

1. CERTIFICATION OF COMPLIANCE

Chairman Neiman called the meeting to order at 6:00 p.m. with the Pledge of Allegiance and Ally Morris read the Certification of Compliance with the NJ Open Public Meetings Act:

“The time, date and location of this meeting was published in the *Asbury Park Press* and posted on the bulletin board in the office of the Township of Lakewood. Advance written Notice has been filed with the Township Clerk for purpose of public inspection and, a copy of this Agenda has been mailed, faxed or delivered to the following newspapers: *The Asbury Park Press*, and *The Tri-Town News* at least 48 hours in advance. This meeting meets all the criteria of the Open Public Meetings Act.”

2. ROLL CALL

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

3. SWEARING IN OF PROFESSIONALS

Mr. Vogt was sworn in.

4. MEMORIALIZATION OF RESOLUTIONS

1. **SD 1550A** Seymour Investments / Cross Trade LLC
Denial of request to remove a condition of approval

Ally Morris said she received a letter from the applicant's attorney asking to carry this resolution to the next meeting.

2. **SD 1888** (Variance Requested)
Applicant: Cushman Holdings II, LLC
Location: Warren Avenue & West Street
Block 768 Lot 59
Major Subdivision to create 6 lots

A motion was made and seconded to approve the application.

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

3. **SP 2021AA** (No Variance Requested)
Applicant: Congregation Noam Hatalmud
Location: Lanes Mill Road
Block 187 Lot 6
Denial Resolution for Change of Use/Site Plan Exemption to convert existing house into a synagogue

A motion was made and seconded to approve the application.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Neiman, Mr. Follman, Mr. Rennert

Abstained: Mr. Banas

4. **SP 2022AA** (No Variance Requested)
Applicant: Congregation Toldos Yaakov Yosef
Location: Squankum Road
Block 104 Lots 54 & 59
Change of Use/Site Plan Exemption to convert existing house into a school

A motion was made and seconded to approve the application.
Affirmative: Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Follman
Abstained: Mr. Herzl, Mr. Rennert

5. **SP 2016AA** Mesivta Ohr Chaim Meir
Modification of previous approval to include bus turn-around on neighboring Lot 55

A motion was made and seconded to approve the application.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Neiman, Mr. Follman, Mr. Rennert
Abstained: Mr. Banas

5. PLAN REVIEW ITEMS

1. **SP 2027** (Variance Requested)
Applicant: 485 Locust Holdings LLC
Location: Locust Street
Block 1086 Lot 20
Site Plan for 24,114 sf building addition to existing multi-use commercial building

Project Description

The applicant is seeking Preliminary and Final Major Site Plan approval for expansion of the existing recreational complex. The existing facility is located at 485 Locust Street within the B-5A Zone. The existing use of the site is a skate park, gymnastics facility, and nursery school. Some of the existing improvements are outside, including asphalt sports courts, a volleyball court, and an in-ground pool. With the addition to the existing building and parking lot, the proposed use will be a skate park, gymnastics facility, nursery school, and sports center. All of the proposed recreation would be indoors. The existing commercial structure is a rectangular metal building. A proposed addition of 24,114 square feet is planned to the rear of the existing building. The proposed parking would be extended along the side and around the rear of the addition. According to the site plan, off-street parking will be expanded to one hundred forty-nine (149) proposed spaces. Eight (8) of the proposed spaces will be handicapped, all of which being van accessible. Proposed parking spaces will be a minimum of 9' X 18'. Access to the site will be provided by a new twenty-five foot (25') wide driveway from Locust Street. No required parking space limit has been defined on the site plans. The tract consists of an almost rectangular lot which is 5.318 acres in area. The lot where this facility is located is generally bounded by multi-unit residential buildings. The northern end of the property is a wetland region tributary to Kettle Creek. The property slopes downward from south to north, as it approaches the wetland line. Access to the site is from Locust Street, which is an improved County Road having a sixty foot (66') wide right-of-way. The site is situated in the southern section of the Township on the north side of Locust Street, west of New Hampshire Avenue. Water and sewer

services are to be provided by Lakewood Township Municipal Utilities Authority. The project is located in the B-5A Highway Development Zone. Public recreational uses are permitted in the zone. 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. A waiver has been requested from the submission of an Environmental Impact Statement since the site has been developed. Instead of submitting a formal Environmental Impact Statement, we recommend the applicant submit the freshwater wetlands application information prior to the Public Hearing. A waiver has been requested from providing a Tree Protection Management Plan. While the proposed site development will require removal of some large individual trees, the existing woodlands in the north end of the site would not be disturbed. The proposed landscaping provides enough shade trees that compensatory plantings would be properly addressed. Therefore, we can support the applicant's request for a waiver from C14, a Tree Protection Management Plan. II. Zoning 1. The site is situated within the B-5A Zone. Per Section 18-903F.1.a., of the UDO, all uses permitted in the B-5 zone are allowed in this zone. Therefore, public recreational uses are permitted. 2. Per review of the site plans and application, the following variance is required: • Minimum Side Yard Setback – A 17.3' side yard setback is proposed on the east side of the property, whereas a fifty foot (50') front yard setback is required. 3. Per review of the site plans, the following design waiver is required: • Providing a shade tree and utility easement along the Locust Street project frontage. III. Review Comments Per review of the current design plans, we offer the following comments and recommendations: A. Site Plan/Circulation/Parking 1. The line weights of the existing should be "grayed" such that the plans clearly show the proposed and existing improvements. Inclusion of a Site Demolition Plan is recommended. 2. General Note #2 should be amended to reference the latest revised survey. 3. No justification has been given regarding the proper number of off-street parking spaces needed. This information is required. Considering the current number of spaces being proposed, the number of handicap spaces is adequate. The proposed number of handicap signs should be increased to eight (8). 4. Outbound information, setback lines, and complete dimensioning should be completed on the Site Plan. 5. The existing parking lot, curb, and sidewalk are in poor condition. Except for the existing curb on the west side of the site, all of these improvements are being replaced with the site plan expansion. Considering the entire make over of the site, it seems fruitless to attempt to retain this old curb section. 6. Locations of existing and proposed curb and sidewalk along the project frontage need clarification. 7. A proposed dumpster enclosure without dimensions has been indicated. Testimony should be provided on collection of trash and recyclable material. It should be clarified whether the Township or a private company will be responsible for removal. The waste receptacle area should be designed in accordance with Section 18-809E., of the UDO. Conflicting information on proposed sidewalk shows that the proposed enclosure is not being screened. 8. A proposed wall with a chain link fence should be labeled north of the proposed parking lot. 9. All existing and proposed building access points should be added to the Site Plan since they impact the design. All walkways leading to an access point should be labeled as such. 10. No sight triangles associated with the site access have been indicated and should be added. Sight distance is poor because of existing trees. 11. The proposed fenced infiltration basin location in the front of the site should be added. Confirming testimony should be provided that the proposed storm water management system will be owned and maintained by the applicant. 12. The existing fence along the west property line is in poor condition. Replacement should be considered. B. Architectural 1. A basic "preliminary" architectural elevations and floor plan was submitted for review. Per review of the submitted plan, the elevation views of the proposed addition on the architectural plans do not have any dimensions. According to scale, the height

falls within the legal limits. 2. The preliminary architectural plan should be advanced to show existing and proposed building dimensions and square footages. 3. Testimony should be provided on the proposed floor area usage. 4. The number of building access points does not appear to coincide with the site plans, considering the walkways depicted. The Site Plans and architectural drawings should coordinate with one another. 5. The existing building has metal siding. Metal siding is proposed for the addition as well. 6. The floor plan dimensions do not agree with the Site Plan dimensions. Although the variations are minor, they should be corrected with a revised submission. 7. The Site Plan should show all existing and proposed ground mounted HVAC equipment. Adequate screening of the equipment should be considered. C. Grading 1. A Grading, Drainage, and Utility Plan is provided on Sheet 4 of 12. 2. An infiltration basin is proposed on the Grading, Drainage, and Utility Plan, however is not on the proposed Site Plan. The fence surrounding the perimeter of the basin is depicted on the Site Plan. 3. Spot elevations should be added to handicapped parking areas to insure slope compliance. 4. A review of final grading revisions will be performed during compliance if/when approval is granted. D. Storm Water Management 1. A proposed storm water management system has been designed. The design proposes a storm sewer collection system with two (2) underground recharge systems and an infiltration basin located on the site. The project qualifies as major development and must meet the requirements of the New Jersey Department of Environmental Protection Storm Water Management Rules (NJAC 7:8). Per review of the design, it is feasible and can be finalized by increasing the underground recharge during compliance review if/when board approval is granted. 2. Permeability testing and seasonal high water table information has been provided in the Report to justify the proposed depth of the storm water recharge system. The locations of Soil Logs should be provided on the Existing Conditions Plan. 3. We recommend the Drainage Area Maps be checked for accuracy since they impact the design. 4. Existing downspouts drain to the surface creating erosion problems. We recommend existing and proposed downspouts be tied into the proposed storm water management system. In fact, according to the Post Development Drainage Area Map, a portion of the existing building currently acting as part of the bypass area can be connected to the proposed storm water management system and solve the 100 year storm design deficiency. 5. Storm sewer profiles have been included with the plans. 6. As required a Storm Water Management Operation & Maintenance Manual has been provided. The Manual will be reviewed with resolution compliance submission should site plan approval be granted. E. Landscaping 1. The Landscape Plan can be found on Sheet 5 of 12. 2. The planting and seeding schedule along with the details can be found on Sheet 6 of 12. 3. The overall landscape design is subject to review and approval by the Board. 4. Proposed easements should be shown on the Landscape Plan to avoid planting conflicts. 5. Landscaping will be reviewed in detail after plan revisions are submitted. F. Lighting 1. A Lighting Plan has been provided on Sheet 5 of 12. 2. Per review of the Lighting Plan, there are fifteen (15) additional pole mounted lights proposed for the property. Eight (8) pole mounted lights already exist on the site for the existing building and parking lot and are proposed to remain. 3. The proposed height of the pole mounted lights is eighteen feet (18'). The wattage for the proposed lighting will be one hundred fifty watts (150W); we assume the existing lighting wattage is the same. 4. Details of the light fixtures and the mounting poles can be found on Sheet 6 of 12. 5. A point to point diagram has been submitted to determine the adequacy of the lighting and compliance with the ordinance. Adjustments to lighting may be necessary since the calculations show the minimum intensity level is not being met. 6. Final lighting design can be addressed during compliance review if/when approval is granted. G. Utilities 1. Public water and sewer services are being provided by the Lakewood Township Municipal Utilities Authority. 2. The site will

continue to be served by the existing utilities. 3. Testimony should be provided regarding proposed fire protection measures. H. Signage 1. Proposed signage includes handicap parking signs which must be increased to eight (8) in number, and a stop sign for the new entrance driveway being proposed, which supports two-way traffic. 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. I. Environmental 1. Site Summary Per review of the site plans, aerial photography, and a site inspection of the property, the tract is mostly developed with an undeveloped wooded area on the north end. The property borders Locust Street on the southern edge of the property. The property generally slopes downwards from south to north. Wetlands have been delineated on the north edge of the site and a fifty foot (50') transition area is shown. To assess the site for environmental concerns, a natural resources search of the property and surroundings was completed using NJ Department of Environmental Protection (NJDEP) Geographic Information Mapping (GIS) system data, including review of aerial photography and various environmental constraints data assembled and published by the NJDEP. Per the available mapping, the presence of wetlands is consistent with the plans. Testimony should be provided by the applicant's professionals as to whether there are any other known areas of environmental concern (i.e. fuel tanks, fuel spills, etc.) that exist within the property. 2. Environmental Impact Statement An Environmental Impact Statement has not been submitted. A report must be submitted, which at a minimum addresses the wetlands. 3. Tree Management Plan A waiver has been requested. J. Construction Details 1. Construction details are provided on Sheets 11 and 12 of 12 in the plan set. 2. All proposed construction details must comply with applicable Township or NJDOT standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete. 3. Construction details will be reviewed after revisions are submitted for the project. 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 and sewer); e. Ocean County Planning Board; f. Ocean County Soil Conservation District; g. New Jersey Department of Environmental Protection; and h. All other required outside agency approvals.

Mr. Vogt stated that the applicant is requesting submission waivers for EIS and tree protection management. Approval is conditionally recommended for the EIS if the applicant gives information on the wetlands. The tree protection management waiver is supported as they are meeting the requirements in terms of landscaping.

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

Mr. Vogt stated that a variance is requested for minimum side yard setback as well as a design waiver with respect to the shade tree and utility easement along Locust Street.

Mr. John Doyle, Esq. on behalf of the applicant. He stated that this is a permitted use and it is a well known recreational facility that has been there for years. Given the demand, they seek to extend the building along the same line that it has been in. The variance is really the existing variance extended. They can meet the comments in the engineer's report.

Mr. Neiman asked about the minimum side yard setback variance.

Mr. Brian Flannery, P.E. said the existing building is that way. The smaller addition is in the same setback.

Mr. Doyle said there are accessory structures and a pool that will be removed to provide additional parking.

Mr. Flannery confirmed they will address the other comments in the report and be ready to testify at the public hearing.

A motion was made by Mr. Banas, seconded by Mr. Follman to advance the application to the September 17, 2013 meeting.

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

- 2. SD 1899** (No Variance Requested)
Applicant: Pine & 14 LLC
Location: Fourteenth Street
Block 25.05 Lot 56
Minor Subdivision to create 3 lots

Project Description

The applicant seeks minor subdivision approval to subdivide one (1) existing lot totaling 1.92 acres in area known as Lot 56 in Block 25.05 into three (3) new residential lots. The subdivision proposes to remove an existing dwelling and all onsite improvements. The proposed lots are designated as Lots 56.01 through 56.03 on the minor subdivision plan. Except for the existing one-story frame dwelling and surrounding clearing, the site is heavily wooded. The property is situated in the northwest portion of the Township on the north side of Fourteenth Street, west of the intersection with Willow Court. The existing lot also borders the south side of a curve where Pine Park Avenue meets Martin Street. Proposed Lots 56.01 and 56.02 would contain seventeen thousand five hundred square feet (17,500 SF), with each having one hundred feet (100') of frontage on Fourteenth Street. Proposed Lot 56.03 would contain 45,636 square feet, or 1.048 acres. It would have less than fifty feet (50') of frontage at the curve where Martin Street meets Pine Park Avenue. The plan does not mention if public water and sewer is available. According to our site investigation, public water is readily available and sanitary sewer would have to be extended on Fourteenth Street to service proposed Lots 56.01 and 56.02. Fourteenth Street, Pine Park Avenue, and Martin Street are all Township roads. The existing right-of-way width of Fourteenth Street varies, and the half right-of-way width in front of the site is only sixteen and a half feet (16.50'). Accordingly, a thirteen and a half foot (13.50') dedication is proposed which would bring the half right-of-way width to thirty feet (30'), consistent with the property immediately to the west. Fifty foot (50') right-of-way widths exist for Pine Park Avenue and Martin Court in front of the site. The roads surrounding the property are paved and in fair condition. No sidewalk or curbing exists along the Fourteenth Street property frontage. No sidewalk exists along the Pine Park Avenue/Martin Street frontage, but curbing does. The surrounding area is predominantly residential. The 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 with a minimum lot size of twelve thousand square feet (12,000 SF) is

permitted in the zone. 2. Per review of the Subdivision Map and the zone requirements, no variances appear to be required for the proposed subdivision. 3. Proposed Lot 56.03 has limited frontage (less than 50') on the outside of the Pine Park Avenue/Martin Street curve. Therefore, we recommend that any approvals be conditioned upon providing a driveway with turnaround capabilities to prevent vehicles from backing out onto the curve. II. Review Comments 1. A Boundary & Topographic Survey of the property has been provided. The Survey shows an apparent overlap on the north side of the property. However, the Minor Subdivision cedes the overlap and holds the line of filed Map # C-166. 2. A 16.40 foot dimension is shown for the half right-of-way width on Fourteenth Street in front of existing Lot 60 on both the Survey and Minor Subdivision. The surveyor should check whether the dimension is correct. 3. Horizontal and vertical datum has been assumed. A bench mark has been provided. 4. The Schedule of Bulk Requirements indicates all lots will conform to the allowable Maximum Building Coverage of twenty-five percent (25%). Parking requirements shall be added. 5. No new buildings are being proposed and the only existing dwelling is slated to be removed. 6. Editing of the General Notes is required. 7. Unless a waiver is requested from and granted by the Planning Board, proposed sidewalk shall be added along the street frontages. Proposed sidewalk should be five feet (5') wide unless pedestrian passing lanes are provided. 8. No curbing exists on Fourteenth Street in front of the site. Unless a waiver is requested from and granted by the Board, the installation of curb on Fourteenth Street is required. 9. Unless waivers are granted for the construction of curb and sidewalk, an Improvement Plan must be provided as a condition of approval to indicate the extent of construction on Fourteenth Street. Any Improvement Plan required shall include grading, drainage, and construction details as necessary. This Improvement Plan may be provided during compliance if approval is given. 10. Proposed six foot (6') wide shade tree and utility easements are shown on the subdivision plan. Survey data with easement areas for the proposed individual lots have been provided. The proposed easement area on new Lot 56.03 must be corrected. 11. Unless a waiver is requested from and granted by the Planning Board, shade trees shall be proposed within the shade tree and utility easements for the project. 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. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan Review for the proposed lots. 12. The plan does not state whether water and sewer service is to be provided. It appears sewer must be extended from the sanitary sewer manhole shown in Fourteenth Street, west of the project. Water service is readily available to the site. Testimony shall be provided on sewage disposal. 13. Should basements and/or underground recharge be proposed, soil profile locations must be shown on the Improvement Plan. Soil profile logs should also be provided to justify seasonal high water table information. 14. Testimony is required on the disposition of storm water from the development. 15. Testimony should be provided on proposed site grading. 16. Proposed lot numbers must be approved by the tax assessor's office. 17. The date on the Secretary's Certification must be changed since there are no longer one hundred ninety (190) days left in the year. 18. Due to no construction proposed at this time, the Board may wish to require the cost of improvements to be bonded or placed in escrow to avoid replacing them in the future. 19. Compliance with the Map Filing Law is required. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance; b. Ocean County Planning Board; c. Ocean County Soil Conservation District; d. Ocean County Board of Health (if required); and e. All other required outside agency approvals.

Mr. Flannery stated there are no variances on this application and they will address all comments in the report and be ready at the public hearing.

A motion was made and seconded to advance the application to the September 17, 2013 meeting.

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

- 3. SD 1900** (Variance Requested)
Applicant: Yosaif Oppen
Location: Doria Avenue
Block 494 Lot 2.02
Minor Subdivision to create 2 lots

Project Description

The applicant is proposing to subdivide one (1) existing lot into two (2) residential lots. Existing Lot 2.02 in Block 494 would be reconfigured into proposed Lots 2.06 and 2.07 as designated on the subdivision plan. Existing Lot 2.02 is an irregular tract containing approximately 97,826 square feet, or almost 2.25 acres and is vacant. The proposed subdivision would create two (2) irregular building lots of similar areas. Proposed Lot 2.06 would be about 49,063 square feet, or 1.13 acres in area, and proposed Lot 2.07 would be roughly 48,763 square feet, or 1.12 acres in size. No new improvements are being proposed. The site is situated in the southwest portion of the Township on the eastern side of the terminus of the Doria Avenue cul-de-sac. The front portion of the property is heavily wooded with large trees. The rear section of the tract has been cleared. The land generally slopes downward from north to south. Doria Avenue is an improved municipal road with a variable width right-of-way. The cul-de-sac pavement has settled and creates a poorly graded surface. There are no existing sidewalks or curbs on the cul-de-sac and neither has been proposed on the Subdivision Plan. Underground electric services a light pole at the end of the cul-de-sac and the utility boxes on the neighboring property. Public water and sewer are unavailable. The site is located within the R-40 Zone. The surrounding lands are either residential property or wooded, vacant lots. We have the following comments and recommendations: I. Zoning 1. The site is situated within the R-40 Single-Family Residential Zone District. Single-family detached dwellings are a permitted use in the zone. 2. Variances are requested with respect to Minimum Lot Width. The proposed lot width of new Lot 2.06 would be 105.5 feet, and the proposed lot width of new Lot 2.07 will be 98.6 feet. The minimum required width is one hundred fifty feet (150') wide. 3. A dedication should be considered to match the existing right-of-way width shown for adjoining Lot 58, which is immediately to the south of the site. It should be noted that while a dedication would not eliminate the proposed Minimum Lot Width variances, it would move the front yard setback lines and therefore increase the lot widths. In addition, the site has enough area to absorb a dedication and still meet the minimum area requirements. 4. A design waiver is required for the proposed lot line separating new Lots 2.06 and 2.07 for not being at a right angle to the street line. 5. Per review of the plan, the following design waivers are also required: • Providing curb and sidewalk along the project frontage. It should be noted that there is no existing curb and sidewalk in the immediate vicinity of this site. • Providing shade trees along the project frontage. • Providing a shade tree and utility easement along the project frontage. II. Review Comments 1. A Boundary and Topographic Survey has been provided for Lot 2.02. The survey locates all of the trees over six inches (6") in diameter. 2. A horizontal datum must be provided.

3. The Survey and Minor Subdivision show existing fencing encroaching onto neighboring properties. Any approvals shall be conditioned upon removal of these encroachments. 4. Coordinates must be provided on at least three (3) outbound corners. 5. Note #6 references the wrong date for the survey. 6. Off-street parking has not been addressed by this application. Testimony on off-street parking shall be provided. 7. A minimum two foot (2') separation must be provided from seasonal high water table should basements be proposed for the future dwellings. Testimony should be provided on whether any basement proposed will be unfinished. If basements are proposed, soil boring locations and logs must be provided. 8. Testimony should be provided on the disposition of storm water management for the proposed development of Lots 2.06 and 2.07. 9. Testimony should be provided on proposed site grading for the development of new Lots 2.06 and 2.07. 10. The project is located within the New Jersey American Water Company franchise area. However, public water and sewer is not available. Therefore, the future dwellings will require individual potable wells and septic disposal systems. Approvals will be required from the Ocean County Board of Health. 11. Approval of the new lot numbers will be required by the Tax Assessor. The map shall be signed by the Tax Assessor should approval be granted. 12. Certifications shall be provided in accordance with Section 18-604B.1., of the UDO. 13. A Legend should be provided. 14. Our site investigation confirmed the many large trees on the property. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review for proposed Lots 2.06 and 2.07. 15. 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. 16. Compliance with the Map Filing Law is required. 17. Depending upon the conditions imposed with any approvals granted, the project may require an Improvement Plan. An Improvement Plan, if required, may be provided with resolution compliance submission 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. Lakewood Township Tree Ordinance; b. Ocean County Planning Board; c. Ocean County Board of Health; d. Ocean County Soil Conservation District; and e. All other required outside agency approvals.

Mr. Vogt stated that variances are requested for minimum lot width and there are several design waivers. One of which is for the proposed lot line separating new lots 2.06 and 2.07 for not being at a right angle to the street line per township standards.

Mr. Brian Flannery, P.E. stated the two lots are roughly 100 ft wide. Per the Master Plan, the R-40 width should be 100 ft. The comments in the report will be addressed at the public hearing.

A motion was made by Mr. Follman, seconded by Mr. Banas to advance this application to the September 17, 2013 meeting.

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

4. **SP 2028** (Variance Requested)
Applicant: Congregation Ner Yisroel
Location: Ridge Avenue & East Seventh Street
Block 223.01 Lot 71.04
Site Plan for 3,020 sf building addition to existing synagogue

Project Description

The applicant is seeking Preliminary and Final Site Plan approval to construct a three thousand twenty square foot (3,020 SF) addition to an existing two-story dwelling with attached synagogue. The applicant also proposes to reconstruct three (3) existing asphalt off-street parking spaces. The architectural plans indicate the proposed addition to the west side of the existing building. The main sanctuary area is proposed to be one thousand three hundred seventy-five square feet (1,375 SF). Off-street parking spaces are proposed to be reconstructed on the northwest side of the site, consisting of three (3) off-street parking spaces. However, there is no proposal for handicapped spaces. Another four (4) off-street parking spaces already exist in front of the two-story dwelling with attached synagogue. Other site improvements are proposed for the project which includes access and drainage. The site is located in the north central portion of the Township on the southwest corner of East Seventh Street and Ridge Avenue. The area of the site is 17,554 square feet, which is 0.40 acres. The property has new existing concrete curb and sidewalk along the site frontage. East Seventh Street is an improved municipal road with a sixty foot (60') right-of-way. Ridge Avenue is an improved municipal road with only a forty-one and a half foot (41.5') right-of-way. However, the proper half width right-of-way of twenty-five feet (25') exists along the project frontage. The site is in a developed section of the Township with the surrounding properties having mostly residential uses. The property is located in the R-12 Zone District. Places of worship are a permitted use. 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. The Environmental Impact Statement waiver is being requested due to the fact that the site has previously been developed. The Tree Protection Management Plan waiver is being requested since only existing coniferous screening is being removed. Our site investigation confirms there are no existing shade trees on the site. We recommend the granting of the requested submission waivers. II. Zoning 1. The parcel is located in the R-12 Single-Family District. Places of worship are a permitted use in the zone, subject to the provisions of Section 18-905 of the UDO. 2. The proposed addition requires a Minimum Front Yard Setback variance. The plan shows a front yard setback of 24.3 feet is proposed from the northwest corner of the building addition to East Seventh Street. However, the proposed protruding building addition access is actually closer to East Seventh Street. A minimum front yard setback of thirty feet (30') is required. 3. A variance is required for Minimum Rear Yard Setback. A minimum rear yard setback of 10.3 feet is being proposed for the addition, whereas a twenty foot (20') rear yard setback is required. 4. A variance is being requested from Maximum Building Coverage. A building coverage of 33.3% is being requested, whereas a twenty-five percent (25%) building coverage is permitted. 5. We calculate that six (6) additional off-street parking spaces are required for this property based on the proposed size of the main sanctuary. This requirement combined with the four (4) off-street parking spaces for the residential use would bring the total number of spaces required to ten (10). However, only seven (7) spaces are being provided, none of which are designated handicapped. Therefore, a variance is required for the number of off-street parking spaces. 6. According to Section 18-905B.1., Perimeter Buffer: For properties adjacent to residential properties, if the site leaves a twenty foot (20') undisturbed area then there is no requirements for buffering. If the twenty foot (20') buffer is invaded or disturbed than requirements indicated in 18-905B.3., shall be put in place along the invaded area. A waiver is necessary from the twenty foot (20') buffer requirement to neighboring Lots 71.05 and 71.03. Existing evergreen screening is being removed for the proposed addition. However, an existing vinyl fence will remain. 7. 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. Site Plan/Circulation/Parking 1. The Site Plan and Architectural Plan must be coordinated. Variances could be impacted. 2. A Survey of Property has been submitted for Lot 71.04. The following must be addressed: a. Topography as shown on the base map and referenced in General Note #3 on the Site Plan. b. Horizontal and vertical datum, as well as a bench mark should be added. c. The existing lot area should be added. d. The proper configuration of the existing sidewalk meeting the asphalt driveway from Lot 71.05. e. Addition of the mail box along Ridge Avenue. f. Addition of the street sign. g. Limits of depressed curb. 3. A General Note shall be added to the Site Plan regarding horizontal and vertical datum, as well as a bench mark. 4. Proposed waiver information shall be completed in the General Notes. 5. The existing asphalt parking spaces that are to be reconstructed as part of the proposed building addition should be dimensioned. 6. A note must be added that the existing wood deck is proposed for demolition. 7. The existing concrete curb and sidewalk are new and therefore will not need replacement. Only detectable warning surface needs to be added at the existing street intersection. 8. The existing air conditioning units which would conflict with the proposed addition area are being relocated accordingly. 9. Based on the Survey, the Sight Triangle Easement shall be labeled as existing. 10. The applicant's professionals should provide testimony as to whether the congregation proposes to use curbside pickup by the Township. If so, a proposed storage area should be depicted on the plans. 11. Unless waived by the Board, shade trees as well as a shade tree and utility easement shall be provided. In addition, a deed of easement and description shall be provided for review by the Planning Board Attorney and Engineer prior to filing with the Ocean County Clerk, should site plan approval be granted. 12. Proposed handicapped parking and other necessary signage locations shall be added to the site plan. 13. The "Survey of Property" depicts vinyl and chain link fence, where as the Site Plan only includes vinyl fencing. The height of the vinyl fence must be provided in addition to whether or not the chain link fence is to be removed. B. Architectural 1. The proposed building addition is approximately twenty-seven feet (27') high consisting of a two-story structure with a basement. The proposed first floor is eight feet (8') above grade. The proposed building addition does not exceed the allowable height of thirty-five feet (35'). 2. The existing and proposed building layout and square footage must be checked and coordinated with the site plan, especially since variances are necessary. 3. A proposed handicap ramp wraps around the building addition to provide ADA accessibility. 4. Testimony should be provided as to whether the synagogue has a sprinkler system. The proposed addition may require new sanitary sewer and/or potable water services. 5. The existing air conditioning equipment will be adequately screened upon relocation. 6. The roof drainage of the existing and proposed building must be coordinated with the site plan. 7. We recommend that color renderings of the building addition be provided for the Board's use at the forthcoming public hearing for the application. C. Grading 1. Per review of the proposed grading, minimal grading is necessary. 2. The following additional information should be provided: a. More proposed spot grades. b. Proposed high points. 3. The region where the existing ramp is depicted on the Site Plans appears to be a low point and could lead to drainage issues. 4. A soil log location is indicated on the drawings. Based on the soil log provided, the basement floor elevation shown on the site plan is greater than two feet (2') above the seasonal high water table elevation. 5. Final grading can be addressed during compliance review should approval be granted. D. Storm Water Management 1. The plan notes a new location for the existing drywell. This information is incomplete and without any backup design information. 2. The design needs to be completed for the roof drainage system. 3. Storm water management will be reviewed in detail with a revised submission. E. Landscaping and Lighting 1. No additional

landscaping has been provided with the submission. 2. Proposed shade trees shall not conflict with any sight triangle easements. 3. Landscaping should be provided to the satisfaction of the Board. 4. Landscaping shall be reviewed in detail during compliance should site plan approval be granted. 5. No site lighting information has been provided with the submission. 6. Lighting should be provided to the satisfaction of the Board. 7. Lighting will be reviewed in detail during compliance should site plan approval be granted. F. Utilities 1. The existing building is served by public water and sewer from New Jersey American Water Company since the project is within their franchise area. The Site Plans should include in the General Notes whether additional sewer and water services will be provided, or remain the same. G. Signage 1. No site identification or building signage information is provided. A full signage package for free-standing and building-mounted signs identified on the site plans (requiring relief by the Board) must be provided for review and approval as part of the site plan application. 2. All signage proposed that is not reviewed and approved as part of this site plan application, if any, shall comply with Township ordinance. H. Environmental 1. 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. Testimony should be provided on any known areas of environmental concern that exist within the property. 2. A waiver was requested from an Environmental Impact Statement since the site has been previously developed. 3. The existing property has no shade trees. Accordingly, a waiver has been requested from a Tree Protection Management Plan. I. 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. 2. All details of proposed work have not been included on the plans. 3. Construction details are provided with the current design submission. We will review the construction details during compliance should site plan approval be granted. 4. Performance guarantees should be posted for any required improvements in accordance with Ordinance provisions. 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 (as applicable); c. Ocean County Planning Board; d. Ocean County Soil Conservation District; and e. All other required outside agency approvals.

Mr. Vogt stated that submission waivers are requested for EIS and tree protection management. Both waivers are recommended to be granted.

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

Mr. Vogt stated several variances are being requested including front yard setback, minimum rear yard, maximum building coverage and perimeter buffer.

Mr. Samuel Brown, Esq. on behalf of the applicant stated that all of the criteria for the variances will be addressed at the public meeting. This is an enhancement of an existing structure that is already in use as a synagogue. All evidence will be presented at the public hearing.

Mr. Banas is concerned about the building coverage variance.

A motion was made by Mr. Follman, seconded by Mr. Herzl to advance the application to the September 17, 2013 meeting.

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

- 5. SP 2029** (Variance Requested)
Applicant: Congregation Knesses Bais Levi, Inc
Location: Coral Avenue
Block 1159.03 Lot 5
Site Plan for 5,475 sf school building

Project Description

The applicant is seeking Preliminary and Final Site Plan approval for removal of the existing dwelling on-site and the construction of a 5,476 square foot school facility along with site improvements, on the subject premises. The project site is Lot 5 in Block 1159.03, situated in the R-20 Zone. The site is in the southeastern portion of the Township, on the east side of Coral Avenue, one hundred feet (100') north of Salem Street. Coral Avenue is an improved municipal roadway in fair condition with a fifty foot (50') right-of-way. Curb and sidewalk does not exist, but both are proposed with the project. Sanitary sewer and potable water are not available. Therefore, an individual septic disposal system and a potable well will be required. According to the site plan, the property is surrounded by residential property on all sides. The survey submitted indicates the property is 100' X 218', containing twenty-one thousand eight hundred square feet (21,800 SF) or 0.50 acres. The site is currently residential seeking approval to be transformed into a school. Per the topographic survey and site investigation, the land gently slopes generally downward from west to east. Site access is proposed via a driveway on the south side of the lot that intersects perpendicular to Coral Avenue. The driveway appears to service an eight (8) space off-street parking lot, where one (1) of the proposed off-street parking spaces would be van accessible handicap. A school bus drop off has been proposed along Coral Avenue. Proposed storm water management facilities have not been included in the Site Plan. A septic field is labeled on the plans however no further information was included for a potable well. We have the following comments and recommendations: I. Waivers A. The following submission waivers have been requested: 1. B2 - Topography within 200 feet thereof. 2. B4 -Contours within 200 feet of the site boundaries. 3. B10 - Man-made features within 200 feet of the site. 4. C10 -Shade Trees. 5. C13 -Environmental Impact Statement. 6. C14 - Tree Protection Management Plan. 7. C15 - Landscaping Plan. 8. C16 - Soil Erosion and Sediment Control Plan. 9. C17 - Design calculations for drainage facilities. 10. C21 - Architectural Plans. We support the B-Site Features waivers as there is enough information provided for design. The submission waiver for shade trees should only be from a completeness standpoint and should be required prior to the public hearing. We support the waiving of an Environmental Impact Statement due to the developed nature of the site. The applicant will be required to comply with the Township Tree Protection Ordinance as a conditional of Board approval (if/when granted). The submission waiver for landscaping should only be from a completeness standpoint and should be required prior to the public hearing. The submission waiver for a Soil Erosion and Sediment Control Plan may only be from a completeness standpoint. A Soil Erosion and Sediment Control Plan will be required since disturbance will be more than five thousand square feet (5,000 SF). The submission waiver from design calculations for drainage

facilities should only be from a completeness standpoint. Drainage facilities should be proposed to eliminate the increase in runoff by the development from impacting adjoining properties. Identify proposed drainage prior to the public hearing. The submission waiver from Architectural Plans should only be from a completeness standpoint. Architectural Plans should be provided prior to the public hearing since waivers and variances are required.

II. Zoning

1. The parcel is located in the R-20 Zone. Schools are a permitted use in this zone, subject to the provisions of Section 18-906 of the UDO.

2. A variance is requested for Maximum Building Coverage. The proposed building coverage is 25.87% and the maximum allowable coverage is twenty-five percent (25%).

3. A waiver is required from Section 18-906A.2., of the UDO, which requires a twenty foot (20') buffer from a residential use or district.

4. A waiver is also required from Section 18-906A.3., of the UDO, since no landscaping or fencing is proposed.

5. A waiver is required from Section 18-906B of the UDO, since parking is being proposed within the required buffer.

6. A waiver is required from Section 18-906E of the UDO, since children will have to cross a parking area between the bus loading/unloading area along Coral Avenue and the proposed school building.

III. Review Comments

A. Site Plan/Circulation/Parking

1. The survey shows a fence encroaching onto adjoining Lot 10. The encroachment must be rectified as a condition of any approval.

2. The description on the survey requires correction.

3. It appears that eight (8) off-street parking spaces are proposed, including one (1) van accessible handicap space. The applicant should provide testimony as to how many spaces are being proposed and provide the number required.

4. The number of parking spaces being proposed and the number of required spaces must be included on the plans. This should be included under the "Schedule of Bulk Requirements for R-20 Zone".

5. A General Note shall be added addressing horizontal datum.

6. The plan must be revised clarifying existing improvements to remain and to be removed.

7. As noted previously, site access is proposed via a driveway that intersects Coral Avenue. The driveway and connecting parking area are not dimensioned, nor is the material that it consists of labeled. Proposed dimensioning should be provided throughout the site.

8. The circulation of traffic is not depicted or stated. A circulation plan shall be provided during compliance review, if/when approval is granted, to ensure adequate ingress and egress for the largest vehicles that will access the site.

9. As depicted on the site plan, sidewalk is proposed along the property frontage. A sidewalk easement is shown where the proposed sidewalk would be constructed around the bus drop off. Proposed sidewalk should be added to connect the site frontage sidewalk to the building.

10. The handicapped accessible space must be provided with appropriate markings and signage. Curb ramps shall be proposed where necessary.

11. No notes are included on the site plans regarding the pick up of trash and recyclables. It should be noted whether the DPW or a private hauler will be responsible for this matter. A refuse enclosure may be necessary near the building since the property is changing from residential use to a school.

12. Curbing is proposed along Coral Avenue and within the interior of the parking and access area.

13. Sight Triangle Easements should be depicted at the facility entrance/exit. These easements will be dedicated to the Township.

14. A Shade Tree and Utility Easement should be added.

B. Architectural

1. No architectural plans have been included with the submission. It is imperative that architectural plans are submitted prior to the public hearing.

2. We recommend that (scaled) renderings be provided for the Board's review and use at the public hearing, consistent with the building footprint as depicted on the site plans.

3. Testimony should confirm if a sprinkler fire suppression system is proposed. As noted previously, the applicant will be subject to fire code review as a condition of approval, if/when granted.

4. Testimony should be provided as to where HVAC equipment is proposed for the building and how the equipment will be adequately screened.

C. Grading

1. A dedicated grading plan has not been provided.

2. A review of the final grading plan will be performed

during compliance, if/when Board approval is granted. D. Storm Water Management 1. As indicated previously, no proposed storm water management facilities have been provided. 2. We recommend the installation of storm water management facilities such that the increase in runoff from the site will not adversely impact adjoining properties. 3. Storm water management can be provided as a condition of Board approval, if/when granted. E. Landscaping 1. No landscaping has been provided with the submission. 2. The final landscape design is subject to review and approval by the Board and should conform to recommendations (if any) from the Shade Tree Commission as practicable. 3. Landscaping shall be reviewed in detail during compliance should site plan approval be granted. F. Lighting 1. No site lighting information has been provided with the submission. 2. Lighting should be provided to the satisfaction of the Board. 3. The final lighting design shall be reviewed during compliance review, if/when Board approval is granted. G. Utilities 1. As indicated previously, water and sewer service is not available. A potable well and individual septic disposal system will be necessary. Approvals from the Ocean County Board of Health will be required. H. Signage 1. No signage has been proposed. We recommend that final signage and markings be provided as a condition of Board approval, if/when forthcoming. 2. All signage proposed that is not reviewed and approved as part of this application, if any, shall comply with Township ordinance. I. Environmental 1. Site Description To assess the site for environmental concerns, a natural resources search of the property and surroundings was completed using NJ Department of Environmental Protection (NJDEP) Geographic Information Mapping (GIS) system data, including review of aerial photography and various environmental constraints data assembled and published by the NJDEP. After observing aerial photos and utilizing computer software, it should be noted that this property lies in close proximity to a possible wetland region. This could impact the total design of the project if there is a transition area. 2. Environmental Impact Statement A waiver has been requested. 3. Tree Management Plan As indicated previously, a Tree Management Plan must be provided. The applicant must comply with the plan, and the Tree Protection ordinance requirements as a condition of Board approval (if/when granted). J. Construction Details 1. No construction details are provided. 2. All proposed construction details must comply with applicable Township or NJDOT standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete. 3. Final review of construction details will take place during compliance (if/when approval is granted). IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Developers Agreement (if required, at the discretion of the Township); b. Township Tree Ordinance; c. Lakewood Fire Commissioners; d. Ocean County Planning Board; e. Ocean County Board of Health; f. Ocean County Soil Conservation District; and g. All other required outside agency approvals.

Mr. Vogt said there are numerous submission waivers requested. The B-Site features waivers are supported. The remainder of the waivers are conditionally recommended granted such that the information for shade trees as well as landscaping be provided on the revised plans prior to the public hearing. If the Board grants approval, the project will be subject to the requirements of the township tree protection ordinance.

Mr. Brian Flannery, P.E. said the applicant would provide the information the engineer is recommending not be waived.

A motion was made by Mr. Banas, seconded by Mr. Follman to approve the waivers that were recommended.

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

Mr. Vogt said a variance is being requested for maximum building coverage.

A motion was made by Mr. Follman, seconded by Mr. Rennert to advance the application to the September 10, 2013 meeting.

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

- 6. SD 1905** (Variance Requested)
Applicant: Bergen Equities, LLC
Location: Bergen Avenue
Block 246 Lot 66 & 69
Minor Subdivision to create 4 fee simple duplex units

Project Description

The applicant seeks approval to subdivide two (2) existing lots into four (4) proposed lots containing two (2) duplexes. The Tax Map shows existing Lot 66 is an 80' X 200' rectangular tract containing sixteen thousand square feet (16,000 SF), or 0.37 acres. The Tax Map indicates that existing Lot 69 is an irregular property with eighty feet (80') of road frontage. These lands in Block 246 would be subdivided into proposed Lots 66.01 through 66.04 as designated on the subdivision plan. Two (2) zero lot line duplex buildings would be proposed on the combination of new Lots 66.01/66.02 and 66.03/66.04. All existing improvements would be removed from existing Lots 66 and 69. The site is situated in the northern portion of the Township on the southeast corner of the intersection of Bergen Avenue with Sampson Avenue. Bergen Avenue is an improved municipal road in good condition with a sixty foot (60') right-of-way and about a forty foot (40') pavement width. Curb and sidewalk in fair condition exists along Bergen Avenue, but will be replaced because of the amount of disturbance proposed. Sampson Avenue is an unimproved fifty foot (50') right-of-way along the western frontage of the site. The right-of-way is unimproved since it leads to freshwater wetlands shown immediately to the southwest of the property. A fifty foot (50') transition area associated with these off-site freshwater wetlands traverses the southwest corner of the proposed subdivision. In fact, transition area averaging is proposed to permit construction of the units with usable back yards. The existing lots contain a one-story frame dwelling, a shed, and a stone driveway. All existing improvements would be removed. Small trees are present throughout the site. The property slopes generally downward to the southwest, towards freshwater wetlands. The Improvement Plan indicates proposed sanitary sewer to be extended on Bergen Avenue to service the future units. Potable water status has not been addressed. There is overhead electric on the north side of Bergen Avenue. The proposed lots are situated within two (2) zones, the PH-1 Public Housing Zone, and the R-7.5 Single-Family Residential Zone. The surrounding land uses are residential. We have the following comments and recommendations: 1. Zoning 1. The parcels are located in the PH-1 Public Housing Zone and R-7.5 Single-Family Residential Zone Districts. In accordance with UDO Section 18-902J.2.a., Low-Income Housing is a permitted use under R-7.5 Zoning requirements. Testimony shall be provided as to how this project is permitted in the PH-1 Zone. 2. A variance has been requested for Minimum Front Yard Setback. The proposed duplex for new Lot 66.04 would be constructed 10.99 feet from the right-of-way of unimproved Sampson Avenue. A minimum front yard setback of twenty-five feet (25') is required. 3. A design waiver is required from the improvement of Sampson Avenue. Sampson

Avenue is an unimproved right-of-way leading to freshwater wetlands. Since the development of Sampson Avenue would be curtailed by the presence of wetlands, we recommend the Board grant this design waiver. II. Review Comments 1. The Surveyor's Certification references a Survey dated 5-2-2012. A signed and sealed copy of this Survey is required. 2. The Surveyor's Certification has not been signed since the monuments have not been set. 3. The Survey to be provided and the base map for the Subdivision and Improvement Plan must show the existing edge of pavement at the Bergen Avenue and Sampson Avenue intersection. 4. A freshwater wetlands transition area traverses the southwest corner of the tract. Transition area averaging has been proposed to allow for the construction of units with usable back yards. Proposed bearings and distances, as well as tie distances are required for the transition area line, transition area reduction line, and transition area addition line. Pins shall be set where the approved transition area averaging line intersects property lines and at any changes in direction of the line. New Jersey Department of Environmental Protection is included on the list of outside agency approvals. 5. Coordinates must be provided on three (3) outbound corners. Horizontal datum has been assumed. 6. A vertical datum and bench mark must be provided. 7. Zones and Zone Boundary Lines must be added to the Minor Subdivision Plan. 8. The General Notes require revisions. 9. The Zoning Data Table requires revisions. 10. The Zoning Data indicates that four (4) off-street parking spaces are required and being provided. The proposed driveways shown on the Improvement Plan are large enough to accommodate four (4) vehicles. Testimony should be provided on the number of bedrooms and whether basements are anticipated for the proposed duplexes. Testimony on off-street parking shall be provided. 11. Proposed offset dimensions must be provided to the hundredth of a foot. Additional variances may be required. 12. Curb and sidewalk exist along the Bergen Avenue frontage of the project. The existing curb and sidewalk is being replaced in front of the proposed duplex lots. The proposed sidewalk shall meet the existing sidewalk in front of adjoining Lot 25. The proposed sidewalk shall extend to the intersection of Sampson Avenue where a curb ramp with detectable warning surface shall be constructed. The proposed dimensions associated with these Bergen Avenue improvements should be erased, since existing improvements will be met. Accordingly, General Note #13 on the Improvement Plan shall be eliminated. 13. No sight triangle easement has been proposed at the intersection of Bergen Avenue and Sampson Avenue since Sampson Avenue will not be improved. 14. A proposed six foot (6') wide shade tree and utility easement is shown along the property frontage. Areas which require minor corrections have been provided for the proposed easement on an individual lot basis. 15. A Legend should be added. 16. The Owners Certifications signature blocks require corrections. 17. New lot numbers should be assigned by the Tax Assessor. The map shall be signed by the Tax Assessor should approval be granted. 18. The Notes on the Improvement Plan indicate that seasonal high water table will be provided at time of plot plan submittal. Soil boring locations and logs must be provided at that time. A minimum two foot (2') separation must be provided from seasonal high water table should basements be proposed for the new dwellings. Testimony should be provided on whether any basement proposed will be unfinished. 19. The Improvement Plan notes storm water management shall be provided when plot plans are submitted as directed by the Township Engineer. 20. The proposed grading for the curb replacement along Bergen Avenue must be revised to provide a six inch (6") reveal with a positive slope to the east. Accordingly, the Typical Pavement Widening Section will require revision and should be titled Typical Gutter Reconstruction Section. 21. The Improvement Plan shows proposed site grading. The proposed lot grading does not provided enough overland slope and should maximize the direction of runoff to Bergen Avenue and minimize runoff directed towards adjoining properties and freshwater wetlands. Proposed grading should also be revised to not encroach past the

approved transition area averaging line. Proposed contour lines should be corrected. 22. The project is located within the New Jersey American Water Company franchise area. The Notes on the Improvement Plan state that the new lots to be serviced by individual well and septic and approved by the Ocean County Health Department. However, the existing sanitary sewer in Bergen Avenue will be extended for the future dwellings. 23. Five (5) October Glory Maple shade trees are shown within the proposed six foot (6') wide shade tree and utility easement on the Bergen Avenue frontage. Proposed shade trees shall be added within the easement on the Sampson Avenue frontage. The Tree List indicates sixteen (16) proposed shade trees. Shade trees should be provided to the satisfaction of the Board and should conform to recommendations (if any) from the Township Shade Tree Commission as practicable. 24. Our site investigation indicates there are many small trees on the property. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review for the proposed duplexes on the combination of Lots 66.01/66.02 and 66.03/66.04. 25. 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. 26. Compliance with the Map Filing Law is required. 27. Construction details included on the Improvement Plan will require revisions. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance (as applicable); b. Ocean County Planning Board; c. Ocean County Soil Conservation District; d. Ocean County Board of Health (if required); e. New Jersey Department of Environmental Protection; and f. All other required outside agency approvals.

Mr. Vogt said they have gone back and forth with the applicant looking at old mapping and the current zoning map and have concluded that the PH-1 zone should not be there. It should be a regular R-7.5 application. A variance is requested for minimum front yard setback.

Mr. Brian Flannery, P.E. said the variance is on a paper street that goes nowhere and will never be developed.

Mrs. Miriam Weinstein, Esq. said there are wetlands there as well.

Mr. Flannery will provide testimony at the public hearing.

A motion was made by Mr. Follman, seconded by Mr. Rennert to advance the application to the August 20, 2013 meeting.

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

6. PUBLIC HEARING ITEMS

1. **SP 2024AA** (No Variance Requested)
Applicant: Shiras Chaim Inc, fbo Moreshes Bais Yaakov
Location: Albert Avenue
Block 855.01 Lot 1.01
Change of Use/Site Plan Exemption from single-family residence to girls school

Project Description

The applicant is seeking Site Plan Exemption/Change of Use approval for conversion of an existing two-story single-family residential dwelling at 270 Albert Avenue into a Girls' school. The property is situated at the southeast corner of Albert Avenue and Pine Street. As depicted on the site plat and as referenced on the architectural plan, the existing building will be enlarged via a 2-story addition along the front and rear facades (projections on second floor). The site plan indicates what appear to be existing stone driveways within the property's Albert Avenue and Pine Street frontages, large enough to provide six (6) off-street parking spaces. Additionally, a 12' x 45' paved bus parking stall is proposed abutting the Albert Avenue cartway along the property frontage. Per review of the architectural plan, the proposed first floor of the school will include a classroom, a covered porch, a lobby and two (2) offices. The second floor will contain three (3) proposed offices, a kitchen and a proposed multi-purpose room. I. Zoning 1. The property is located in the M-2 (Industrial) Zone. Private Schools are a permitted use in the zone, subject to the requirements of Section 18-906 of the UDO. 2. Per review of the Change of Use Site Plan, no new bulk variances are necessary for the change of use request. Pre-existing variances include lot width, and side yard setback (to adjacent Lot 37). 3. Per review of the Change of Use Site Plan, the following design waivers are required for proposed project: • In accordance with Section 18-906A.3., of the UDO, landscaping shall be provided for the required buffer. No new landscaping is proposed for the twenty foot (20') wide buffer area. • Providing landscaping. • Providing paved access/off-street parking. • Providing curbing. • Providing sidewalk. • Providing shade trees and utility easements. II. Review Comments 1. Testimony should be provided by the applicant for the Board summarizing the proposed use of the school, including but not limited to the following: a. How many students are proposed at the school. b. Will any students (or parents) drive and park at the school. c. How many buses are proposed. d. Will any students will be dropped off and picked up (by car). 2. As indicated previously, existing driveways on the property provide the equivalent of six (6) off-street parking spaces. As indicated previously, the proposed school will include one classroom, five (5) offices and one meeting room. Per Section 18-906C of the UDO, seven (7) off-street spaces are required. We recommend adding at least one (1) additional space adjoining one of the existing driveways, or seek relief from the Board. Parking should be provided to the satisfaction of the Board. 3. As depicted on the Change of Use Site Plan, a bus parking stall (and access) is proposed along the easterly edge of the Albert Avenue cartway. Lakewood Township approval of this bus parking stall will be required as a condition of the Change of Use site plan approval. 4. Per Note 8 on the Change of Use plan, curbside pickup of trash and recyclables (by the DPW) is proposed. 5. Per communications with the applicant's professionals, final design of the proposed access drive and parking area will be provided during compliance, if/when Board approval is granted. 6. Testimony should be provided regarding proposed lighting (if any). Lighting shall be provided to the satisfaction of the Board. 7. Information and/or testimony should be provided that existing utilities serving the building are adequate for the proposed school use. 8. Construction details will be required for proposed site improvements as approved by the Board. Per communications with the applicant's professionals, this information will be provided during compliance, if/when Board approval is granted. 9. 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 (including but not limited to Lakewood Township approval of the proposed bus parking stall adjacent to Albert Avenue).

Mr. Rennert stepped down.

Mrs. Miriam Weinstein, Esq. stated the applicant is seeking a change of use application to convert an existing house to a girls elementary school as there is a great demand.

Mr. Brian Flannery, P.E., P.P., was sworn in. He said they have requested waivers for providing paved access for off-street, landscaping, curbing, sidewalks and shade trees.

Mr. Neiman said they would not waive curbs and sidewalks especially for a school.

Mr. Flannery agrees to comply with that. The engineer's report indicates they should add an additional parking space which they will provide. The bus pull off needs to be approved by the Township.

Mr. Banas would like to know what they agree to do here.

Mr. Flannery said the applicant would agree to pave the access and parking, provide curbing, sidewalks, shade tree, utility easement and an additional parking space.

Mr. Neiman asked about the buffer.

Mr. Flannery said the ordinance indicates you need to leave 20 ft of trees or provide a fence. They will provide a fence. The existing dwelling with a fence meets the intent of the ordinance.

Mr. Banas would like to know more about the school.

Mrs. Weinstein said there will be one class of 20 students for a girls elementary school. The hours of operation will be from 9am to 3pm.

Mr. Flannery said there will be a total of 7 parking spaces. One bus will be dropping of the students.

Mr. Banas doesn't see plans showing the bus drop off and pick up.

Mr. Flannery said there is an indentation shown on Albert Avenue for the bus to pull off. Most of the smaller houses and schools are done in this nature. The bus just stops at the curb. The applicant is proposing a step above that where the bus can actually pull off the road and park in that location. This is a temporary situation and the applicant will come back with either improved plans for this site or they will be moving to a different site.

Mr. Vogt said that since most of the bus parking stall is within the Albert Avenue right-of-way, the Township is going to have to approve the design.

Mr. Flannery agrees to that condition.

Mr. Neiman recalls that there was another application right across the street which was subject to not allowing parking on both sides of Albert Avenue and on Pine Street. He would think this application would be in conjunction with that as well. Right in front of this school there is no parking.

Mr. Neiman said that is correct. There is no parking in front of this school. He would request that since the other school is already working on that it would be redundant to include it as a condition on this application.

Mrs. Weinstein said that ordinance has already passed first reading at the Township Committee and is slated for second reading at the next meeting.

Mr. Neiman opened to the public.

Ms. Noreen Gill, 192 Coventry Drive, was sworn in. She asked about the number of bedrooms and bathrooms in the home. She is concerned about the septic system.

Mr. Neiman explained that there is probably less water used because there will be no showers or laundry done.

Mr. Jackson also pointed at that the Board of Health would have to give approval.

Mr. Flannery said this is a three bedroom home. The septic will be sufficient for the school proposed and it is the jurisdiction of the OC Health Department.

Ms. Gill is also concerned about the parking.

Mr. Neiman reiterated that there is currently an ordinance on the table to eliminate parking on Albert Avenue.

Ms. Mary Cipriano, 760 Albert Avenue, was sworn in. She asked the ages of the students.

Mrs. Weinstein said approximately between 5 and 6 years old.

Ms. Cipriano is concerned about the safety of the students as there is a lot speeding along Albert and Pine.

Mr. Flannery explained that they are providing sufficient parking and this is a permitted use.

Ms. Cipriano asked if there will be a fence around the school so the children will be contained.

Mr. Flannery said the plans do not show a fence. These are young girls so obviously they will be supervised. If a neighbor came and said they wanted a fence for buffering purposes the applicant would certainly agree to it. This is a start up school that will probably be temporarily at this location. He believes it is not necessary at this time.

Mr. Neiman believes there should be some kind of fence in the back yard to protect the children.

Mr. Flannery said the applicant agrees to that.

Mr. Hans Janssen, Marlin Avenue, was sworn in. He is concerned about the septic systems in Lakewood.

Mr. Neiman said septic systems are not a jurisdiction of this board. If this gets approved here then they would have to get approval from the OC Health Department.

Mr. Flannery said any action by this board is conditioned upon all the other permits that are required of the applicant. The applicant needs to provide documentation of the capacity of the system and the number of users. If you don't meet the regulations then you would need a larger septic system.

Mr. Jackson asked if Mr. Flannery has had any problems in the past with applications where the septic system has been over burdened.

Mr. Flannery said no. Typically it is only the smaller schools that use an existing septic system. If it is a new large school then they would provide a larger septic system or tie into the sewer.

Mr. Janssen is also concerned about the parking.

Mr. Arthur Burns, 763 Marlin Avenue, was sworn in. He is concerned about the stormwater or the runoff. There is no drainage on that road. He also said the homes there have wells.

Mr. Vogt said there is a requirement to have these areas paved. As a result they will likely require some form of on-site recharge. Typically potable wells in this area are much deeper than the water that this would be recharging into.

Mr. Burns is still concerned that the well water could get contaminated.

Mr. Jackson asked if the engineer if the stormwater management regulations are met and if there will be an increase in impervious surface.

Mr. Vogt said they will ensure during compliance that the volume part of the issue is dealt with. He does not see a pollutant impact from this project any different than any other residential or school project.

Mr. Burns asked about loading and fire zones.

Mr. Flannery said the applicant is required to get a CO before they can open the school. When they go for the CO, these issues are addressed. For a school of this size they do not need a loading or fire zone.

Mr. Yechiel Levenson, 1451 Read Place, was sworn in. He is concerned about the traffic in the area. There was a school recently approved that has brought in a lot of new traffic.

Mr. Tzvi Weinstein, 724 Albert Avenue, was sworn in. He asked if there is a limit to the amount of schools in a neighborhood. He is concerned about putting two schools on one corner.

Mr. Jackson said he would have to take that up with the governing body as schools are allowed in any zone in Lakewood. The Board has to address each application as it comes in. It has to follow the rules that the governing body gives them.

Mr. Neiman understands Mr. Weinstein's concern.

Mr. Eliyahu Finkel, 1442 East Spruce Street, was sworn in. He is concerned because motorists will be taking East Spruce Street to avoid Pine Street.

Mr. Bezalel Cohn, 301 Albert Avenue, was sworn in. He is concerned about the traffic and safety on Albert Avenue. He would like to see schools put in more sidewalks and perhaps street lights.

Mr. Zvi Rottenberg, 1424 Towers Street, was sworn in. He is concerned about the traffic. He does not believe a school should be on a half acre lot.

Mr. Binyomin Meisels, 295 Albert Avenue, was sworn in. He is concerned about the safety of the residents and the traffic in the area.

Mr. Neiman closed to the public.

Mr. Flannery reiterated that schools are permitted and the Township Committee would have to limit how close schools could be together. He understands the neighbor's frustrations but the application is completely conforming.

Mrs. Weinstein pointed out that many of the buses coming through this area are traveling to other neighborhood schools. There are many large schools on Oak Street and in the industrial park. This school will have one bus.

Mr. Neiman said in conjunction with the other schools on the corner and the fact that there are thousands of cars that go down Pine Street and hundreds down Albert Avenue the neighbors would feel more comfortable with a traffic light on the corner. He understands it is not fair to ask a small school to do this but the Township does need to look into this.

Mr. Flannery does not believe this school will have a significant impact on this area.

Mr. Franklin said this is in the M-2 zone. It should have 2 acres.

Mr. Vogt said the minimum lot area in this zone is 2 acres. This is a pre-existing property.

Mr. Flannery said they received the variance when the house was built.

Mr. Neiman said this is a school.

A motion was made by Mr. Franklin, seconded by Mr. Banas to deny this application.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Follman

- 2. SP 2025AA** (No Variance Requested)
Applicant: Mesivta Ohr Yisrael
Location: Nieman Road
Block 251.02 Lot 30

Change of Use/Site Plan Exemption from single-family residence to boys high school

Project Description

The applicant is seeking Site Plan Exemption/Change of Use approval for conversion of an existing one-story single-family residential dwelling at 66 Neimann Road into a Boys' high school. The property is situated on the south side of Neimann Road, several hundred feet east of its intersection with West Cross Street. As depicted on the site plat and as referenced on the architectural plan, no exterior revisions or additions are proposed as part of the building conversion. The change of use site plan depicts an existing paved driveway, capable of providing several off-street parking spaces. In addition, the architectural plan depicts a 2-car garage which will remain after the proposed building conversion. Finally, a 12' x 45' paved bus parking stall is proposed abutting the Niemann Road cartway along the property frontage. Per review of the architectural plan, the proposed school will include a classroom, an existing kitchen and dining area, a lobby and two (2) offices.

I. Zoning 1. The property is located in the R-40 (Industrial) Zone. Private Schools are a permitted use in the zone, subject to the requirements of Section 18-906 of the UDO. 2. Per review of the Change of Use Site Plan, no bulk variances are necessary for the change of use request. 3. Per review of the Change of Use Site Plan, the following design waivers are required for proposed project:

- In accordance with Section 18-906A.3., of the UDO, landscaping shall be provided for the required buffer. No new landscaping is proposed for the twenty foot (20') wide buffer area.
- Providing landscaping.
- Providing curbing (none exists on Niemann Road).
- Providing sidewalk (none exists on Niemann Road).
- Providing shade trees and utility easements.

II. Review Comments 1. Testimony should be provided by the applicant for the Board summarizing the proposed use of the school, including but not limited to the following:

- a. How many students are proposed at the school.
- b. Will any students (or parents) drive and park at the school.
- c. How many buses are proposed.
- d. Will any students will be dropped off and picked up (by car).

2. As indicated previously, the existing driveway on the property provides the equivalent of at least seven (7) off-street parking spaces, not including two (2) additional off-street spaces provided by the attached garage to remain after the building conversion. As indicated previously, the proposed school will include one classroom, two (2) offices and one lobby. Per Section 18-906C of the UDO, up to four (4) parking spaces are required by the UDO standards (assuming potential use of the 'lobby' area). Parking should be provided to the satisfaction of the Board. 3. As depicted on the Change of Use Site Plan, a bus parking stall (and access) is proposed along the southerly edge of the Niemann Road cartway. Lakewood Township approval of this bus parking stall will be required as a condition of the Change of Use site plan approval. 4. Per Note 7 on the Change of Use plan, curbside pickup of trash and recyclables (by the DPW) is proposed. 5. Per communications with the applicant's professionals, final design of the proposed access drive and parking area will be provided during compliance, if/when Board approval is granted. 6. Testimony should be provided regarding proposed lighting (none is proposed at this time). Lighting shall be provided to the satisfaction of the Board. 7. Information and/or testimony should be provided that existing utilities serving the building are adequate for the proposed school use. 8. Construction details will be required for proposed site improvements as approved by the Board. Per communications with the applicant's professionals, this information will be provided during compliance, if/when Board approval is granted. 9. 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 (including but not limited to Lakewood Township approval of the proposed bus parking stall adjacent to Niemann Road).

Mr. Vogt said there are no variances but there are several design waivers.

Mr. Kevin Sheehy, Esq. will be standing in for Mr. Jackson.

Mrs. Weinstein, Esq. said this will be a boys elementary school of 1 class with 12 students. This is owned by the high school but because the high school had to start school they took other quarters figuring this wouldn't be ready in time and rented it to the elementary school. In 2014 the high school will be coming back. The applicant has met with the neighbors to be extremely proactive and be a good neighbor. There will not be more than 4 employees at this school at any given time. The students will be dropped off and picked up by bus.

Mr. Brian Flannery, P.E., P.P. was sworn in.

Mr. Neiman would feel more comfortable if the school came back next year when the high school students will be attending there.

The Board agrees with that.

Mrs. Weinstein, Esq. said the applicant agrees.

Mr. Flannery said the existing driveway will accommodate 7 parking spaces. No variances are being requested. At some point the applicant will be back for a full site plan. There will be one bus along the right-of-way and drop off. The applicant will fence in the play area.

Mrs. Weinstein, Esq. said there are two fenced areas.

The Board members did not see a fence on the plans.

Mr. Flannery said the applicant will have a fenced play area.

Mr. Banas would like to hear the background of the school.

Mr. Flannery said there are 7 spaces, one bus, existing well and septic.

Mrs. Weinstein said it is a boys elementary school. The school hours will be from 9am to 3pm. 12 students will be in 1 class.

Mr. Neiman opened to the public.

Ms. Paula Kocmalski, 67 Neimann Road, was sworn in. She said the letter that the Mrs. Weinstein was for a boys high school. She lives across from the proposed school. She is concerned about the idling buses on the street and it being so narrow. She also complained about the traffic, noise and garbage.

Mr. Samuel Peluso, 45 Neimann Road, was sworn in. He is concerned about cars parking in the bus area. He would like to see a limitation to that.

Mrs. Weinstein explained that it is possible a student may have to come in late or get picked up early and their parents may pick them up but mainly the students will be bussed. The bus will not be parked there as it belongs to the Board of Education.

Mr. Peluso asked that the Board make sure the recreational area be limited to just the back of the property. He would like to try and keep the character of the neighborhood. He asked how the Board will handle the notice issue as this application was noticed for a high school, not an elementary school. He also measured the street and it is only about 22 ft wide.

Mr. Neiman believes that Neimann Road should be restricted from parking on either side.

Mr. Peluso would like to see that as a condition of approval.

Ms. Jody Peluso, 45 Neimann Road, was sworn in. She asked for explanation on the bus parking stall and the amount of cars.

Mrs. Weinstein said there will be a bus parking stall. The Board had requested that be restricted only for buses so nobody can park in that area. There will be no on-street parking. At most there will be a total of four faculty members so there is a potential of four cars at a time.

Mr. Banas suggested maybe eliminating the bus drop off area and utilize the parking area as the bus drop off location.

Mr. Flannery does not believe a bus will be able to turn around there without a substantial change.

Ms. Carol Murray, 51 Drake Road, was sworn in. She is concerned about the increased traffic. She also said the children walk around unsupervised.

Mr. Charles Raio, 58 Drake Road, was sworn in. He complained about the children walking around unsupervised and the speeding. He believes there are too many schools in Lakewood.

Mr. Samuel Schenker, 40 Neimann Road, was sworn in. He is concerned about the neighborhood being changed in a negative way.

Mr. Neiman closed to the public.

Mr. Banas asked if it is feasible to utilize the parking and bus drop off in the same area.

Mr. Flannery said they could come in further West on Neiman Road onto the property and exit using the same driveway where the cars are parked.

Mr. Vogt said because this would be within part of the right-of-way the Township would have to approve it.

Mrs. Weinstein said they would have to take down more trees.

Mr. Banas understands that but believes it will be better. He would also like to see curb and sidewalk installed. He asked about lighting.

Mr. Flannery said there will be no lights around the building. Any lighting will be shielded.

Mr. Vogt recommended that non-security lighting be put on timers.

Mr. Flannery agreed.

Mr. Herzl asked the maximum number of students.

Mrs. Weinstein said maximum 3 classes with 60 students.

Mr. Neiman said the maximum time for the elementary school will be 3 years.

Mrs. Weinstein agreed.

A motion was made by Mr. Banas, seconded by Mr. Herzl to approve the application with the conditions that sidewalks and curbs be installed, the parking area be redesigned to the satisfaction of the engineer and township, the recreational area in the back will be fenced and to make sure the security lighting is put on timers.

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

Abstained: Mr. Neiman

- 3. SP 2026AA** (No Variance Requested)
Applicant: Bais Medrash of Central Jersey
Location: Marlin Avenue
Block 1159.02 Lot 7

Change of Use/Site Plan Exemption from single-family residence to boys college with future dormitory

Mr. Jackson announced that this application will be carried to August 20, 2013 due to the lack of a quorum.

7. CORRESPONDENCE

8. PUBLIC PORTION

9. APPROVAL OF MINUTES

10. APPROVAL OF BILLS

11. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Sarah L. Forsyth
Planning Board Recording Secretary