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. Franklin, Mr. Ingber, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert

3. SWEARING IN OF PROFESSIONALS

Mr. Vogt was sworn in.

4. MEMORIALIZATION OF RESOLUTIONS

1. SD 1902 (Variance Requested)
Applicant: Abraham Soloff
Location: 60 Carasaljo Drive
Block 12.04 Lot 140, 141, & 142
Minor Subdivision to create 2 lots

A motion was made and seconded to approve the resolution.
Affirmative: Mr. Franklin, Mr. Ingber, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert

2. SD 1903 (Variance Requested)
Applicant: 1416 East Spruce Street LLC
Location: Spruce Street
Block 855.02 Lot 31.01 & 31.02
Minor Subdivision to realign lot line

A motion was made and seconded to approve the resolution.
Affirmative: Mr. Franklin, Mr. Ingber, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert

3. SD 1904 (Variance Requested)
Applicant: HD Trust
Location: 715 Monmouth Ave & 28 Eighth Street
Block 156 Lot 2, 3, & 4
Minor Subdivision to create four lots

4. **SD 1906** (Variance Requested)
Applicant: Sheldon Newmann
Location: Spruce Street
Block 778.06 Lot 61
Minor Subdivision to create two fee-simple duplex lots

A motion was made and seconded to approve the resolution.
Affirmative: Mr. Franklin, Mr. Ingber, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert

5. **SD 1915** (No Variance Requested)
Applicant: 400 Warren LLC
Location: Warren Avenue
Block 768 Lot 41 & 78
Minor Subdivision to create four fee-simple duplex units

A motion was made and seconded to approve the resolution.
Affirmative: Mr. Franklin, Mr. Ingber, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert

6. **SP 1954A** (Variance Requested)
Applicant: Harley Davidson of Ocean County
Location: Route 70
Block 1086 Lot 16
Amended Preliminary & Final Site Plan for proposed addition to existing motorcycle dealership building with associated site improvements.

A motion was made and seconded to approve the resolution.
Affirmative: Mr. Franklin, Mr. Ingber, Mr. Neiman, Mr. Schmuckler, Mr. Follman
Abstained: Mr. Follman

7. **SP 2038** (No Variance Requested)
Applicant: Yeshiva Tifereth Torah
Location: Vine Street
Block 1147; 1156 Lot 1; 1
Site Plan for proposed school building

A motion was made and seconded to approve the resolution.
Affirmative: Mr. Franklin, Mr. Ingber, Mr. Neiman, Mr. Schmuckler
Abstained: Mr. Follman, Mr. Rennert

5. ORDINANCES FOR DISCUSSION

- **18-902 and 18-1019 –** Commercial Uses fronting on Route 526

Mr. Schmuckler believes this is spot zoning and goes against the Smart Growth Plan.

Mr. Flannery said spot zoning would be picking out one piece of property. This is not doing that. This would make all properties fronting on Route 526 zoned for commercial use only.

Discussion ensued concerning East Kennedy Boulevard.

Mr. Ingber is concerned about the traffic.

Mr. Flannery made the argument that if you are adding more shopping centers within walking distance it should elevate the traffic.

A motion was made by Mr. Schmuckler, seconded by Mr. Follman to recommend the ordinance with the condition that the Township Committee look into opening East Kennedy Boulevard to Brook Road.
Affirmative: Mr. Franklin, Mr. Ingber, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert

- **18-901B –** Zoning Map amendment to rezone areas to R-10 and R-7.5

Mr. Adam Pfeffer, Esq. stated he was contacted by many of the homeowners in the area. Many of the lots in that area are undersized and they would have to go before the Zoning Board for approval, therefore, a formal request was made to the Township Committee.

T&M Associates prepared maps which were shown to the Board.

Mr. Neiman would suggest changing the zone but not to allow duplexes as they are all single family homes in that area.

Mr. Schmuckler agrees.

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

6. PUBLIC HEARING ITEMS

1. **SD 1908** (No Variance Requested)
   Applicant: Reuven Kanarek & Stephan Fischer
   Location: Bruce Street
   Block 249 Lot 2 & 3
   Minor Subdivision to create four 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. Existing Lots 2 and 3 in Block 249 would be subdivided into

proposed Lots 2.01, 2.02, 3.01, and 3.02 as designated on the subdivision plan. Existing irregular Lots 2 and 3, combine to make up a 141.15' X 150' rectangular, 21,172.5 square foot property. Two (2) zero lot line duplex buildings would be proposed on the combination of new Lots 2.01/2.02 and 3.01/3.02. All proposed tracts would be 35.29' X 150' rectangular lots containing 5,293.12 square feet. All existing improvements would be removed from existing Lots 2 and 3 with the creation of the proposed subdivision. The site is situated in the northern portion of the Township on the south side of Bruce Street, one hundred fifty feet (150') east of its intersection with Congress Street. Bruce Street is an improved municipal road with new pavement in excellent condition in front of the site. The Township road has a fifty foot (50') right-of-way and about a thirty foot (30') pavement width. Curb in fair condition and sidewalk in poor condition exists along the frontage. Existing Lot 2 contains a garage and a paved driveway. Existing Lot 3 contains a one-story dwelling with a basement. All existing improvements would be removed. Some large trees are present throughout the site. The property slopes generally downward to the southwest, towards the rear. The Improvement Plan indicates the existing sanitary sewer in the center of the street is available to the future units. Potable water is available on the south side of the road. There is overhead electric on the north side of Bruce Street. The proposed lots are situated within the R-7.5 Single-Family Residential Zone. The surrounding land uses are primarily residential. We have the following comments and recommendations per testimony provided at the 10/1/13 Planning Board Plan Review Meeting and comments from our initial review letter dated September 23, 2013: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. B1 - Topography of the site. 2. B3 - Contours on the site to determine the natural drainage of the land. 3. B9 - Man-made features on-site. We have reviewed the requested waivers from the Land Development Checklist and can support the granting of the requested B-Site Features waivers from a completeness standpoint, provided topography is submitted prior to scheduling the public hearing. The applicant's attorney indicated the revised survey would be submitted prior to the public hearing. The applicant's engineer indicates the survey is being revised and will be submitted when complete. Should the Board take action on the application, submission of the revised survey shall be made a condition of approval. II. Zoning 1. The parcels are located in the R-7.5 Single-Family Residential Zone District. Two-Family Housing and Duplexes are permitted uses, provided 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 development is allowed in the zone. Statements of fact. 2. No variances or design waivers have been requested for the project. Statement of fact. III. Review Comments 1. A Survey for the property has been provided. The following revisions are required: a. Adding topography with contours.
b. A graphic scale shall be added. c. Existing bearings shall be provided for the property line between Lots 2 and 3. d. Existing lot areas shall be shown. e. Horizontal and vertical datum, as well as a vertical bench mark shall be added. f. The cross section shots for Bruce Street must be to the hundredth of a foot for design purposes. The applicant's engineer indicates the survey is being revised and will be submitted when complete. 2. The stockade fence shown on the Survey as encroaching onto adjoining Lot 12 must be removed as a condition of any approvals. The applicant's engineer indicates the stockade fence will be removed as a condition of approval. A note shall be added to the plans. 3. Proposed offsets shall be to the hundredth of a foot. Accordingly, corrections are required to the proposed yards in the Zoning Data. The proposed offsets have been provided to the hundredth of a foot. The following corrections are required: a. The overall length of proposed Duplex 1 shall be shown as 61.67 feet. b. The side yard offset for proposed Lot 2.01 shall be 7.96 feet. c. The front yard offset for proposed Lot 2.01 is missing. d. Corrections are required to the proposed yards in the Zoning Data. 4.

Architectural plans are required to confirm the maximum building coverage is not being exceeded. The applicant's engineer indicates that architectural plans are in progress. Testimony should be provided as to whether any variances are being sought for maximum building coverage. 5. 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. The Improvement Plan suggests basements are anticipated for the proposed duplexes. Testimony on off-street parking shall be provided. The applicant's engineer indicates that testimony will be provided. 6. Curb and sidewalk exist along the Bruce Street frontage of the project. The sidewalk is in poor condition and should be replaced in its entirety. Provided that grade changes are not required along the gutter, the existing curb should be saved where possible to limit disturbance of the new pavement. General Note #13 shall be removed from the Improvement Plan. 7. A proposed six foot (6') wide shade tree and utility easement is shown along the property frontage. The proposed areas on the individual lots should be revised to 211.72 square feet rather than rounded upwards. The proposed areas shall be corrected in the Zoning Data. 8. The plan indicates that new lot numbers have been assigned by the Tax Assessor. The map shall be signed by the Tax Assessor should approval be granted. Statements of fact. 9. 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. The applicant's engineer indicates that testimony will be provided. 10. The Improvement Plan notes storm water management shall be provided when plot plans are submitted as directed by the Township Engineer. Statement of fact. 11. The proposed grading for any curb replacement along Bruce Street must be designed to provide a positive slope to the east. Accordingly, the Typical Pavement Widening Section will require revision and should be titled Typical Gutter Reconstruction Section. The revised survey is required to review this matter. 12. The Improvement Plan should be revised to show proposed site grading. The proposed lot grading should maximize the direction of runoff to Bruce Street and minimize runoff directed towards adjoining properties. Existing contour lines shown on Bruce Street should be corrected. The revised survey is required to review this matter. 13. Five (5) October Glory Maple shade trees are shown within the proposed six foot (6') wide shade tree and utility easement on the Bruce Street frontage. 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. The Board should provide landscaping recommendations, if any. The Shade Tree Commission accepted the proposed shade tree plantings. 14. Our site investigation indicates there are many some large 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 2.01/2.02 and 3.01/3.02. Statements of fact. 15. Compliance with the Map Filing Law is required. Statement of fact. 16. Construction details included on the Improvement Plan will require revisions. Conditions imposed by any approval will impact the construction details. Therefore, a revised Improvement Plan shall be provided with resolution compliance submission should approval be granted. 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. Ocean County Planning Board; c. Ocean County Soil Conservation District; and d. All other required outside agency approvals.

Mr. Stephen Pfeffer, Esq. on behalf of the applicant stated that no variances or waivers are being requested.

Mr. Glenn Lines, P.E. was sworn in. He agrees with all the comments in the engineer's letter.

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. Schmuckler to approve the application
Affirmative: Mr. Franklin, Mr. Ingber, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert

2. SD 1909 (Variance Requested)
Applicant: Bais Rivka Rochel
Location: High Street and River Avenue
Block 782 Lot 7 & 24
Minor Subdivision to create four fee-simple duplex units and one lot for the existing school

Project Description
The applicant seeks approval to subdivide two (2) existing lots into five (5) proposed lots containing an existing school and two (2) new duplexes on four (4) zero lot line properties. The existing property consists of Lots 7 and 24 in Block 782. This existing irregular property has road frontage on Route 9 (River Avenue) and High Street. These lands would be subdivided into four (4) proposed lots fronting High Street and a remaining lot containing the existing school, as designated on the subdivision plan. Two (2) duplex buildings would be proposed on the four (4) new zero lot line properties fronting High Street. Public water and sewer is available for these future duplex buildings. The site is situated in the southern central portion of the Township on the northeast side of the intersection of Route 9 and High Street. Route 9 is a State Highway with a sixty-six foot (66') right-of-way in front of the site. High Street is an improved municipal road in good condition with a fifty foot (50') right-of-way. Curb in fair condition exists along High Street. Sidewalk in fair condition exists along portions of High Street. Curb and sidewalk will be constructed across the frontage of the proposed duplex lots. Curb and sidewalk does not exist along the Route 9 frontage. The existing lots contain a school and a dwelling. This existing dwelling on Lot 24 would be removed. An existing one-way bus driveway will be relocated and the terminus of High Street will be extended to permit the construction of the duplex buildings. Trees are present throughout much of the area where these site improvements would take place. The property slopes generally downward to the north. The Improvement Plan indicates proposed sanitary sewer to be extended on High Street to service the future units. Potable water exists under the south side of High Street and also may have to be extended. There is overhead electric on the south side of High Street. The proposed lots are situated within two (2) zones, the HD-7 Highway Development Zone, and the R-10 Single-Family Residential Zone. The surrounding land uses are mixed. We have the following comments and recommendations per testimony provided at the 10/1/13 Planning Board Plan Review Meeting and comments from our initial review letter dated September 23, 2013: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. B1 - Topography of the site. 2. B3 - Contours on the site to determine the natural drainage of the land. We have reviewed the requested waivers from the Land Development Checklist and can support the granting of the requested B-Site Features waivers from a completeness standpoint, provided topography is

submitted prior to scheduling the public hearing. It should be noted that only a partial topography of the school site will be necessary. The partial topography should include the site frontages and any areas of onsite improvements. A partial topography with contours has been added to the plan. The conditions of any approvals granted by the Board will determine the final extent of topography required. II.Zoning 1. The parcels are located in the HD-7 Highway Development Zone and R-10 Single-Family Residential Zone Districts. In accordance with UDO Section 18-902F Two-Family and Duplexes are permitted uses under R-10 Zoning requirements provided newly created lots have a minimum area of twelve thousand square feet (12,000 SF) and a minimum lot width of seventy-five feet (75'). Zero lot line development is permitted in the zone. Public and private schools are permitted uses in both the R-10 and HD-7 Zones in accordance with Section 18-906. Two-family dwellings are a Conditional Use in the HD-7 Zone. Section 18-1014 of the UDO specifies the requirements in those zone districts in which duplexes are a permitted conditional use, including the HD-7 Zone. Zero lot line development is permitted in the zone. Statements of fact. 2. A variance has been requested for Minimum Lot Width on the proposed duplex buildings. A lot width of seventy feet (70') is proposed for each combination of zero lot line duplex properties. A Minimum Lot Width of seventy-five feet (75') is required. The Board shall take action on the requested variance for minimum lot width. 3. Based upon the revised submission, any additional variance is required for Aggregate Side Yard Setback. An aggregate side yard setback of twenty feet (20') is proposed for each combination of zero lot line duplex properties. A Minimum Aggregate Side Yard Setback of twenty-five feet (25') is proposed. The Board shall take action on the required variance for minimum aggregate side yard setback. 4. An Outbound Survey and Zoning Data has not been provided, and is required to evaluate the zoning compliance of the existing school. At this time we cannot review the remainder of the proposed school lot for zoning compliance. Therefore, any approvals on this project will be subject to providing the survey and zoning data with resolution compliance submission. Should any additional variances be required, the project will have to return to the Board. 5. At a minimum, the following design waivers will be required: a. Construction of curb along Route 9. b. Construction of sidewalk along the frontages of the remaining school lot. c. Providing a shade tree and utility easement along the frontages of the remaining school lot. d. Proposing shade trees along the frontages of the remaining school lot. e. Providing sight triangle easements. The Board shall take action on the required design waivers. 6. The applicant must address the positive and negative criteria in support of the requested variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. III. Review Comments 1. The Surveyor's Certification references a Survey dated 10-23-2011. A signed and sealed copy of this Survey is required. The survey can be provided with resolution compliance submission should approval be granted. 2. The Surveyor's Certification has not been signed since the monuments have not been set. Proposed monuments must be added at all outbound corners and at the new subdivision lines intersecting High Street. Proposed monuments for the outbound corners of the school site can be provided with resolution compliance submission should approval be granted. 3. The Survey to be provided and the base map for the Subdivision and Improvement Plan must show enough existing information in order to design an extension of High Street. Existing profiles have been prepared for High Street and the proposed bus driveway. Final design can be provided with resolution compliance submission should approval be granted. 4. Existing lot lines to be removed shall be indicated. The Minor Subdivision map must be revised prior to resolution compliance submission should subdivision approval be granted. 5. Lot 24 must be included for the project area shown on the Tax Map.

The hatching for Lot 24 can be provided with resolution compliance submission should approval be granted. 6. Coordinates must be provided on three (3) outbound corners. Horizontal datum has been assumed. The coordinates can be provided with resolution compliance submission should approval be granted. 7. A vertical datum and bench mark must be provided. The applicant's engineer indicates the vertical datum and bench mark will be shown for resolution compliance submission should approval be granted. 8. Zone Boundary Lines are shown on the Minor Subdivision Plan, but the actual Zones need to be added. Some corrections to the Zones and Zone Boundary Lines are still required. The corrections can be provided with resolution compliance submission should approval be granted. 9. There is a discrepancy between the proposed lot widths and the proposed building widths/side yard offsets for the future duplex lots. The proposed lot widths are thirty-five feet (35'). The proposed unit widths are twenty-five feet (25') with twelve and a half foot (12.5') side yards, which total thirty-seven and a half feet (37.5'). The proposed side yard offsets have been corrected to ten feet (10'). As a result, a variance was created for exceeding the minimum aggregate side yard setback. 10. The General Notes require revisions. Revisions to General Notes 4, 8, and 10 may be provided with resolution compliance submission should approval be granted. 11. The Zoning Data Table requires revisions. Revisions to the Zoning Data Table can be provided with resolution compliance submission should approval be granted. 12. Zoning Data Table must be added for the existing school. The applicant's engineer indicates a Zoning Data Table for the existing school will be added for resolution compliance submission should approval be granted. 13. The Zoning Data for the proposed duplexes 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. The applicant's engineer indicates that testimony on off-street parking will be provided. 14. Off-street parking must be addressed for the existing school site. The existing parking space row where the proposed bus driveway will intersect must be properly striped to provide spaces which are at least nine feet (9') wide. The applicant's engineer indicates the existing parking row will be striped as a condition of any approvals. It appears seven (7), ten foot (10') wide spaces can be provided. 15. The proposed bus driveway shall be shown to be one-way. A circulation plan with all radii completed must be provided. The proposed bus driveway with completed radii has been indicated as a one-way exit. Final design can be provided with resolution compliance submission should approval be granted. 16. Curb exists along High Street. Sidewalk exists along portions of High Street. Curb and sidewalk is being proposed in front of the future duplex lots. Sidewalk does not exist in front of the school property on High Street. Both curb and sidewalk do not exist in front of the school property on Route 9. Proposed curb and sidewalk will be required unless waivers are granted by the Board. Statements of fact. 17. No sight triangle easement has been proposed at the intersection of High Street and Route 9. Unless a waiver is granted by the Board, an easement should be proposed. A waiver has been requested. 18. A proposed six foot (6') wide shade tree and utility easement is shown along the property frontage of the future duplex lots. Areas have been provided for the proposed easement on an individual lot basis. Unless a waiver is granted by the Board, shade tree and utility easements should be provided across the frontages of the school property. A waiver has been requested. 19. The individual in the Notary Public Certification of the Owners Certification shall be corrected. Abe Auerbach has been listed as the individual on the Certification. 20. New lot numbers should be assigned by the Tax Assessor. Proposed lot numbers do not appear on the map. The map shall be signed by the Tax Assessor should approval be granted. Proposed lot numbers must be added for resolution compliance

submission should approval be granted. 21. 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. The applicant's engineer indicates that testimony will be provided. 22. The Improvement Plan notes storm water management shall be provided when plot plans are submitted as directed by the Township Engineer. Statement of fact. 23. A proposed road extension design with profile is required for High Street. A complete design is also required for the proposed bus driveway. Existing profiles have been developed. Proposed profile design and grading shall be provided with resolution compliance submission should approval be granted. 24. The Improvement Plan notes grading plans shall be submitted to the Township Engineer for the proposed lots. Statement of fact. 25. 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 and potable water in High Street will be extended for the future dwellings. Note #6 on the Improvement Plan can be edited for resolution compliance submission should approval be granted. 26. Four (4) October Glory Maple shade trees are shown within the proposed six foot (6') wide shade tree and utility easement in front of the future duplex lots. Unless a waiver is granted by the Board, proposed shade trees shall be added along the school property frontage. 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. The Board should provide landscaping recommendations, if any. The Shade Tree Commission accepted the proposed shade tree plantings in front of the future duplex lots. 27. Our site investigation indicates there are many trees on the portion of the property to be developed with duplex units and the proposed bus driveway. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review for the proposed duplexes and the proposed bus driveway. Statements of fact. 28. Compliance with the Map Filing Law is required. Statement of fact. 29. Construction details included on the Improvement Plan will require revisions. Conditions imposed by any approval will impact the construction details. Therefore, a revised Improvement Plan shall be provided with resolution compliance submission should approval be granted. 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. Ocean County Planning Board; c. Ocean County Soil Conservation District; d. New Jersey Department of Transportation (if required); and e. All other required outside agency approvals.

Mr. Vogt stated there are variances requested for minimum lot width and perhaps aggregate side yard setback.

Mr. Glenn Lines, P.E was sworn in. He stated a variance is requested for lot width of 70 ft where 75 ft is required. All the other lots on the street are 50 ft where 75 ft is required. This would make it similar to the rest of the neighborhood. The other variance is for side yard setback where 12.5 ft is required and 10 ft is provided on either side. Many houses in the area have similar variances.

Mr. Stephen Pfeffer, Esq. on behalf of the applicant stated that they agree to all of the comments in the engineer's report with the exemption of providing improvements along Route 9

in front of the school. No work is being done along Route 9 or the school and this would be a great expense. He sees no reason to do improvements along Route 9.

Mr. Vogt said the Board needs to act upon the waivers as listed in the review letter.

Mr. Schmuckler wants to make sure there are no cars parked in front of the houses. He would like the driveways angled.

Mr. Lines said they would readjust them so there is not enough room to park there.

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

A motion was made by Mr. Schmuckler, seconded by Mr. Rennert to approve the application with the requested waivers and the change to the driveways.

Affirmative: Mr. Franklin, Mr. Ingber, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert

3. SD 1913 (No Variance Requested)
Applicant: S&M Investors LLC
Location: Cedar Bridge Avenue
Block 1603 Lot 1.02
Minor Subdivision to create two lots

Project Description
The applicant seeks minor subdivision approval to subdivide one (1) vacant lot into two (2) vacant conforming lots. The existing irregular property totaling 805,126 square feet, or 18.483 acres in area is known as existing Lot 1.02 in Block 1603. The large vacant wooded tract is located on the northeast corner of intersecting County Highways Cedar Bridge Avenue and New Hampshire Avenue. The proposed lots would be new Lots 1.03 and 1.04 as shown on the subdivision plan. Proposed Lot 1.03 would become an irregular corner property containing 135,943 square feet, or 3.121 acres. Proposed Lot 1.04 would become an irregular tract surrounding new Lot 1.03, containing 669,183 square feet, or 15.362 acres, still with frontages on both highways. Existing Lot 1.02 has more than eight hundred feet (800') of frontage on New Hampshire Avenue and over a thousand feet (1,000') of frontage on Cedar Bridge Avenue. Both County Highways are improved four (4) lane roads with one hundred foot (100') right-of-ways. This major intersection of these highways is signalized. The proposed subdivision of the existing property lines would create two (2) vacant conforming properties. Proposed Lot 1.03 would become a new corner lot and have over three hundred feet (300') of frontage on New Hampshire Avenue and in excess of four hundred feet (400') of frontage on Cedar Bridge Avenue. Proposed Lot 1.04 would be an irregular lot surrounding new Lot 1.03 with more than five hundred feet (500') of frontage on New Hampshire Avenue and over six hundred feet (600') of frontage on Cedar Bridge Avenue. All utilities should be available to these sites. The existing site is situated in the eastern portion of the Township, diagonally across from the Blue Claws Stadium. The property is completely wooded. A little bit of curb exists at the intersection and at an inlet on Cedar Bridge Avenue. No sidewalk exists across the site frontages. The Survey uses two foot (2') contours for the topography and indicates the property has substantial relief. The proposed lots are situated within the B-6 Corporate Campus/Stadium Support Zone.

Except for the north side of the existing site, the surrounding area is mostly developed. We have the following comments and recommendations per testimony provided at the 10/1/13 Planning Board Plan Review Meeting and comments from our initial review letter dated September 18, 2013: I. Zoning 1. The parcels are located in the B-6 Corporate Campus/Stadium Support Zone District. The Minor Subdivision proposes to create two (2) vacant conforming lots. Statements of fact. 2. Per review of the application, no variances are being requested. Statement of fact. 3. Per review of the Minor Subdivision Map, it appears waivers are required for the construction of curb and sidewalk along the project frontages. The Board shall take action on the waivers required from constructing curb and sidewalk along the project frontages. 4. The applicant must address the positive and negative criteria in support of any variances and/or waivers 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. II. Review Comments 1. The General Notes require some minor editing. General Notes # 1 and 5 can be corrected for resolution compliance submission should approval be granted. 2. The vertical datum and benchmark shown on the Survey must be provided on the Minor Subdivision Plan. The information can be provided with resolution compliance submission should approval be granted. 3. The date of the Survey shall be added in the Surveyor's Certification. The date can be added for resolution compliance submission should approval be granted. 4. The proposed setback lines of new Lot 1.04 which are parallel to the existing side lines intersecting New Hampshire Avenue and Cedar Bridge Avenue should only be labeled as side setback lines. The proposed setback line parallel to the New Hampshire Avenue side line shall be labeled as a side setback line. The proposed setback lines not parallel to front or side lines shall be labeled as rear setback lines. Theses corrections can be provided with resolution compliance submission should approval be granted. 5. The Vegetative Buffer Easement shown on the Survey must be added to the Minor Subdivision. The applicant's engineer indicates the Vegetative Buffer Easement is being vacated and the deed of vacation will be provided. The status of the easement can be shown on the map with resolution compliance submission should approval be granted. 6. The Survey shows the Vegetative Buffer Easement was vacated in two (2) locations, one (1) along New Hampshire Avenue and one (1) along Cedar Bridge Avenue. The proposed Ingress and Egress Easements to new Lot 1.03 will conflict with the Vegetative Buffer and do not correspond with the vacated portions of the easements. The applicant's engineer indicates the Vegetative Buffer Easement is being vacated. Therefore, there will no longer be any conflicts. 7. 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. 8. A space shall be left between "public" and "personally" in the Notary Public Certification to list whoever signs as record holder. The space can be provided with resolution compliance submission should approval be granted. 9. The Secretary's Certification requires editing. The Secretary's Certification can be corrected for resolution compliance submission should approval be granted 10. 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. Ocean County Planning Board; and b. All other required outside agency approvals.

Mr. Sam Brown, Esq. represented the applicant.

Mr. Brian Flannery, P.E., P.P. was sworn in. He stated this is a conforming minor subdivision to chop off a piece of property for the Quick Chek. A waiver is being requested for curb and sidewalk along the County roads.

Mr. Neiman said there should be sidewalks provided. Waivers will not be granted.

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

A motion was made by Mr. Schmuckler, seconded by Mr. Rennert to approve the application.
Affirmative: Mr. Franklin, Mr. Ingber, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert

4. SD 1912 (Variance Requested)
Applicant: Lakewood Investments LLC
Location: Columbus Avenue
Block 12.10 Lot 19
Minor Subdivision to create two lots
The applicant has requested to carry this application to the December 10, 2013, meeting. This application will not be heard tonight.

Ally Morris announced this application will be carried to the December 10, 2013 meeting. No further notice.
A motion was made by Mr. Schmuckler and seconded to carry the application.
Affirmative: Mr. Franklin, Mr. Ingber, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert

5. SD 1914 (Variance Requested)
Applicant: Pearl Goldstein
Location: Towers Street
Block 855.04 Lot 23
Minor Subdivision to create two lots
This application will be carried to the December 10, 2013, meeting, and will not be heard tonight.

Ally Morris announced this application will be carried to the December 10, 2013 meeting. Notice is required.
A motion was made by Mr. Schmuckler and seconded to carry the application.
Affirmative: Mr. Franklin, Mr. Ingber, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert

6. SP 2041 (Variance Requested)
Applicant: Quick Chek Corporation
Location: New Hampshire Ave & Cedarbridge Ave
Block 1603 Lot 1.02
Preliminary and Final Major Site Plan for a proposed service station

Project Description
The applicant is seeking Preliminary and Final Site Plan approval. This site plan is for a proposed Quick Chek with Gasoline Station, the lands for which would be created from a separate Minor Subdivision application. The proposed Quick Chek would be located on future

almost rectangular Lot 1.03, which would be surrounded by future Lot 1.04. It is our understanding that future Lot 1.04 will become the subject of a town home application, which is not part of this review. The applicant proposes to develop the site which is currently vacant. The construction of a freestanding 5,496 SF convenience store with a gasoline station, associated parking lot, landscaping, lighting, and utilities is proposed. The existing irregular property totaling 805,126 square feet, or 18.483 acres in area is known as existing Lot 1.02 in Block 1603. The large vacant wooded tract is located on the northeast corner of intersecting County Highways Cedar Bridge Avenue and New Hampshire Avenue. The proposed project would completely develop future Lot 1.03 and portions of future Lot 1.04. Future Lot 1.03 would become an almost rectangular corner property containing 135,943 square feet, or 3.121 acres. Future Lot 1.04 would become an irregular tract surrounding new Lot 1.03, containing 669,183 square feet, or 15.362 acres, still with frontages on both highways. A total of fifty-four (54) off-street parking spaces are proposed at the above-referenced location. Three (3) of the proposed spaces will be designated as handicap, all of which being van accessible. Proposed standard parking spaces will be a minimum of 10' X 20' with all access aisles being twenty-eight foot (28') in width. Access to the proposed development will be provided by various access driveways. The main access would be from a right in/right out driveway proposed on Cedar Bridge Avenue approximately three hundred fifty feet (350') east of New Hampshire Avenue. Another access would be from Chase Avenue on future Lot 1.04. Chase Avenue would connect to a future stub of Flannery Avenue on the east side of future Lot 1.04. Flannery Avenue will intersect Cedar Bridge Avenue at a future traffic signal about eight hundred feet (800') east of New Hampshire Avenue. Another means of access would be from a driveway which will intersect another stub of Flannery Avenue from New Hampshire Avenue. This right in/right out/left in intersection which prohibits left turns out to New Hampshire Avenue will be roughly five hundred feet (500') north of Cedar Bridge Avenue. Cedar Bridge Avenue and New Hampshire Avenue are both County Roads with one hundred foot (100') right-of-ways. Curb is being proposed along the County Roads, but sidewalk is not. Multiple infiltration basins are being proposed for storm water management. Water and sewer services are to be provided by Lakewood Township Municipal Utilities Authority. The project is located in the B-6 Corporate Campus/Stadium Support Zone. Service stations with convenience stores are a conditional use in the zone. I. Zoning 1. The site is situated within the B-6 Corporate Campus/Stadium Support Zone. Per Ordinance 2013-16, service stations with convenience stores have been added to the conditional uses. 2. The following sign variances are being requested: • A greater square footage of Wall Signs than allowed. Since the length of the structure exceeds sixty feet (60'), a maximum of sixty square feet (60 SF) of area is permitted. A square footage of 104.3 square feet for each sign is proposed. • A greater number of Directory Signs than allowed. Only two (2) signs per lot are permitted at its main ingress or egress points. A total of six (6) signs are proposed, two (2) per access driveway. • A greater square footage of Canopy Signs than allowed. A total of twenty-one square feet (21 SF) on any one (1) side is permitted. A total of 22.6 square feet per side is proposed. 3. Per review of the site plans and application, the following design waivers appear to be required: • Providing a shade tree and utility easement along the project frontages. • Providing sidewalk along the project frontages. 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. II. Review Comments Per review of the current design plans, we offer the following comments and recommendations: A. Site Plan/Circulation/Parking 1. The Boundary & Topographic Survey for Lot 1.02 shows a Vegetative Buffer Easement along the

frontages of New Hampshire Avenue and Cedar Bridge Avenue. Each frontage has a one hundred forty foot (140') strip where the easement was vacated to permit access to Lot 1.02. The proposed site plan does not show the existing Vegetative Buffer Easement and the proposed access points are in different locations than the vacated sections of the easement. Testimony shall be provided on these proposed changes. 2. Ingress and egress easements have conceptually been shown through future Lot 1.04 in favor of future Lot 1.03. 3. The off-street parking count on the row directly north of the proposed building should be revised to six (6). The off-street parking count on the southerly most row fronting Cedar Bridge Avenue should be revised to eighteen (18). 4. The total provided number of off-street parking spaces in the Schedule of Bulk Requirements should be revised to fifty-four (54). Considering the current number of spaces being proposed, the number of handicap spaces is adequate. All proposed handicap spaces should be a minimum of eight feet (8') wide with accessible aisle widths of at least eight feet (8'). In this manner, all proposed spaces will be van accessible. A proposed handicap sign should be added for the space on the north side of the building. 5. Dimensioning should be completed on the Site Plan. 6. A proposed trash 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 is being designed in accordance with Section 18-809E., of the UDO. The proposed enclosure is being screened. 7. A back door shown on the architectural plans shall be added to the proposed building. The back door will access a proposed loading area behind the building. The proposed loading area should be dimensioned. Testimony is required on the functioning of the proposed loading area. 8. Graphic sight triangle easements associated with the site access points along Cedar Bridge Avenue have been indicated. Proposed sight triangle easements along New Hampshire Avenue should be added. 9. Five (5) proposed fenced infiltration basins are located on and off site (future Lots 1.03 and 1.04). Confirming testimony should be provided that the proposed storm water management system will be owned and maintained by the applicant. 10. A gate shall be added to access proposed infiltration basin "C". 11. Conflicting material should be clarified for the proposed fence which will screen the northeast portion of future Lot 1.03 from future Lot 1.04. 12. Traffic Striping is proposed throughout the site. The proposed striping limits should be dimensioned. Testimony is required to document the adequacy of proposed vehicular circulation for facility operations. 13. Proposed "No Parking Fire Lane" signs must be added to the site plan. B. Architectural 1. Architectural floor plans and elevations were submitted for review. Per review of the submitted plans, the building will be a maximum of twenty-six and a half feet (26.5') in height. The Schedule of Bulk Requirements shall be corrected accordingly. The proposed building height is easily below the allowable height. The structure will house predominantly convenience store floor space, with a small "eat-in" seating area. 2. The applicant's professionals should provide testimony regarding the proposed building facade, and treatments. We recommend that renderings be provided for the Board's review and use prior to the public hearing, at a minimum. 3. Testimony should be provided as to whether any roof-mounted HVAC equipment is proposed. If so, said equipment should be adequately screened. 4. Testimony should be provided as to whether a fire suppression system is proposed. A two inch (2") potable water system connection is proposed on the Utility Plan. 5. Downspouts have been depicted and need to be coordinated with the engineering drawings. C. Grading 1. A detailed Grading and Drainage Plan is provided on Sheet 4 of 18. Proposed grading has been designed on and off site (future Lot 1.03 and part of future Lot 1.04). A storm sewer collection system is proposed to collect runoff on and off the site. Additional grading is on the adjoining property to the north and east. A total of five (5) infiltration basins are being provided on and off site. 2. The proposed

fencing and gates surrounding the perimeter of the basins depicted on the site plans must be added such that proper basin access can be designed. 3. Proposed spot elevations should be added to handicapped parking areas to insure slope compliance. 4. Road profiles have been provided for Chase Way and the stubs of Flannery Avenue. 5. 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 five (5) infiltration basins located on future Lot 1.03 and portions of future Lot 1.04. 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 during compliance review if/when board approval is granted. 2. Ownership and maintenance of the proposed storm water management system must be addressed. The proposed facilities will cross future property lines. 3. Permeability testing and seasonal high water table information has been provided in the Report to justify the proposed design and depth of the infiltration basins. The locations of Soil Logs have been provided on the Grading and Drainage Plan. 4. We recommend the Drainage Area Maps be checked for accuracy since they impact the design. 5. A cursory review of the Report indicates the runoff reduction rates will be met. 6. Proposed downspouts from the pump island canopy and convenience store drain beneath the surface to storm sewer which will prevent erosion problems. 7. Storm sewer profiles have been included with the plans. 8. As required a Storm Water Management Operation & Maintenance Manual has been provided. The Manual and final design will be reviewed with resolution compliance submission should site plan approval be granted. E. Traffic 1. A Traffic Impact Analysis has been submitted for review, assessing impacts of this project and a future town home development. 2. The Analysis examines future traffic from a mixed-use development anticipated to be constructed and fully tenanted by 2016. 3. The following highlights some of the findings of the analysis: a. The Cedar Bridge Avenue and New Hampshire Avenue signalized intersection will operate at levels of service “D” for the AM and PM peak hours. b. The proposed Cedar Bridge Avenue signalized intersection with Flannery Avenue will operate at levels of service “B” for the AM and PM peak hours. c. The most restrictive movement from the proposed New Hampshire Avenue intersection with Flannery Avenue will be the right turn exit. This will operate at a level of service “C” during the AM peak hour and a level of service “D” during the PM peak hour. d. All driveways and intersections associated with the project will operate within acceptable traffic engineering parameters. 4. Traffic testimony should be provided at the Public Hearing. F. Landscaping 1. The Landscape Plan can be found on Sheet 6 of 18. 2. The planting and seeding schedule along with the details can also be found on Sheet 6 of 18. 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. Shade tree and utility easements have not been shown along the property frontages, which require a waiver. Shade trees are proposed along the site frontages in locations normally where easements are provided. 5. Landscaping will be reviewed in detail after plan revisions are submitted. G. Lighting 1. A Lighting Plan has been provided on Sheet 7 of 18. 2. Per review of the Lighting Schedule, there are more lights proposed than shown on the plan. We believe the Lighting Schedule is including all proposed fixtures for future Lot 1.04. 3. Details of the light fixtures, poles, and the mounting heights can also be found on Sheet 7 of 18. 4. A point to point diagram has been submitted to determine the adequacy of the lighting and compliance with the ordinance. We find the proposed street lighting conforms to the requirements of 0.2 minimum foot-candles, 0.5 average foot-candles, and a 12:1 uniformity ratio. Furthermore, the proposed commercial parking lighting conforms to the requirements of 0.5 minimum foot-candles, 1.0

average foot-candles, and a15:1 uniformity ratio. 5. Final lighting design can be addressed during compliance review if/when approval is granted. H. Utilities 1. Public water and sewer services are being provided by the Lakewood Township Municipal Utilities Authority since the project is within their franchise area. 2. Proposed sanitary sewer will be constructed to connect to an existing system on Oberlin Avenue. 3. Proposed eight inch (8") water main will connect to an existing sixteen inch (16") main in New Hampshire Avenue. I. Signage 1. Signage information is provided for building-mounted signage, free-standing signage, directional signage, and canopy signage on Sheet 10 of the site plans. A full signage package for canopy, directional, free-standing, and building-mounted signs identified on the site plans (requiring relief by the Board) has been provided for review and approval as part of the site plan application. Sign variances are required. 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. J. Environmental 1. Site Description Per review of the site plans, aerial photography and a site inspection of the property, the initial tract consisted of a total 18.48 acres in area, and is currently undeveloped and contains forested uplands. The proposed Quick Chek portion of the site is listed at 3.12 acres. The project is located in the eastern portion of the Township on the northeasterly corner of New Hampshire Avenue and Cedar Bridge Avenue. The intersection is signalized. The site is bordered to the north and east by commercial development of the Industrial Park. 2. Environmental Impact Statement The applicant has submitted an Environmental Impact Statement. The document has been prepared by Trident Environmental Consultants to comply with Section 18-820 of the UDO. The report has been prepared for the entire site, not just the Quick Chek application for site plan approval. The report presents an inventory of existing environmental conditions at the project site; an analysis of consequential impacts that the proposed project will impose on the site; an overview of mitigation and restoration efforts toward attenuation or elimination of any potentially adverse impacts. 3. Tree Management Plan This application shall include the submission of a Tree Management Plan. It should be noted that the Existing Conditions Plan locates trees ten inches (10") or greater in diameter within the proposed Quick Chek site. 4. Phase I If existing, a Phase I Study should be provided to address potential areas of environmental concern, if any within the site. K. Construction Details 1. Construction details are provided on at least Sheets 10 through 12 of 18 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 resolution compliance submission for the project should site plan approval be granted. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Developers Agreement; b. Township Tree Ordinance (as applicable); c. Lakewood Industrial Commission; d. Lakewood Fire Commissioners; e. Lakewood Township Municipal Utilities Authority (water and sewer); f. Ocean County Planning Board; g. Ocean County Soil Conservation District; and h. All other required outside agency approvals.

Mr. Sam Brown, Esq. on behalf of the applicant stated that this is a conforming application except for a few minor variances for the signage.

Mr. Brian Flannery, P.E., P.P. was sworn in. The only variances requested are for signage.

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

Mr. Ingber asked about turning lanes.

Mr. Flannery said the applicant is providing a traffic light. Everything is being done in accordance with County engineering standards.

A motion was made by Mr. Follman, seconded by Mr. Rennert to approve the application.
Affirmative: Mr. Franklin, Mr. Ingber, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert

7. CORRESPONDENCE

- **SP 1985 –** Request for administrative approval to modify approved building footprint

Mr. Abraham Penzer, Esq. on behalf of the applicant stated they are looking to extend the basement to add additional classrooms. No new variances are needed.

Mr. Neiman asked about drainage issues.

Mr. Vogt said there may have to be some very minor modifications done.

Mr. Graham MacFarlane, P.E., was sworn in. He stated that there were some minor alterations to the collection system at the west corner of the building which will be addressed.

Mr. Neiman does not see this as a material change and believes this can be approved administratively.

A motion was made by Mr. Follman, seconded by Mr. Schmuckler to approve the change.
Affirmative: Mr. Franklin, Mr. Ingber, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert

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