of the building. No dimensions or details have been provided to confirm that the sign complies with the ordinance requirements. Fact. 2. All signage proposed that is not reviewed and approved as part of this site plan application, if any, shall comply with Township ordinance. Fact. I. Environmental 1. To assess the site for environmental concerns, our office performed a limited natural resources search of the property and surroundings using New Jersey 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. Fact. 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 after compliance submission; if/when this application is approved. Fact. 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. New Jersey American Water Company (water and sewer service); c. Ocean County Planning Board; and d. All other required outside agency approvals.

Mr. Vogt stated that variances are requested for rear yard setback, side yard setback and aggregate side yard setbacks.

Mr. Neiman asked if this zone requires parking.

Mr. Vogt said this zone does not require parking. They would be exempt.

Mr. Neiman asked where they will park.

Mr. Joseph Kociuba, P.E., P.P. was sworn in. He stated they are proposing a three-story mixed use building including retail on the first and second and office use on the third floor. This lot was previously owned by the Township and it abuts a township parking lot.

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

Mr. Kociuba agrees to everything in the engineer's review letter.

A motion was made by Mr. Follman, seconded by Mr. Sussman to approve.

Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

- 6. SP 2073** (Variance Requested)
Applicant: Mordechai Fligman
Location: Lanes Mill Road
Block 189.15 Lot 47
Preliminary and Final Major Site Plan for an office building

Project Description

The applicant is seeking Preliminary and Final Site Plan approval for (what is depicted as) a proposed two-story, 13,420 square foot office building, and unfinished basement, with fifty (50) off-street parking spaces. The site layout is very similar to the concept application that was heard by the Board at the June, 2014 Planning Board hearing. The site is located on the (unimproved) south side of Lanes Mill Road, approximately 250 feet east of its intersection with Joe Parker Road. The site and surrounding lands are predominantly developed with residences in their current condition. The site is trapezoidal in shape, and 0.99 acres in size. As shown, the applicant intends to provide vehicular access to the office building from a 24-foot wide, two-way access drive extending from Lanes Mill Road into a proposed parking lot in front of the office building. Sidewalk is proposed along the building frontage. The building will be served by public water and septic. The site was previously-developed, including a one-story dwelling, three (3) sheds and amenities which will be removed. As indicated in Section (II) below, Office buildings are conditionally-permitted in this portion of the R-20 zone. We offer the following comments per review of the revised submission and our initial review letter dated September 23, 2014: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. B2 -- Topography within 200 feet. 2. B4 -- Contours within 200 feet. 3. B10 -- Man-made features within 200 feet 4. C13 - Environmental Impact Statement. 5. C14 - Tree Protection Management Plan. We support all requested waivers except C14 (Tree Protection Management). Compliance with the Tree Protection Ordinance will be addressed as a condition of approval (if granted). Submission waivers were granted at the workshop meeting. II. Zoning 1. The property is located in the R-20 (Single Family Residential) Zone. Office buildings are a conditional use, subject to the requirements as stipulated by Township Ordinance 2013-79. The applicant provided testimony at the concept hearing that the project meets all conditional use requirements (including 50% of property located within 1,000 feet of a major intersection (i.e., Ridge Avenue), and should provided similar testimony at the public hearing. Fact. 2. The following bulk variances are being requested: • Minimum Side Yard Setback (residential) – A residential setback of 35.6 feet is proposed, whereas fifty feet (50') is required. Fact. • Minimum Side Yard Setback (non-residential) – A non-residential setback of 15 feet is proposed, whereas twenty-five feet (25') is required. Fact. 3. Additionally, perimeter buffer relief is required per section 18-803 of the UDO. Fact. 4. The applicant must address the positive and negative criteria in support of the requested variances and waivers. At the discretion of the Planning Board, supporting documents may 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 Per review of the

current design plans, we offer the following comments and recommendations:

A. Site Plan/Circulation/Parking

1. Testimony should be provided regarding the proposed building. The architectural plans appear to depict a two-story building and an (unfinished) basement. No floor plan for a basement is provided. The site plans appear to depict a basement floor elevation and a finished floor elevation, but provide no information regarding the second floor. A total of fifty (50) off-street parking spaces are proposed at the above-referenced location, compared to the UDO requirement of 45 spaces (based on a proposed total floor area of 13,240 sf. Fact.
2. One (1) of the proposed spaces will be designated as handicap accessible, We recommend that at least one more parking space be made handicap accessible. Addressed on revised plans.
3. Proposed handicap parking signs should be added to the plan. Addressed on revised plans.
4. No loading zone is proposed in the current design. Fact.
5. An 8' x 16' trash enclosure is proposed near the northwest corner of the parking lot. Per General Note #8, private pickup is proposed. Fact.
6. Depressed curbing and ramps must be provided for sidewalk access for users of the proposed handicap accessible parking space(s). Addressed on revised plans.
7. The proposed building configuration shall be revised to match the architectural plans. Fact.
8. Proposed 4'-wide sidewalk is provided along the property frontage. The sidewalk width must be revised to be 6 feet wide per R-20 zone (non-residential) design standards. Addressed on revised plans.
9. A sight triangle easement is required for the proposed Lanes Mill Road access. Additionally, an 11.9 foot wide dedication to Ocean County is also proposed. The easements and access design are subject to Ocean County approval. Fact.
10. A 6' wide shade tree and utility easement is proposed along the property frontage. A signed, sealed legal description must be provided as a condition of Board approval (if/when granted). Fact.

B. Architectural

1. As indicated previously, schematic architectural drawings have been provided with the initial application. Revised, scaled drawings by prepared by an architect must be provided for review prior to the public hearing.
2. The current plans contain proposed building treatments, and dimensioned (but unscaled) floor plans for the proposed first and second floor of the building. No basement floor plan is identified. The applicant's professionals should provide testimony regarding the proposed building facades and treatments. We recommend that renderings be provided for the Board's review and use prior to the public hearing, at a minimum. Fact.
3. Testimony should be provided as to whether any roof-mounted HVAC equipment is proposed. If so, said equipment should be adequately screened. Fact.
4. Roof leaders depicted to connect to the storm water collection system as depicted on the site plans must be addressed on the revised architectural plans. Fact.

C. Grading

1. A preliminary Grading and Drainage Plan is provided on Sheet 4 of 8. As depicted, existing and proposed grades are shallow. The preliminary design is feasible as presented. Fact.
2. Proposed spot elevations are necessary where handicap accessible ramps will be installed near handicap accessible spaces. Addressed on revised plans.
3. Additional handicap accessible sidewalk ramps must be provided on both sides of the proposed site access. Fact.
4. Spot elevations should be provided at all building access points. Additional spots provided on revised plans.
5. Additional grading information must be provided along both limits of the proposed parking area to ensure grading and disturbance do not occur on Lots 46 and 48 during construction. If unavoidable, easements from the property owners will be required. Fact.
6. A review of final grading revisions will be performed during compliance, if/when Board approval is granted. Fact.

D. Storm Water Management

1. A proposed storm water management system has been designed as depicted on Site Plan Sheet 4. The design proposes two (2) underground storm water recharge trenches, each consisting of two (2) 24" diameter recharge pipes and stone trenches. These systems are located along the easterly and westerly limits of the proposed parking lot. Fact.
2. Roof leader systems are depicted on the design plans, which will convey roof runoff into the underground recharge systems. Fact.
3. Per review of the current design, it is feasible. However, additional information is necessary. The storm water report must be revised to provide a narrative including but not limited to existing and proposed disturbances and impervious coverages, proposed storm retention design events, and post-development vs. predevelopment results. Fact (applicant agrees to provide during compliance).
4. Per available information, net new impervious coverage appears to exceed 0.25

acres. Therefore, the storm water management system must be designed in accordance with the NJAC 7:8. Fact. 5. Ownership and maintenance of the proposed storm water management system must be addressed. A storm water maintenance plan must be provided per NJAC 7:8-5. Fact. 6. Permeability testing and seasonal high water table information must be provided. Proposed test locations must be provided on the revised plans. Fact (applicant agrees to provide during compliance). 7. A final review of the storm water management design will occur during compliance review, if/when Board approval is granted. Fact. E. Traffic 1. We recommend that the applicant's professionals be prepared to discuss traffic impacts from this application at the forthcoming Public Hearing. As indicated previously, site access (and additional Lanes Mill Road is subject to Ocean County approval. The applicant has provided a copy of a traffic report that was submitted to the Ocean County Engineering Department for the proposed site access onto Lanes Mill Road. Per review of the report, it is generally well-prepared. As noted on Page 5 of the report, the proposed access onto Lanes Mill Road is projected to operate a Level of Service (LOS) "B" during AM and PM peak hours. F. Landscaping 1. The Landscaping Design is depicted on Site Plan Sheet 5. The design is generally well-prepared. A number of shade and street trees are provided along the property frontage, and along the easterly and westerly limits of the parking area. Additional trees and foundation plantings are provided within the interior of the property. Fact. 2. One white pine is depicted as conflicting with the westerly curb of the access drive, and must be relocated (out of the proposed site triangle). Addressed on revised plans. 3. The overall landscape design is subject to review and approval by the Board and recommendations (if any) from the Shade Tree Commission. At the discretion of the Board, solid fencing should be considered to supplement the proposed perimeter buffers. Fact. The Shade Tree Commission has no objections to the current design. 4. Drip irrigation should be considered to maintain the proposed plantings. Per the engineer's response letter, the applicant will consider installation for maintenance purposes. 5. All proposed easements should be shown on the Landscape Plan to avoid potential planting conflicts. Fact. 6. The final landscape design will be reviewed during compliance, if/when Board approval is granted. Fact. G. Lighting 1. At a minimum, a preliminary lighting plan shall be included in revised plans provided for review prior to the Public Hearing; prepared in accordance with applicable UDO requirements. A lighting plan is provided on Site Plan Sheet 5, and includes four (4) 250W fixtures. 2. The final lighting design will be reviewed during compliance (if/when approval is granted). Fact. For clarity purposes, we recommend that the proposed Landscape and Lighting designs be provided on separate plans. H. Utilities 1. As illustrated on the site plans, a septic system is proposed at the rear of the site. Fact. 2. Although public water service appears to exist along Lanes Mill Road, neither the existing water main nor proposed water service connection are depicted on the site plans. This information must be provided on the revised plans. Addressed on revised plans. I. Signage 1. No signage information is provided on the current site plans. The applicant shall indicate if any signage (freestanding, façade, other) is proposed. Fact. 2. All signage proposed that is not reviewed and approved as part of this site plan application, if any, shall comply with the Township Ordinance. Fact. J. Environmental 1. Site Description 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 areas of environmental concern are mapped within the property. Fact. 2. Tree Management Plan The applicant shall comply with the requirements for tree protection and removal as applicable on the site in accordance with the Township Tree Ordinance (during compliance review, if approval is granted). Fact. K. Construction Details 1. Construction details are provided on Sheet 7 of the plan set. Fact. 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. Fact. 3. Construction details will be reviewed after resolution compliance submission for the

project should site plan approval be granted. Fact. IV. 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 Fire Commissioners; d. Lakewood Township Municipal Utilities Authority (water); e. Ocean County Health Department (septic); f. Ocean County Planning Board; g. Ocean County Soil Conservation District; h. New Jersey Department of Environmental Protection (if applicable); and i. All other required outside agency approvals.

Mr. Vogt stated that variances are requested for minimum side yard setback, both residential and non-residential. Perimeter buffer relief is also required.

Mr. Mordechai Fligman and Mr. Glenn Lines, P.E., P.P. Were sworn in.

Mr. Fligman stated they did not request a parking variance. They are proposing six additional spots than what is required by ordinance.

Mr. Neiman asked about the neighboring lots.

Mr. Fligman stated on the right side is a Yeshiva that is currently being built. On the left side is residential. A 35 ft setback is being proposed on the left side and a 15 ft setback on the right.

Mr. Neiman asked if they are proposing any landscape buffer.

Mr. Lines stated they have a dense screen of shrubs along each side of the parking lot. There is also landscape buffering on either side of the building.

Mr. Neiman asked about a privacy fence.

Mr. Lines stated they would install a privacy fence.

Mr. Neiman said it shall be a 6 ft chain link fence with the hedge slats.

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

A motion was made by Mr. Sussman, seconded by Mr. Follman to approve.

Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

- 7. SD 1988** (No Variance Requested)
Applicant: White Street Developers, LLC
Location: White Street & Olive Court
Block 251 Lots 1.22 & 1.23
Minor Subdivision to create five lots

Project Description

The applicant seeks minor subdivision approval to subdivide two (2) existing properties known as Lots 1.22 and 1.23 in Block 251 into five (5) lots, designated as proposed Lots 1.24 through 1.28 on the subdivision plan. Existing Lot 1.22 fronts Olive Court and is a wooded vacant single family residential building lot. Existing Lot 1.23 is a corner property with frontage on Olive Court and White Street. It is also a wooded vacant single family residential building lot. Public water and sewer is not available. The site is situated in the western portion of the Township at the northwest intersection of White Street and Olive Court. White Street is an improved municipal road with a twenty-five foot (25') half right-of-way

width in front of the site. This section of the road was recently improved with the construction of the Cory Acres major subdivision. The concrete curb is new, but sidewalk has yet to be constructed in front of the site. Olive Court is a newly constructed road within the Cory Acres major subdivision, which does not have top course pavement constructed. Belgian block curbing has been constructed on both sides of the road, but sidewalk has yet to be constructed in front of the site. There are street lights along the north side of Olive Court and electric is underground, apparently commencing from a conduit running down a utility pole on White Street which has not been located. The larger trees have been located on the tract and the land generally slopes toward the west. Five (5) new residential building lots, proposed as Lots 1.24 through 1.28, would be created by this minor subdivision. All proposed lots would have frontage either along Olive Court or White Street and contain areas of at least fourteen thousand square feet (14,000 SF). The proposed lots are situated within the R-12 Single Family Residential Zone. We have the following comments and recommendations: I. Zoning 1. The parcels are located in the R-12 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, no variances are requested. 3. A design waiver is required for proposed lot lines that would not be perpendicular to White Street. However, these proposed lot lines would be parallel to the outbound of the tract, which is an acceptable survey practice. 4. The applicant must address the positive and negative criteria in support of any 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 aeriels and/or tax maps of the project area and surroundings to identify the existing character of the area. II. Review Comments 1. A Survey of Property with tree locations has been submitted. The following shall be addressed: a. Offsets for the chain link fence encroachment. b. The right-of-way dimension for White Street should be added. The twenty-six foot (26') half right-of-way dimension in front of neighboring Lot 14.04 should be corrected. c. The existing depressed curb locations for the future curb ramps at the intersection should be added. d. Belgian block and concrete curb limits should be clarified. e. Unlabeled monument symbols are shown. f. Existing signs should be shown. g. Pole #211562 on White Street should be located, especially since the conduit associated with the pole most likely provides underground electric service to the Cory Acres major subdivision. 2. The General Notes should be edited for typographical errors. 3. Coordinates shall be provided on at least three (3) outbound corners. 4. The new Zones and Zone Boundary Lines shall be added to the Area Map. 5. The General Notes indicate that horizontal and vertical datum is assumed. The benchmark indicated on the Survey shall be shown on the Minor Subdivision and referenced in the General Notes. 6. Revisions to R-12 Zoning Requirements should be made. The Minimum Lot Width for proposed Lot 1.28 lists two (2) values, both along Olive Court. There is no Combined Minimum Side Yard Setback for proposed Lot 1.28 since it would become a corner property. 7. The Surveyor's Certification has not been signed since all the corner markers have not been set. 8. The monument to be set shall be correctly placed at the side line intersection of proposed Lots 1.26 and 1.27 with the right-of-way line at White Street. 9. The Legend indicates a capped pin found is shown with an open circle but the plan shows it as a closed circle. 10. The twenty-six foot (26') half right-of-way dimension in front of neighboring Lot 14.04 must be corrected. 11. The chain link fence encroachment from adjoining Lot 14.04 must be addressed. 12. The distance associated with the bearing along Olive Court should match on the survey and subdivision plan. 13. The proposed typical yard setback lines shall be added to the map where necessary. The proposed typical side yards shall be dimensioned as ten feet (10') with an aggregate of twenty-five feet (25') noted. 14. According to the setback lines, proposed Lot 1.28 is incorrectly showing two (2) rear yards. 15. The Requirements of the R-12 Zone indicate that four (4) off-street parking spaces will be required for each unit and that four (4) off-street parking spaces will be provided for each unit. This is consistent with the Cory Acres major subdivision. 16. 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. 17. The existing ten foot (10') wide Shade Tree and Utility Easement shall be correctly labeled with easement information and areas provided on an individual lot

basis. 18. Easement information and an area shall be provided for the Existing Sight Triangle Easement. 19. Soil boring logs and seasonal high water table information will be required for any basements, septic systems, and storm water management systems that are proposed on new Lots 1.24 through 1.28. 20. Text errors on the Improvement Plan shall be corrected. 21. Sidewalk shall be shown as proposed on the Improvement Plan. The sidewalk is not dimensioned and pedestrian bypass areas shall be designed unless a five foot (5') wide sidewalk is proposed. Sidewalk is bonded under SD-1681. 22. The Improvement Plan shows fourteen (14) shade trees that were bonded under SD-1681. No planting schedule is provided. 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 confirms that most of existing Lots 1.22 and 1.23 are still wooded. This development, if approved must comply with the Township Tree Ordinance. 23. A detailed review of the grading can be completed during compliance submission; if/when this subdivision is approved. 24. The Improvement Plan indicates runoff from the rear half of the proposed roof areas shall be piped into dry wells. However, the project is large enough to qualify as major development. Therefore, calculations are required to address storm water quality and quantity. 25. Proposed Lots 1.24 through 1.28 will be serviced by private wells and septic systems. Ocean County Board of Health approvals will be required. 26. 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. 27. Compliance with the Map Filing Law is required. 28. Construction details should be revised on the Improvement Plan in accordance with the conditions of any approvals. 29. Final construction details will be reviewed during compliance should subdivision approval be granted. 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; and e. All other required outside agency approvals.

Mr. Adam Pfeffer, Esq. on behalf of the applicant, stated they have reviewed the engineer's review letter and have no objections. A design waiver is requested for proposed lot lines that would not be perpendicular to White Street.

Mr. Charles Surmonte, P.E. was sworn in.

Mr. Neiman asked if this would be well and septic.

Mr. Pfeffer said yes.

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

Mr. Rennert asked about the recent ordinances passes and if the road would be widened before this is built.

Mr. Neiman said no CO would be granted until White Street is improved. They would make that a condition of the resolution.

Mr. Pfeffer said this is a conforming application. He does not understand why there would be a restriction.

Mr. Neiman said this used to be an R-40 zone that was since changed to an R-12. Part of the agreement to the Master Plan was that White Street would have to be widened.

Mr. Pfeffer asked if widening the street is part of the ordinance.

Mrs. Morris stated it is vague and there is not clear guidelines on how they would accomplish the widening of White Street.

Mr. Pfeffer stated the ordinance does not have a time frame. They have a fully conforming application and to go ahead and put a burdensome restriction on it is not fair.

Mr. Neiman said the road was built for an R-40 zone. They have now gone down to R-12 and this Board said the only way they would recommend that is if in the ordinance, White Street would be widened. It is not the Board's fault that the ordinance is vague. Why should they approve applications like these when the Board knows White Street cannot accommodate it.

Mr. Pfeffer stated the proposed widening is only on the White Street portion, the Olive Court is already improved. Two of the houses come out to White Street and the remaining front on Olive Court.

Mr. Neiman said he is fine with the lots fronting on Olive Court but he does not believe anything should be approved until White Street is widened.

Mr. Pfeffer stated that they would agree that no CO would be issued on the two lots that front on White Street until the street is widened.

Mr. Rennert does not feel comfortable voting on an application using the R-12 zoning in this area until the ordinance is changed to reflect that White, Drake Streets are widened, traffic lights are installed, etc.

Mr. Jackson said the Board does have the authority to deny conforming applications if the application does not make sense and/or the infrastructure is inadequate to support it. The Board has a valid argument.

Mr. Pfeffer said they agree that no CO's will be issued until White Street is widened.

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

Mr. Pfeffer asked if the entire length of White Street has to be widened or only a portion.

Mr. Neiman said the entire White Street has to be widened.

A motion was made by Mr. Rennert, seconded by Mr. Sussman to approve subject to White Street being widened. No CO's will be issued until White Street is widened.

Affirmative: Mr. Herzl, Mr. Sussman, Mr. Follman, Mr. Rennert

No: Mr. Banas, Mr. Neiman

- 8. SD 1995** (No Variance Requested)
Applicant: 475 Oberlin Avenue South, LLC
Location: Oberlin Avenue
Block 1601 Lots 3 & 4
Minor Subdivision to realign lot lines

Project Description

This application is for the re-alignment of property lines to provide an additional 5.036 acres to Lot 4 from Lot 3. The site is situated in the eastern portion of the Township in the Lakewood Industrial Park. It is southeast of the New Hampshire Avenue and Cedar Bridge Avenue intersection and spans between Oberlin Avenue South and Vassar Avenue. Vassar Avenue is an improved municipal road with a sixty

foot (60') wide right-of-way and a forty foot (40') pavement width. Oberlin Avenue South is also an improved municipal road with a sixty foot (60') wide right-of-way and a forty foot (40') pavement width. Curb exists but no sidewalk exists along either frontage. The total tract area is approximately 25.14 acres. Existing Lot 3 owned by 475 Oberlin Avenue South, LLC, consists of 12.289 acres in area, and is mostly developed as a warehouse site with the exception of a wooded area on the east side of the property. Existing Lot 4 owned by Lakewood Cheder School Inc., consists of 12.848 acres, and is developed as a warehouse and school site. The properties generally slope downwards towards adjoining Lot 6 to the north and the existing storm water management ponds. Freshwater wetlands exist on adjacent Lot 6 and slightly encroach on-site. Transition areas associated with the wetlands are shown on the surveys for both tracts. Existing Lot 4 has frontage on Vassar Avenue. Existing Lot 3 has frontage on Oberlin Avenue South. Surrounding lands are all improved with large commercial and industrial land uses. Existing Lot 4 is proposed to be reconfigured into a new irregular shaped lot consisting of 17.884 acres. As a result, existing Lot 3 is proposed to be reconfigured into a new smaller lot consisting of 7.252 acres. The site is located in the M-1 Industrial Zone. Quasi-public and private educational facility uses are a permitted use in the zone. Warehouses are also a permitted use in the zone.

I. Waivers A. The following waivers have been requested from the Land Development Checklist:

1. A1 – Plat at a scale not smaller than one inch equals fifty feet (1"=50').
2. B1 – Topography of the site.
3. B3 – Contours of the site to determine the natural drainage of the land. A plat scale of one inch equals one hundred feet (1"=100') is requested due to the size of the property which is twenty-five (25) acres. A waiver from topography and contours has been requested since the minor subdivision is only for a lot line adjustment.

We have reviewed the requested waivers from the Land Development Checklist and support the Board granting waivers.

II. Zoning

1. The site is situated within the M-1, Industrial Zone. Per Section 18-903M.1.c., of the UDO, under "permitted uses" in the M-1 zone cites warehouses. Per Section 18-903M.1.m., of the UDO, under "permitted uses" in the M-1 zone cites quasi-public and private educational uses.
2. Per review of the minor subdivision plan and application, no variances appear to be required.
3. Per review of the minor subdivision plan and application, the following design waivers appear to be required:
 - Providing concrete sidewalk along the project frontage. Curb does exist, but there is no existing sidewalk along Vassar Avenue and Oberlin Avenue South. No sidewalk is proposed across either of the site frontages.
 - Providing shade trees and a shade tree and utility easement along the lot frontages.

III. Review Comments

1. A Survey from 2011 and a Site Plan from 2013 have been provided for Lot 4 in Block 1601.
2. A Survey of Lot 3 in Block 1601 has been submitted for review. The General Notes require corrections and the Wetlands Boundary Line incorrectly points to the Transition Area Boundary Line.
3. The M-1 Zone Requirements table requires corrections. The applicant's professionals should contact our office to review the provided information.
4. Based on the Survey, the reduced area for Lot 3 should be shown as 315,901 square feet in the M-1 Zone Requirements.
5. Based on the Survey, the existing area for Lot 4 should be 559,646 square feet.
6. Based on our review, the proposed area for Lot 4 on the Minor Subdivision and in the M-1 Zone Requirements should be 779,046 square feet.
7. The proposed rear yard offset for Lot 4 shall be added. Our review indicates the value will be higher than the figure provided in the M-1 Zone Requirements.
8. The General Notes require minor corrections.
9. Wetlands and transition areas shall be shown for both lots on the Minor Subdivision. Survey information must be provided since these areas are restricted.
10. The Zone Requirements provide maximum impervious coverage data. Testimony should be provided as to whether any CAFRA Permit Modifications are necessary.
11. Off-street parking: Off-street parking must be addressed. According to the Site Plan provided for Lot 3, the applicant is providing one hundred and thirty-eight (138) off-street parking spaces for the school which is enough to be in compliance with one hundred and thirty-four (134) off-street parking spaces required. The Site Plan shows four (4) handicap parking spaces, which is insufficient. A minimum of five (5) spaces are required and any approvals shall be conditioned upon correcting the ADA parking. Handicap parking appears far away from the main entrance.
12. The one hundred foot (100') setback along Vassar Avenue should be

corrected to a "front" setback. 13. The General Notes shall be corrected to indicate coordinates are in assumed datum. The vertical datum and bench mark shown on the Survey for Lot 4 in Block 1601 shall be referenced. 14. The proposed lot numbers shall be assigned by the Tax Assessor. 15. The Legend shall be expanded to provide more detail. Proposed monuments are required to be set along Vassar Avenue. 16. A waiver is required from providing street trees. Landscaping should be provided to the satisfaction of the Board, and should conform to recommendations from the Township Shade Tree Commission as practicable. The Shade Tree Commission provided no comments since no landscaping has been proposed. 17. Sight Triangle Easements shall be provided at the site access points. 18. Compliance with the Map Filing Law is required. IV. 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. Lakewood Industrial Commission; c. Ocean County Planning Board; d. New Jersey Department of Environmental Protection; and e. All other required outside agency approvals.

Mr. Abraham Penzer, Esq., on behalf of the applicant, stated they needed more recreation area near the school so they would restrict this to recreation and parking only. No buildings are proposed.

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

A motion was made by Mr. Herzl, seconded by Mr. Sussman to approve the application and resolution. Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman

- 9. SD 1967** (No Variance Requested)
Applicant: Accurate Builders
Location: Amsterdam Ave, Blanche Street, and Nussbaum Ave
Block 445 Lot 13
Preliminary and Final Major Subdivision to create 8 lots (4 duplex buildings)

Project Description

The applicant is seeking a Preliminary and Final Major Subdivision approval. The applicant proposes the subdivision of an existing lot to create eight (8) proposed lots. The eight (8) proposed lots would be developed as zero lot line properties with four (4) duplex structures. The existing lot is known as Lot 13 in Block 445, and is proposed to be subdivided into proposed Lots 13.01 – 13.08 on the Major Subdivision Plan. Lot 13 is an existing 1.267 acre rectangular tract of land with a "panhandle". The property is surrounded mostly by the unimproved fifty foot (50') right-of-ways of Nussbaum Avenue, Blanchard Street, and Amsterdam Avenue. A townhouse project is situated on the northeast side of the site. The site is vacant, completely wooded, and surrounded by woods on three (3) sides. The three (3) paper streets bordering the property are located south of Prospect Street, an improved County Road with a sixty-six foot (66') wide right-of-way, in the southwest portion of the Township, west from its intersection with Massachusetts Avenue. Site access would be afforded by the improvement of Nussbaum Avenue between Prospect Street and the site. The existing 55,207 square foot property has over six hundred feet (600') of frontage on Nussbaum Avenue which is to the west. However, only about two hundred fifty feet (250') is developable because of the "panhandle". There is two hundred feet (200') of frontage on Blanche Street, which is to the south, and 253.66 feet of frontage on Amsterdam Avenue, which is to the east. All surround streets are unimproved municipal roads with fifty foot (50') wide right-of-ways. The proposed development will improve all surrounding streets. Curb and sidewalk is proposed along the entire frontage of property, including along Nussbaum Avenue until it intersects with Prospect Street. 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 underground recharge systems. Proposed sanitary sewer will

connect to an existing system in the southerly right-of-way of Prospect Street. Proposed potable water for the subdivision will be extended from an existing main on the south side of Prospect Street. A minimum of four (4) off-street parking spaces are proposed for each unit. The subject site is located within the R-M Multi-Family Residential Zone District. Therefore, zero lot line duplex housing is a permitted use in the zone district. Except for the townhouse project, the surrounding lands are currently vacant. We have the following comments and recommendations per testimony provided at the 9/23/14 Planning Board Meeting and comments from our initial review letter dated August 26, 2014: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. C13 - Environmental Impact Statement. 2. C14 - Tree Protection Management Plan. We support the granting of the requested Environmental Impact Statement waiver, and the Tree Protection Management Plan waiver for completeness purposes. The site appears to be wooded uplands. An Environmental Impact Statement should be provided prior to scheduling the Public Hearing. A Tree Protection Management Plan should be required prior to any construction. The Board granted a waiver from providing an Environmental Impact Statement. Complying with the Tree Protection Ordinance shall be a condition of any approvals. II. Zoning 1. The site is situated within the R-M, Multi-Family Zone District. Duplex Housing is a permitted use. Zero lot line subdivisions for duplexes are permitted in the Zone. Statements of fact. 2. It appears no variances or waivers are required. Statement of fact. 3. The applicant must address the positive and negative criteria in support of any 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. III. Review Comments A. General 1. Off-street parking: According to the plans provided, the applicant is proposing a minimum of 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. Testimony shall be provided on the proposed number of bedrooms per unit and whether the basements will be unfinished. This proposed project should be in compliance with Parking Ordinance 2010-62. We note the distribution of proposed off-street parking is not equivalent. The proposed corner lots incorporate five (5) off-street parking spaces, while the adjoining interior lots show three (3) off-street parking spaces. The applicant's engineer has indicated that testimony will be provided to the Board regarding the proposed layout of the parking for the development. 2. The applicant shall confirm that trash and recyclable collection is to be provided by the Township of Lakewood. An RSIS compliant turnaround should be considered for the terminus of Amsterdam Avenue. Approval from Lakewood Township and the Department of Public Works will be required. The applicant's engineer indicates that an RSIS compliance turnaround shall be provided to the terminus of Amsterdam Avenue once approval of the application has been granted. 3. The existing paper streets would be improved with the proposed project. Statement of fact. 4. The proposed lot numbers shall be approved by the Tax Assessor. The Final Plat shall be signed by the Lakewood Tax Assessor. The Lakewood Tax Assessor signature is required prior to map filing should approval be granted. 5. In accordance with the requirements in 18-815, a one-time storm water management maintenance fee shall be provided. The fee shall be four thousand dollars (\$4,000.00), based on eight (8) single-family attached dwellings at five hundred dollars (\$500.00) per dwelling. The applicant's engineer indicates that a four thousand dollar (\$4,000.00) storm water management maintenance fee shall be provided to the Township once approval of the application has been granted. 6. The requirements in 18-821 (Building Uniformity in Residential Developments) are being addressed. A minimum of two (2) basic house designs are being provided for this development consisting of between four (4) and six (6) homes. Statements of fact. 7. 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. The applicant's engineer indicates that an agreement will be provided once approval of the application is granted. B.

Plan Review 1. The Boundary & Topographic Survey provided contains enough topography for the off-site road design of Nussbaum Avenue between the site and Prospect Street. Statement of fact. 2. The Boundary & Topography Survey shows a gore and an overlap associated with the neighboring townhouse project. Accordingly, this proposed project has been designed to relinquish title and interest in the land associated with the overlap. Statements of fact. 3. The deed description on the Boundary & Topographic Survey does not include Lot 13 in Block 445, the property for this application. The applicant's engineer indicates that the deed description on the Boundary and Topographic Survey will include Lot 13 in Block 445 once approval of the application is granted. 4. Based on the current design, construction of Nussbaum Avenue will require grading easements from the adjoining property owners in Block 462. Unless Nussbaum Avenue is constructed under a different project, grading easements will be required. 5. The General Notes require some minor editing. The General Notes shall also reference vertical datum and the bench mark. The General Notes still require corrections which can be provided with resolution compliance review should approval be granted. 6. The Schedule of Bulk Requirements needs revisions. These revisions can be addressed with resolution compliance submission should approval be granted. 7. All references on the plans to Lakewood Township Zoning Board shall be revised to Lakewood Township Planning Board. This has been addressed on the Preliminary Plans. The Final Plat shall be corrected for resolution compliance submission should approval be granted. 8. The applicant should be responsible for the construction of curb along the east side of Nussbaum Avenue. The plans shall be corrected for resolution compliance submission should approval be granted. 9. A right-of-way dedication at the intersection of Nussbaum Avenue and Prospect Street may be dictated by the County. Ocean County Planning Board approval is required. 10. Drainage Easements to Lakewood Township are shown on some of the proposed lots. Approval will be required from the Department of Public Works (if DPW ownership and maintenance is proposed). The applicant's engineer indicates that approval from the Department of Public Works for the proposed drainage easements will be obtained. 11. Consistency in the proposed street design layout among plan sheets shall be provided. The applicant's engineer indicates that consistencies between sheets for the street layout will be provided when approval of the application is granted. 12. Proposed Sight Triangle Easements dedicated to the Township should be provided at the street intersections of the subdivision. Any Sight Triangle Easements at the intersection of Nussbaum Avenue and Prospect Street will be controlled by the County. Proposed Sight Triangle Easements can be provided with resolution compliance submission if approval is granted. 13. Four foot (4') wide sidewalk is proposed throughout the development. Unless the proposed sidewalk will be increased to a width of five feet (5'), pedestrian bypass areas shall be designed. The applicant's engineer indicates that pedestrian bypass areas will be provided for the development once approval of the application is granted. 14. Shade Tree and Utility Easements should be labeled and show the dedicated area for each lot. The applicant's engineer indicates that Shade Tree and Utility Easements will be labeled for each lot once approval of the application is granted. 15. Proposed Lots 13.04 and 13.05 have five (5) off street parking spaces while Lots 13.03 and 13.06 have only three (3) off street parking spaces where four (4) are required. It appears that the driveways with access from Blanche Street will each provide two (2) off street parking spaces to each unit. Clarification should be provided. The applicant's engineer indicates that testimony will be provided regarding the proposed layout of the parking for each lot of the development. 16. The proposed side setback offset on new Lot 13.06 should be extended to the boundary. The side setback offset line was extended, but the offset should be revised to 33.5 feet with resolution compliance submission should approval be granted.

C. Grading 1. Grading is provided on a Grading & Drainage Plan which is Sheet 4 of 13. A storm sewer collection system is proposed to collect runoff and recharge it within two (2) recharge systems. Statements of fact. 2. Retaining walls are proposed adjacent the neighboring townhouse project. Statement of fact. 3. Road profiles were proposed for Blanche Street and Amsterdam Avenue, but not for Nussbaum Avenue. A road profile for Nussbaum Avenue can be added for resolution compliance submission should approval be granted. 4. A detailed review of the grading can be completed during

compliance submission; if/when this subdivision is approved. Statement of fact. D. Storm Water Management 1. A proposed storm sewer collection system has been designed to convey storm water runoff into recharge systems. Two (2) proposed recharge systems have been designed, a system under the yard areas of some of the new lots and another under the improved Blanche Street right-of-way. These will be connected to the larger system that will be proposed along with a different application for adjacent properties. Statements of fact. 2. Soils information has been provided within the proposed project to confirm the seasonal high water table depth. Permeability testing has been done to justify the infiltration rate used in the recharge calculations. Soil replacement may be necessary in some areas. Statements of fact. 3. Storm sewer profiles have been provided for easement areas. Statement of fact. 4. The Storm Water Management Report and Design will be reviewed in detail during compliance, if/when approved. Statement of fact. E. Landscaping 1. Comprehensive landscaping has been proposed for the project. Shade trees are proposed along the site frontages. Buffer and ornamental trees are proposed between the units. Foundation plantings are shown for the units. Statements of fact. 2. All proposed Easements shall be added to the Landscaping Plan. All proposed utilities have already been shown. Revisions should be made to avoid planting conflicts. The applicant's engineer indicates that all proposed easements shall be added to the plan once approval of the proposed application is granted. 3. The callout for "TCC" should be corrected to "TGG" and the call out for "PM" should be corrected to "PA". The applicant's engineer indicates that revisions to the landscape plan with regards to the tree labels will be provided once approval of the proposed application is granted. 4. 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 entire site will be cleared for the construction of the project. Compensatory plantings shall be addressed with a Tree Protection Management Plan. The Board should provide landscaping recommendations. A Tree Protection Management Plan shall be a condition of any approvals. 5. Landscaping shall be reviewed in detail after compliance submission should subdivision approval be granted. Statement of fact. F. Lighting 1. Street lighting has been provided for the proposed roads on Sheet 7 of 13. Statement of fact. 2. Proposed street lighting should be adjusted such that pole relocations will not be necessary when future development takes place. The Plan indicates that three (3) 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'). The applicant's engineer indicates that any revision to the proposed street lighting will be provided once approval of the proposed application is granted. 3. A point to point diagram has been provided to verify the adequacy of the proposed lighting. Revisions will be necessary with adjustments to the layout. Revisions to the point to point diagram per adjustments to the layout shall be provided with resolution compliance submission should approval be granted. 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. The applicant's engineer indicates that testimony will be provided regarding the ownership of the propose lights. 5. Lighting shall be reviewed in detail after compliance submission should subdivision approval be granted. Statement of fact. 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. Statements of fact. 2. The proposed sanitary sewer will connect to an existing system in the southerly right-of-way of Prospect Street. Statement of fact. 3. Potable water is proposed to be extended from an existing main on the south side of Prospect Street. Statement of fact. 4. The plans state that all other proposed utilities are to be provided underground. Statement of fact. H. Signage 1. Some proposed regulatory signage has been shown on the plans. Regulatory sign details have been provided. A "No Outlet" sign should be provided at the intersection of Nussbaum Avenue with Prospect Street. Regulatory signage can be completed for resolution compliance submission should approval be granted. 2. No project identification signs are proposed. Statement of fact. 3. All signage proposed that is not reviewed and approved as part of this application, if any, shall comply with Township ordinance.

Statement of fact. I. Environmental 1. Environmental Impact Statement An Environmental Impact Statement (EIS) shall be submitted prior to scheduling a Public Hearing for the project. The Board granted a submission waiver from providing an Environmental Impact Statement. 2. Tree Management Prior to construction, a Tree Protection Management Plan in accordance with the current ordinance shall be submitted. The applicant's engineer indicates that a Tree Protection Management Plan will be submitted should approval be granted. J. Construction Details 1. Construction details are provided on Sheets 12 and 13 of 13. Statement of fact. 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. The applicant's engineer indicates that proposed construction details will comply with applicable Township or NJDOT standards. 3. Final review of construction details will take place after compliance submission, if/when this project is approved by the Board. Statement of fact. K. Final Plat (Major Subdivision) 1. The Schedule of Bulk Requirements should be corrected. Revisions to the Schedule of Bulk Requirements can be provided with resolution compliance submission should approval be granted. 2. The side setback offset on proposed Lot 13.06 should be extended to the boundary. The side setback offset line was extended, but the offset should be revised to 33.5 feet with resolution compliance submission should approval be granted. 3. A detail should be shown for the bearings and distances associated with the intersection of the overlap and gore. The applicant's engineer indicates that a detail will be added to the plan regarding the bearings and distances associated with the intersection once approval of the application is granted. 4. Proposed Sight Triangle Easements should be provided on the corners of intersecting streets. Proposed Sight Triangle Easements can be provided with resolution compliance submission if approval is granted. 5. Compliance with the Map Filing Law is required. Statement of fact. 6. The Final Plat will be reviewed in detail after design revisions are undertaken for the project. Statement of fact. 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. Ocean County Planning Board; d. Ocean County Soil Conservation District; and e. All other required outside agency approvals. New Jersey American Water Company will be responsible for constructing potable water and sanitary sewer facilities.

Mr. Neiman stepped down.

Mr. Vogt stated there are no variances associated with this application.

Mr. Brian Flannery, P.E., P.P. was sworn in. He stated at the tech meeting, the Board had asked for an overall plan of the three proposed projects on one plan. He entered the overall plan as exhibit A-1. Exhibit A-2 is a copy of the final plat. Mr. Schmuckler wanted to see that this application was consistent with the area. It is consistent as there were a few projects for duplexes approved as shown on A-1. The application is for four duplex lots with no variances. The comments in the engineer's letter are minor and will be satisfied.

Mr. Banas opened to the public.

Mr. Baruch Blaustein, 28 Empire Lane, was sworn in. He is a board member of the Prospect Park Homeowner's Association. They are right next door to this application as well as the next two applications. They are concerned about the amount of units being built as a result of the three applications and there is no community center, shul, playground being proposed. He is concerned that they will need to use their shul and they cannot accommodate additional people.

Mr. Flannery said the applicant has been pro-active and has reached out to the Township Committee concerning this. The Township does own a lot of property in this area. The Township Committee sent the applicant a letter which was read in full by Mr. Flannery. The response is favorable in that the applicant would be able to acquire some land and build these facilities that are needed for the area. They are aware that there is no room in the shul next door and nobody is intending to force their way in.

Seeing no one further, Mr. Banas closed to the public.

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

Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Follman, Mr. Rennert

- 10. SD 1978** (No Variance Requested)
Applicant: Accurate Builders
Location: Prospect Street
Block 473 Lots 2, 3, 8, & 10
Preliminary and Final Major Subdivision to create 20 lots

Project Description

The applicant is seeking a Preliminary and Final Major Subdivision approval. The applicant proposes the subdivision of an existing four (4) lots to create twenty (20) new lots. The twenty (20) proposed lots would be developed as zero lot line properties with ten (10) duplex structures. The existing lots are known as Lots 2, 3, 8, and 10 in Block 473, and are proposed to be subdivided into new Lots 1.01 through 1.20 on the Major Subdivision Plan. The proposed subdivision for the project would include all of Block 473. Block 473 is an existing one hundred six thousand eight hundred fourteen square foot (106,814 SF) irregular tract of land surrounded by the unimproved fifty foot (50') right-of-ways of Lewin and Rachel Avenues, as well as Blanche Street. An improved County Highway, Prospect Street, also borders the property. Prospect Street has a sixty-six foot (66') right-of-way. The site is vacant, completely wooded, and basically surrounded by woods, except for the north side where Prospect Street borders the property. The subject property surrounded by three (3) paper streets, each with an unimproved fifty foot (50') right-of-way, is located south of Prospect Street, in the southwest portion of the Township, west from its intersection with Massachusetts Avenue. Site access would be afforded by the improvements of Lewin and Rachel Avenues, which intersect Prospect Street, as well as the development of Blanche Street. The existing 2.452 acre property has 511.29 feet of frontage on Lewin Avenue which is to the west, two hundred feet (200') of frontage on Blanche Street, which is to the south, and 556.85 feet of frontage on Rachel Avenue, which is to the east. Finally, the project has 205.12 feet of frontage on Prospect Street, which is to the north. The proposed development will improve the surrounding streets. Except for Prospect Street, curb and sidewalk are proposed along the entire frontage of Block 473. Radial dedications are proposed at all corners of the Block to permit the construction of sidewalk to be within the public right-of-way. 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 underground recharge systems. Proposed sanitary sewer will connect to an existing system in the southerly right-of-way of Prospect Street. Proposed potable water for the subdivision will be extended from an existing main on the south side of Prospect Street. A minimum of four (4) off-street parking spaces are proposed for each unit. The subject site is located within the R-M Multi-Family Residential Zone District. Therefore, zero lot line duplex housing is a permitted use in the zone district. Except for development on the north side of Prospect Street, the surrounding lands are currently vacant. We have the following comments and recommendations per testimony provided at the 9/23/14 Planning Board Meeting and comments from our initial review letter dated September 11, 2014: I. Waivers A. The following waivers have been

requested from the Land Development Checklist: 1. C13 - Environmental Impact Statement. 2. C14 - Tree Protection Management Plan. We support the granting of the requested Environmental Impact Statement waiver, and the Tree Protection Management Plan waiver for completeness purposes. The site appears to be wooded uplands. An Environmental Impact Statement should be provided prior to scheduling the Public Hearing. A Tree Protection Management Plan should be required prior to any construction. The Board granted a waiver from providing an Environmental Impact Statement. Complying with the Tree Protection Ordinance shall be a condition of any approvals. II. Zoning 1. The site is situated within the R-M, Multi-Family Zone District. Duplex Housing is a permitted use. Zero lot line subdivisions for duplexes are permitted in the Zone. Statements of fact. 2. It appears no variances are required. Statement of fact. 3. As currently designed, a waiver would be required from the construction of curb along Prospect Street. The applicant's engineer indicates a waiver is being requested in regards to the construction of curb along the frontage of Prospect Street and testimony will be provided at the Public Hearing. The Board shall take action on the requested waiver. 4. The applicant must address the positive and negative criteria in support of any 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. III. Review Comments A. General 1. Off-street parking: According to the plans provided, the applicant is proposing a minimum of 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. Testimony shall be provided on the proposed number of bedrooms per unit and whether the basements will be unfinished. This proposed project should be in compliance with Parking Ordinance 2010-62. We note the distribution of proposed off-street parking is not equivalent. The proposed corner lots on Blanche Street incorporate five (5) off-street parking spaces, while the adjoining interior lots show three (3) off-street parking spaces. The applicant's engineer has indicated that testimony will be provided to the Board regarding the proposed layout of the parking for the development. 2. The applicant shall confirm that trash and recyclable collection is to be provided by the Township of Lakewood. The applicant's engineer indicates that testimony shall be provided regarding the collection of trash and recyclables for the development. 3. Existing paper streets will be improved for the proposed project. Statement of fact. 4. The proposed lot numbers shall be approved by the Tax Assessor. The Final Plat shall be signed by the Lakewood Tax Assessor. The Lakewood Tax Assessor signature is required prior to map filing should approval be granted. 5. In accordance with the requirements in 18-815, it appears a one-time storm water management maintenance fee should be provided. The fee would be ten thousand dollars (\$10,000.00), based on twenty (20) single-family attached dwellings at five hundred dollars (\$500.00) per dwelling. The applicant's engineer indicates that a ten thousand dollar (\$10,000.00) storm water management maintenance fee shall be provided to the Township once approval of the application is granted. 6. The requirements in 18-821 (Building Uniformity in Residential Developments) shall be addressed. A minimum of four (4) basic house designs shall be provided for this development consisting of between seven (7) and fifteen (15) homes. The proposed layout indicates only two (2) basic designs. The designs are required prior to construction, should subdivision approval be granted. 7. 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. The applicant's engineer indicates that an agreement will be provided once approval of the application is granted. B. Plan Review 1. The Boundary & Topographic Survey provided contains enough topography for the road designs of Lewin and Rachel Avenues, as well as Blanche Street. Statement of fact. 2. The Boundary & Topographic Survey provided also contains enough topography for any design and construction work required along Prospect Street. Statement of fact. 3. All references on the plans to Lakewood Township Zoning Board shall be corrected to Lakewood

Township Planning Board throughout. This has been addressed on the Preliminary Plans. The Final Plat shall be corrected for resolution compliance submission should approval be granted. 4. Horizontal datum is based on the State Plane Coordinate System. Vertical datum is based on North American Vertical Datum 1988. A vertical bench mark shall be referenced. The General Notes still require corrections which can be provided with resolution compliance submission should approval be granted. 5. The Schedule of Bulk Requirements requires some revisions. Information for proposed Lots 1.19 and 1.20 should be included. Information for proposed Lots 1.19 and 1.20 has been provided. Revisions are still required which can be addressed with resolution compliance submission should approval be granted. 6. Consistency in the proposed street design layout among plan sheets shall be provided. The applicant's engineer indicates that consistencies between sheets for the street layout will be provided when approval of the application is granted. 7. Rachel Avenue between Prospect and Blanche Streets has been designed to a thirty-two foot (32') pavement width with curb and sidewalk on both sides. The applicant should not be responsible for proposed curb and sidewalk along the east side of Rachel Avenue. The plans should be revised to show this proposed curb and sidewalk on the east side of Rachel Avenue by others. Proposed pavement limits shall be shown at the intersection of Rachel Avenue and Blanche Street. The applicant's engineer indicates that the plans shall be revised upon the approval of the proposed application, and corrections provided with resolution compliance submission should approval be granted. 8. Lewin Avenue and Blanche Street, the other proposed streets surrounding the Subdivision Block, have generally been designed to a pavement width of thirty feet (30'). The proposed pavement half width along the site frontages will be sixteen feet (16'), with a fourteen foot (14') width on the opposite side of the centerline. Curb and sidewalk are proposed along the site frontages, but not on the opposite sides of the street, which is acceptable. Statements of fact. 9. The plans propose a curb radius on the southwest corner of Lewin Avenue's intersection with Prospect Street. However, the proposed curb radius encroaches onto land not included as part of this subdivision. The applicant's engineer indicates the encroachment of the proposed curb on the neighboring property will be removed for resolution compliance submission should approval be granted. 10. Proposed Sight Triangle Easements dedicated to the Township should be provided at the municipal street intersections of the subdivision. The County will dictate any proposed Sight Triangle Easements required at the municipal street intersections with the County Highway. Proposed Sight Triangle Easements can be provided with resolution compliance submission if approval is granted. 11. The plans do not differentiate private and public storm water management ownership. Approval will be required from the Department of Public Works (if DPW ownership and maintenance is proposed). The applicant's engineer indicates that approval from the Department of Public Works for the proposed drainage easements will be obtained. 12. The Site Development Plan should have road centerlines and stationing added. The Site Development Plan has been revised to include road centerlines and stationing. Intersection stationing shall be added for resolution compliance submission should approval be granted. 13. Four foot (4') wide sidewalk is proposed throughout the development. Unless the proposed sidewalk will be increased to a width of five feet (5'), pedestrian bypass areas shall be designed. The applicant's engineer indicates that pedestrian bypass areas will be provided for the development once approval of the application is granted. 14. Proposed curb ramps shall be added to the Site Development Plan at the street intersections. The applicant's engineer indicates that curb ramps will be provided to the Site Development Plan once approval of the application is granted. Curb ramp locations and right-of-way dedications at the intersections with Prospect Street may be dictated by the County. 15. Proposed Shade Tree and Utility Easements have been provided. Statement of fact. 16. Proposed Lots 1.10 and 1.11 have five (5) off-street parking spaces while Lots 1.09 and 1.12 have only three (3) off-street parking spaces. Four (4) off-street parking spaces per unit are required. The overall total off-street parking count complies. The applicant's engineer indicates that testimony will be provided regarding the proposed layout of the parking for each lot of the development. 17. The Sheet Index should be coordinated with the plan set. The applicant's engineer indicates that the Sheet Index will be revised to

coordinate with the plan set for resolution compliance submission should approval be granted. 18. Zones and Zone Boundary Lines shall be added to the Site Development Plan for resolution compliance submission should approval be granted. C. Grading 1. Grading is provided on a Grading & Drainage Plan which is Sheet 4 of 14. A storm sewer collection system is proposed to collect runoff and recharge it within multiple underground recharge systems. Statements of fact. 2. The Legend includes information on garages which are not proposed for this project. The applicant's engineer indicates that the Legend will be revised to remove the reference to garages once approval of the proposed application is granted. 3. Road profiles have been designed for all proposed streets. An existing profile for Prospect Street has not been provided. A road profile for Prospect Street can be added for resolution compliance submission should approval be granted. 4. A detailed review of the grading can be completed during compliance submission; if/when this subdivision is approved. Statement of fact. D. Storm Water Management 1. A proposed storm sewer collection system has been designed to convey storm water runoff into recharge systems. Proposed recharge systems have been designed under private property and under the improved right-of-ways. Statements of fact. 2. Soils information and permeability testing has been provided in Appendix D of the Storm Water Management Report. This data will need to be provided on the plans within the proposed project to confirm the seasonal high water table depth and to justify the infiltration rate used in the recharge calculations. The data shall be provided on the plans for resolution compliance submission should approval be granted. 3. A cursory review of the proposed design indicates the Storm Water Management Report is not specific to this project. A revised Storm Water Management Report shall be provided with resolution compliance submission should approval be granted. 4. Storm sewer profiles have been provided for off road areas on Sheet 12 of 14. Statement of fact. 5. The Storm Water Management Report and Design will be reviewed in detail during compliance, if/when approved. Statement of fact. E. Landscaping 1. Comprehensive landscaping has been proposed for the project. Shade trees are proposed along the site frontages, buffer trees are proposed along the rear property lines, and foundation plantings will be provided for the units. Statements of fact. 2. Proposed off-site street trees are shown on the east side of Rachel Avenue. These proposed street trees are part of another subdivision project and shall be removed from the plans for resolution compliance submission should approval be granted. 3. The Planting Schedule shown does not match the proposed plantings. The applicant's engineer indicates that the Planting Schedule will be revised to reference the proposed plantings once approval of the application is granted. 4. General Note # 5 shall be revised to list fourteen (14) as the total number of plan sheets. The applicant's engineer indicates that General Note #5 will be revised once approval of the application is granted. 5. All proposed easements and utilities shall be added to the Landscaping Plan. Revisions should be made to avoid planting conflicts. The applicant's engineer indicates that all proposed easements shall be added to the plan once approval of the proposed application is granted. 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 entire site will be cleared for the construction of the project. Compensatory plantings shall be addressed with a Tree Protection Management Plan. The Board should provide landscaping recommendations. A Tree Protection Management Plan shall be a condition of any approvals. 7. Landscaping shall be reviewed in detail after compliance submission should subdivision approval be granted. Statement of fact. F. Lighting 1. Street lighting has been provided for the proposed roads on Sheets 6 and 7 of 14. Statement of fact. 2. The plans erroneously show an existing street light on the northwest intersection corner of Rachel Avenue and Blanche Street. The lighting shall be corrected for resolution compliance submission should approval be granted. 3. Proposed street lighting should be adjusted such that pole relocations will not be necessary when future development takes place. The Plan indicates that seven (7) 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'). The applicant's engineer indicates that any revision to the proposed street lighting will be provided once approval of the proposed application is granted. 4. A point to point diagram must be provided to verify

the adequacy of the proposed lighting. Revisions will be necessary with adjustments to the layout. Revisions to the point to point diagram per adjustments to the layout shall be provided with resolution compliance submission should approval be granted. 5. 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. The applicant's engineer indicates that testimony will be provided regarding the ownership of the proposed lights. 6. Lighting shall be reviewed in detail after compliance submission should subdivision approval be granted. Statement of fact. 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. Statements of fact. 2. The proposed sanitary sewer will connect to an existing system in the southerly right-of-way of Prospect Street. Statement of fact. 3. Potable water is proposed to be extended from an existing main on the south side of Prospect Street. Statement of fact. 4. The plans state that all other proposed utilities are to be provided underground. Statement of fact. H. Signage 1. Proposed regulatory and street signage has not been shown on the plans and should be added. Regulatory and street sign details have been provided. The applicant's engineer indicates that proposed regulatory and street signage will be provided to the plan once approval of the application is granted. 2. No project identification signs are proposed. Statement of fact. 3. All signage proposed that is not reviewed and approved as part of this application, if any, shall comply with Township ordinance. Statement of fact. I. Environmental 1. Site Description Per review of the site plans, aerial photography, and a site inspection of the property, the site is wooded and vacant. The existing on-site topography generally slopes away from the center. There is a ridge across the property. Statements of fact. 2. Environmental Impact Statement An Environmental Impact Statement (EIS) shall be submitted prior to scheduling a Public Hearing for the project. The Board granted a submission waiver from providing an Environmental Impact Statement. 3. Tree Management Prior to construction, a Tree Protection Management Plan in accordance with the current ordinance shall be submitted. The applicant's engineer indicates that a Tree Protection Management Plan will be submitted should approval be granted. J. Construction Details 1. Construction details are provided on Sheets 13 and 14 of 14. Statement of fact. 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. The applicant's engineer indicates that proposed construction details will comply with applicable Township and NJDOT standards. 3. Final review of construction details will take place after compliance submission, if/when this project is approved by the Board. Statement of fact. K. Final Plat (Major Subdivision) 1. The Schedule of Bulk Requirements should be corrected. Proposed Lots 1.19 and 1.20 are missing from the Schedule. Revisions to the Schedule of Bulk Requirements can be provided with resolution compliance submission should approval be granted. 2. Some provided area and setback corrections should be made to the Schedule of Bulk Requirements. Some revisions to the Schedule of Bulk Requirements have been made. Final corrections can be provided with resolution compliance submission should approval be granted. 3. The minimum lot width for a zero lot line duplex is twenty-five feet (25'). The allowable building coverage is thirty-five percent (35%). This has been addressed. 4. Horizontal datum is in State Plane Coordinate System. Vertical datum is based on North American Vertical Datum 1988. A vertical bench mark shall be referenced. The General Notes can be corrected for resolution compliance submission should approval be granted. 5. The proposed distance along Rachel Avenue shall be revised to 510.52 feet to account for the dedications at the intersections. The applicant's engineer indicates that adjustments to the distance along Rachel Avenue will be provided once approval of the application is granted. 6. Certifications shall be in accordance with Section 18-604B.3., of the UDO and all references to Zoning Board shall be revised to Planning Board. Corrections can be provided with resolution compliance submission should approval be granted. 7. Proposed Sight Triangle Easements should be provided on the corners of intersecting streets. Proposed Sight Triangle Easements can be provided

with resolution compliance submission if approval is granted. 8. Compliance with the Map Filing Law is required. Statement of fact. 9. The Final Plat will be reviewed in detail after design revisions are undertaken for the project. Statement of fact. 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. Ocean County Planning Board; d. Ocean County Soil Conservation District; and e. All other required outside agency approvals. New Jersey American Water Company will be responsible for constructing potable water and sanitary sewer facilities.

Mr. Brian Flannery, P.E., P.P. was sworn in. He stated at the tech meeting, the Board had asked for an overall plan of the three proposed projects on one plan. He entered the overall plan as exhibit A-1. This application is for 10 duplexes for a total of 20 units. No variances are requested. With respect to the off-street parking comment in the engineer's review letter, the implication is that on some of the corners where they provided five spaces for one lot and three spaces for the other duplex unit that it doesn't comply with the four per unit. These are zero lot line units and there will be a zero lot line agreement which will state one unit gets four spaces and the other unit will get four spaces. It has been done previously by this Board and the Zoning Board and it provides the needed parking.

Mr. Vogt said that is fine.

Mr. Flannery said the other comments are minor in nature and they would be satisfied.

Mr. Rennert would like to include, as a condition of approval, that a community center will be built.

Mr. Flannery said this is a conforming application. The applicant has indicated that he will continue to work with the Township Committee.

Mr. Rennert said if he is going to take care of it then there would be no reason not to put it in the resolution.

Mr. Flannery said it is not required and the application is conforming.

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

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

Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Follman, Mr. Rennert

- 11. SD 1979** (No Variance Requested)
Applicant: 126 Forest Developers LLC
Location: Prospect Street
Block 462 Lots 1, 4, 5, & 6
Preliminary and Final Major Subdivision to create 22 lots

Project Description

The applicant is seeking a Preliminary and Final Major Subdivision approval. The applicant proposes the subdivision of an existing four (4) lots to create twenty-two (22) proposed lots. The twenty-two (22) proposed lots would be developed as zero lot line properties with eleven (11) duplex structures. The existing lots are known as Lots 1, 4, 5, and 6 in Block 462, and are proposed to be subdivided into new Lots 1.01 through 1.22 on the Major Subdivision Plan. The proposed subdivision for the project would include all of Block 462. Block 462 is an existing one hundred eighteen thousand two hundred three

square foot (118,203 SF) irregular tract of land surrounded by the unimproved fifty foot (50') right-of-ways of Rachel and Nussbaum Avenues, as well as Blanche Street. An improved County Highway, Prospect Street, also borders the property. Prospect Street has a sixty-six foot (66') right-of-way. The site is vacant, completely wooded, and mostly surrounded by woods. The subject property surrounded by three (3) paper streets is located south of Prospect Street, an improved County Road. The tract is in the southwest portion of the Township, west from its intersection with Massachusetts Avenue. Site access would be afforded by the improvement of Rachel and Nussbaum Avenues, which intersect Prospect Street, as well as the development of Blanche Street. The existing 2.714 acre property has 613.79 feet of frontage on Nussbaum Avenue which is to the east, two hundred feet (200') of frontage on Blanche Street, which is to the south, and 568.24 feet of frontage on Rachel Avenue, which is to the west. Finally, the project has 205.12 feet of frontage on Prospect Street, which is to the north. The proposed development will improve the surrounding streets. Except for Prospect Street, curb and sidewalk is proposed along the entire frontage of Block 462. Radial dedications are proposed at all corners of the Block to permit the construction of sidewalk to be within the public right-of-way. 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 underground recharge systems. Proposed sanitary sewer will connect to an existing system in the southerly right-of-way of Prospect Street. Proposed potable water for the subdivision will be extended from an existing main on the south side of Prospect Street. A minimum of four (4) off-street parking spaces are proposed for each unit. The subject site is located within the R-M Multi-Family Residential Zone District. Therefore, zero lot line duplex housing is a permitted use in the zone district. Except for development on the north side of Prospect Street and a multi-family project along Prospect Street to the east of Nussbaum Avenue, the surrounding lands are currently vacant. We have the following comments and recommendations per testimony provided at the 9/23/14 Planning Board Meeting and comments from our initial review letter dated September 11, 2014: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. C13 - Environmental Impact Statement. 2. C14 - Tree Protection Management Plan. We support the granting of the requested Environmental Impact Statement waiver, and the Tree Protection Management Plan waiver for completeness purposes. The site appears to be wooded uplands. An Environmental Impact Statement should be provided prior to scheduling the Public Hearing. A Tree Protection Management Plan should be required prior to any construction. The Board granted a waiver from providing an Environmental Impact Statement. Complying with the Tree Protection Ordinance shall be a condition of any approvals. II. Zoning 1. The site is situated within the R-M, Multi-Family Zone District. Duplex Housing is a permitted use. Zero lot line subdivisions for duplexes are permitted in the Zone. Statements of fact. 2. It appears no variances are required. Statement of fact. 3. As currently designed, a waiver would be required from the construction of curb along Prospect Street. The applicant's engineer indicates a waiver is being requested in regards to the construction of curb along the frontage of Prospect Street and testimony will be provided at the Public Hearing. The Board shall take action on the requested waiver. 4. The applicant must address the positive and negative criteria in support of any 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. III. Review Comments A. General 1. Off-street parking: According to the plans provided, the applicant is proposing a minimum of 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. Testimony shall be provided on the proposed number of bedrooms per unit and whether the basements will be unfinished. This proposed project should be in compliance with Parking Ordinance 2010-62. We note the distribution of proposed off-street parking is not equivalent. The proposed corner lots on Blanche Street incorporate five (5) off-street parking spaces, while the adjoining interior lots show three (3) off-street parking spaces. The applicant's engineer has

indicated that testimony will be provided to the Board regarding the proposed layout of the parking for the development. 2. The applicant shall confirm that trash and recyclable collection is to be provided by the Township of Lakewood. The applicant's engineer indicates that testimony shall be provided regarding the collection of trash and recyclables for the development. 3. Existing paper streets will be improved for the proposed project. Statement of fact. 4. The proposed lot numbers shall be approved by the Tax Assessor. The Final Plat shall be signed by the Lakewood Tax Assessor. The Lakewood Tax Assessor signature is required prior to map filing should approval be granted. 5. In accordance with the requirements in 18-815, it appears a one-time storm water management maintenance fee should be provided. The fee would be eleven thousand dollars (\$11,000.00), based on twenty-two (22) single-family attached dwellings at five hundred dollars (\$500.00) per dwelling. The applicant's engineer indicates that an eleven thousand dollar (\$11,000.00) storm water management fee shall be provided to the Township once approval of the application is granted. 6. The requirements in 18-821 (Building Uniformity in Residential Developments) shall be addressed. A minimum of four (4) basic house designs shall be provided for this development consisting of between seven (7) and fifteen (15) homes. The proposed layout indicates only two (2) basic designs. The designs are required prior to construction, should subdivision approval be granted. 7. 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. The applicant's engineer indicates that an agreement will be provided once approval of the application is granted. B. Plan Review1. The Boundary & Topographic Survey provided contains enough topography for the road designs of Rachel and Nussbaum Avenues, as well as Blanche Street. Statement of fact. 2. The Boundary & Topographic Survey provided also contains enough topography for any design and construction work required along Prospect Street. Statement of fact. 3. All references on the plans to Lakewood Township Zoning Board shall be corrected to Lakewood Township Planning Board throughout. This has been addressed on the Preliminary Plans. The Final Plat shall be corrected for resolution compliance submission should approval be granted. 4. The General Notes indicate a different applicant from the Application. The General Notes should also be edited for typographical errors. The General Notes still require corrections which can be provided with resolution compliance submission should approval be granted. 5. Horizontal datum is based on the State Plane Coordinate System. Vertical datum is based on North American Vertical Datum 1988. A vertical bench mark shall be referenced. The General Notes still require corrections which can be provided with resolution compliance submission should approval be granted. 6. The Schedule of Bulk Requirements requires some revisions, especially with respect to setbacks. Information for proposed Lots 1.19 through 1.22 should be included. Information for proposed Lots 1.19 through 1.22 has been added. Some revisions are still required to match what is shown on the plan. The revisions shall be provided with resolution compliance submission should approval be granted. 7. Consistency in the proposed street design layout among plan sheets shall be provided. The applicant's engineer indicates that consistencies between sheets for the street layout will be provided when approval of the application is granted. 8. Rachel and Nussbaum Avenues between Prospect and Blanche Streets have been designed to a thirty-two foot (32') pavement width with curb and sidewalk on both sides to provide access to the project. The applicant shall be responsible for the construction of all curb and sidewalk proposed in Block 462. Accordingly, the plans shall be revised to eliminate the proposed curb by others on the west side of Nussbaum Avenue. The applicant should not be responsible for the proposed curb and sidewalk along the west side of Rachel Avenue and the east side of Nussbaum Avenue. The plans should be revised accordingly. The proposed pavement limits shall be shown at the intersections of Blanche Street with Rachel and Nussbaum Avenues. The applicant's engineer indicates that the plans shall be revised upon the approval of the proposed application, and corrections provided with resolution compliance submission should approval be granted. 9. Blanche

Street has been designed with a minimum pavement width of thirty feet (30'). The proposed minimum pavement half width along the site frontages will be sixteen feet (16'). Curb and sidewalk shall be proposed along the site frontages, but are not required on the opposite sides of the streets, which is acceptable. Statements of fact. 10. Proposed Sight Triangle Easements dedicated to the Township should be provided at the municipal street intersections of the subdivision. The County will dictate any proposed Sight Triangle Easements required at the municipal street intersections with the County Highway. Proposed Sight Triangle Easements can be provided with resolution compliance submission if approval is granted. 11. The plans do not differentiate private and public storm water management ownership. Approval will be required from the Department of Public Works (if DPW ownership and maintenance is proposed). The applicant's engineer indicates that approval from the Department of Public Works for the proposed drainage easements will be obtained. 12. The Site Development Plan should have road centerlines and stationing added. The Site Development Plan has been revised to include road centerlines and stationing. Intersection stationing shall be added for resolution compliance submission should approval be granted. 13. Four foot (4') wide sidewalk is proposed throughout the development. Unless the proposed sidewalk will be increased to a width of five feet (5'), pedestrian bypass areas shall be designed. The applicant's engineer indicates that pedestrian bypass areas will be provided for the development once approval of the application is granted. 14. Proposed curb ramps shall be added to the Site Development Plan at the street intersections. The applicant's engineer indicates that curb ramps will be provided to the Site Development Plan once approval of the application is granted. Curb ramp locations and right-of-way dedications at the intersections with Prospect Street may be dictated by the County. 15. Proposed Shade Tree and Utility Easements have been provided. Statement of fact. 16. Proposed Lots 1.12 and 1.13 have five (5) off-street parking spaces while Lots 1.10 and 1.14 have only three (3) off-street parking spaces. Four (4) off-street parking spaces per unit are required. The overall total off-street parking count complies. The applicant's engineer indicates that testimony will be provided regarding the proposed layout of the parking for each lot of the development. 17. The Sheet Index should be coordinated with the plan set. The applicant's engineer indicates that the Sheet Index will be revised to coordinate with the plan set for resolution compliance should approval be granted. 18. Zone and Zone Boundary Lines shall be added to the Site Development Plan for resolution compliance submission should approval be granted. C. Grading 1. Grading is provided on a Grading & Drainage Plan which is Sheet 4 of 15. A storm sewer collection system is proposed to collect runoff and recharge it within multiple underground recharge systems. Statements of fact. 2. The Legend includes information on garages which are not proposed for this project. The applicant's engineer indicates that the Legend will be revised to remove the reference to garages once approval of the proposed application is granted. 3. Road profiles have been designed for all proposed streets. An existing profile for Prospect Street has not been provided. A road profile for Prospect Street can be added for resolution compliance submission should approval be granted. 4. A detailed review of the grading can be completed during compliance submission; if/when this subdivision is approved. Statement of fact. D. Storm Water Management 1. A proposed storm sewer collection system has been designed to convey storm water runoff into recharge systems. Proposed recharge systems have been designed under private property and under the improved right-of-ways. Statements of fact. 2. Soils information and permeability testing has been provided in Appendix D of the Storm Water Management Report. This data will need to be provided on the plans within the proposed project to confirm the seasonal high water table depth and justify the infiltration rate used in the recharge calculations. The data shall be provided on the plans for resolution compliance submission should approval be granted. 3. A cursory review of the proposed design indicates the Storm Water Management Report is not specific to this project. A revised Storm Water Management Report shall be provided with resolution compliance submission should approval be granted. 4. Storm sewer profiles have been provided for off road areas on Sheets 11 through 13 of 15. Statement of fact. 5. The Storm Water Management Report and Design will be reviewed in detail during compliance, if/when approved.

Statement of fact. E. Landscaping 1. Comprehensive landscaping has been proposed for the project. Shade trees are proposed along the site frontages, buffer and shade trees are proposed along the rear property lines, and foundation plantings will be provided for the units. Statements of fact. 2. Proposed off-site street trees are shown on the west side of Rachel Avenue. These proposed street trees are part of another subdivision project and shall be removed from the plans for resolution compliance submission should approval be granted. 3. The Planting Schedule shown does not match the proposed plantings. The applicant's engineer indicates that the Planting Schedule will be revised to reference the proposed plantings once approval of the application is granted. 4. General Note # 5 shall be revised to list fifteen (15) as the total number of plan sheets. The applicant's engineer indicates that General Note #5 will be revised once approval of the application is granted. 5. All proposed easements and utilities shall be added to the Landscaping Plan. Revisions should be made to avoid planting conflicts. The applicant's engineer indicates that all proposed easements shall be added to the plan once approval of the proposed application is granted. 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 entire site will be cleared for the construction of the project. Compensatory plantings shall be addressed with a Tree Protection Management Plan. The Board should provide landscaping recommendations. A Tree Protection Management Plan shall be a condition of any approvals. 7. Landscaping shall be reviewed in detail after compliance submission should subdivision approval be granted. Statement of fact. F. Lighting 1. Street lighting has been provided for the proposed roads on Sheet 7 of 15. Statement of fact. 2. The plans erroneously show many existing street lights. The lighting shall be corrected for resolution compliance submission should approval be granted. 3. Proposed street lighting should be adjusted such that pole relocations will not be necessary when future development takes place. The Plan indicates that seven (7) 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'). The applicant's engineer indicates that any revision to the proposed street lighting will be provided once approval of the proposed application is granted. 4. A point to point diagram must be provided to verify the adequacy of the proposed lighting. Revisions will be necessary with adjustments to the layout. Revisions to the point to point diagram per adjustments to the layout shall be provided with resolution compliance submission should approval be granted. 5. 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. The applicant's engineer indicates that testimony will be provided regarding the ownership of the proposed lights. 6. Lighting shall be reviewed in detail after compliance submission should subdivision approval be granted. Statement of fact. 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. Statements of fact. 2. The proposed sanitary sewer will connect to an existing system in the southerly right-of-way of Prospect Street. The proposed design may be deep enough to provide gravity service to the basements. Statements of fact. 3. Potable water is proposed to be extended from an existing main on the south side of Prospect Street. Statement of fact. 4. The plans state that all other proposed utilities are to be provided underground. Statement of fact. H. Signage 1. Proposed regulatory and street signage has not been shown on the plans and should be added. Regulatory and street sign details have been provided. The applicant's engineer indicates that proposed regulatory and street signage will be provided to the plan once approval of the application is granted. 2. No project identification signs are proposed. Statement of fact. 3. All signage proposed that is not reviewed and approved as part of this application, if any, shall comply with Township ordinance. Statement of fact. I. Environmental 1. Site Description Per review of the site plans, aerial photography, and a site inspection of the property, the site is wooded and vacant. The existing on-site topography generally slopes away from the center. There is a high point on the property. Statements of fact. 2. Environmental Impact Statement An Environmental Impact Statement

(EIS) shall be submitted prior to scheduling a Public Hearing for the project. The Board granted a submission waiver from providing an Environmental Impact Statement.

3. Tree Management Prior to construction, a Tree Protection Management Plan in accordance with the current ordinance shall be submitted. The applicant's engineer indicates that a Tree Protection Management Plan will be submitted should approval be granted.

J. Construction Details

1. Construction details are provided on Sheets 14 and 15 of 15. Statement of fact.

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. The applicant's engineer indicates that proposed construction details will comply with applicable Township and NJDOT standards.

3. Final review of construction details will take place after compliance submission, if/when this project is approved by the Board. Statement of fact.

K. Final Plat (Major Subdivision)

1. The Schedule of Bulk Requirements should be corrected. Proposed Lots 1.19 through 1.22 are missing from the Schedule. Information for proposed Lots 1.19 through 1.22 has been added. Some revisions are still required to match what is shown on the plan and can be provided with resolution compliance submission should approval be granted.

2. Some provided area and width corrections should be made to the Schedule of Bulk Requirements. However, most of the corrections in the Schedule and on the Plat involve setbacks. Some revisions to the Schedule of Bulk Requirements have been made. Final corrections can be provided with resolution compliance submission should approval be granted.

3. The minimum lot width for a zero lot line duplex is twenty-five feet (25'). The allowable building coverage is thirty-five percent (35%). This has been addressed.

4. The General Notes list a different applicant than indicated on the Application. The General Notes can be corrected for resolution compliance submission should approval be granted.

5. Horizontal datum is in State Plane Coordinate System. Vertical datum is based on North American Vertical Datum 1988. A vertical bench mark shall be referenced. The General Notes can be corrected for resolution compliance submission should approval be granted.

6. Because of rounding the proposed widths of the new lots along Nussbaum Avenue sum to a total in excess of the overall length of the Block. We suggest that the widths of the over sized corner lots could be decreased to solve the mathematical problem. The applicant's engineer indicates that adjustments to the width of the proposed properties will be provided once approval of the application is granted.

7. Certifications shall be in accordance with Section 18-604B.3., of the UDO and all references to Zoning Board shall be revised to Planning Board. Corrections can be provided with resolution compliance submission should approval be granted.

8. Proposed Sight Triangle Easements should be provided on the corners of intersecting streets. Proposed Sight Triangle Easements can be provided with resolution compliance submission if approval is granted.

9. Compliance with the Map Filing Law is required. Statement of fact.

10. The Final Plat will be reviewed in detail after design revisions are undertaken for the project. Statement of fact.

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. Ocean County Planning Board;
- d. Ocean County Soil Conservation District; and
- e. All other required outside agency approvals.

2. New Jersey American Water Company will be responsible for constructing potable water and sanitary sewer facilities.

Mr. Brian Flannery, P.E., P.P. was sworn in. He stated at the tech meeting, the Board had asked for an overall plan of the three proposed projects on one plan. He entered the overall plan as exhibit A-1. This application is for 11 duplexes for a total of 22 units. No variances are requested. This is a different applicant than the previous two and both applicants will be working together to ensure that the recreation and shul is taken care of. With respect to the off-street parking comment in the engineer's review letter, the implication is that on some of the corners where they provided five spaces for one lot and three spaces for the other duplex unit that it doesn't comply with the four per unit. These are zero lot line units and there will be a zero lot line agreement which will state one unit gets four spaces and

the other unit will get four spaces. It has been done previously by this Board and the Zoning Board and it provide the needed parking.

Mr. Vogt said that is fine. A design wavier is requested for curbing along Prospect Street.

Mr. Flannery said it is a County road. They will meet with them and whatever they require, they will do.

Mr. Flannery said the other comments are minor in nature and they would be satisfied.

Mr. Banas said the Board does require curbing for protection and safety.

Mr. Flannery said they will provide curbing.

Mr. Sussman said there will be a total of 50 units in this area. The Board believes a community center should be built. He thinks it should be a condition in the resolution.

Mr. Flannery said this is a different applicant. It is only because these three applications are all being heard at once that this is even being discussed. If these applications had come in three months apart, they would not be having this discussion.

Mr. Rennert does not agree with that.

Mr. Flannery said it would not be fair if one applicant had to put in a community center and the other does not. He respectfully asked that that not be a condition of approval. He reiterated that this is a conforming application.

Mr. Sussman believes it is a fair requirement.

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

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

Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Follman

No: Mr. Rennert

12. SP 2092AA (No Variance Requested)

Applicant: Beth Medrash Govoha

Location: 7th Street & 8th Street

Block 46

Lots 5, 23, & 24

Change of Use/Site Plan Exemption to convert 3 homes into dormitories and add a parking lot

Mrs. Morris stated that the applicant requested this project be carried to the October 28, 2014 meeting so they can meet with neighbors/objectors. One of the objectors has indicated that his professional will not be available on that date. The Board shall decide what meeting to carry to.

Mr. Peter Flum, 639 8th Street, stated they were ready to present their case tonight and cannot make it for the October 28th meeting.

A motion was made and seconded to carry to the November 18, 2014 meeting. All were in favor.

- 13. SP 2094AA** (No Variance Requested)
Applicant: Sammy A. Hutman
Location: East County Line Road
Block 142 Lot 37

Change of Use/Site Plan Exemption to convert an existing residence into an office

Project Description

The applicant is seeking Site Plan Exemption/Change of Use approval for converting an existing one-story dwelling into a one-story, 1,500 sf office building, including a six-space parking lot. As depicted on the site plan, Lot 5 is a square 10,000 sf property located on the north side of County Line Road East, approximately 100 feet west of its intersection with Berkowitz Avenue. The frontage is improved, including curb and sidewalk. Properties near the site are predominantly residential and office/commercial in nature. Per the 2012 property survey, the site was developed in its existing condition, including a paved driveway, interior walkway and one-car garage. As noted on the (2014) Change of Use Site Plan, the six-space parking lot is depicted as "existing". Assuming no additional paving work is proposed (or necessary), no new site improvements appear proposed for this Change of Use application. I. Zoning 1. The property is located in the Office Transitional Use (OT) Zone. Professional offices are permitted in the Zone 2. Per review of the Change of Use Site Plan, no bulk variances appear necessary for the change of use request. 3. Per Subsection 18-803E, Perimeter buffer relief is necessary for the office use (20 foot existing setback, 25 foot buffer required). 4. Per review of the Change of Use Site Plan, the following design waivers are required for proposed project: • Providing landscaping. • Providing lighting. • Providing grading. II. Review Comments 1. Testimony should be provided by the applicant for the Board in support of the converted use, including the type of office, number of employees, hours and days of operation, etc. 2. Based on the parking requirement of one (1) parking space per 300 square feet of gross office space, five (5) spaces are required for the proposed 1,500 sf office building. Six (6) spaces are proposed. Parking shall be provided to the satisfaction of the Board. 3. As indicated previously, the Change of Use plan depicts the asphalt parking area as "existing", vs the driveway shown on the 2012 survey for the prior dwelling use. Clarification must be provided from the applicant's professionals regarding what work, if any is necessary for the proposed change of use (i.e., paving, striping, signage, etc.), as well as the sidewalk extending around the northeast corner of the proposed office building. Design information for any necessary improvements must be provided as a condition of Board approval, if forthcoming. 4. Per General Note #7 on the change of use plan, curbside pickup of trash via robo cans is proposed. 5. No new landscaping is proposed. Landscaping shall be provided to the satisfaction of the Board. As indicated previously, perimeter buffer relief is necessary as well. 6. No lighting is proposed. Unless the applicant is willing to restrict the use to daytime hours (only), lighting must be provided per applicable Township standards. 7. Information and/or testimony should be provided that existing utilities serving the building are adequate for the proposed office use. 8. The site plan waiver (if approved) does not relieve the applicant's obligation to obtain necessary outside agency approvals, building permits and construction code reviews.

Mr. Vogt stated there are no variances but the applicant does seek relief with respect to perimeter buffer. Waivers are being sought for landscaping, lighting and grading. Unless the operations is strictly during the day, they are going to need lighting.

Mr. Glenn Lines, P.E., P.P. was sworn in. He stated the building is an office and it is used mainly from 9am to 5pm.

Mr. Vogt said it does get dark before 5pm at certain times of the year.

Mr. Neiman said they shall provide some lighting.

Mr. Lines said they will provide lighting.

Mr. Neiman asked what type of office will occupy the building.

Mr. Lines said it will be an accounting office.

Mr. Neiman asked about parking.

Mr. Lines said they have six spaces where five are required.

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

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

Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman

Abstain: Mr. Rennert

7. CORRESPONDENCE

8. PUBLIC PORTION

9. APPROVAL OF BILLS

10. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Sarah L. Forsyth
Planning Board Recording Secretary