

## 1. CERTIFICATION OF COMPLIANCE

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

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

## 2. ROLL CALL

Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Sussman, Mr. Rennert, Mr. Percal

## 3. SWEARING IN OF PROFESSIONALS

Mr. Vogt was sworn in.

## 4. MEMORIALIZATION OF RESOLUTIONS

- 1. SP 2048** (Variance Requested)  
Applicant: 945 Airport, LLC  
Location: Airport Road  
Block 1160.01 Lot 222  
Minor Site Plan for change of use to lumber yard and warehouse

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

- 2. SD 1919** (Variance Requested)  
Applicant: 118 Ocean Ave LLC  
Location: Pearl Street & Bruce Street  
Block 247 Lot 25  
Minor Subdivision to create two lots

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

- 3. SP 1887B** (No Variance Requested)  
Applicant: Allen Morgan  
Location: Chestnut Street  
Block 1087 Lot 17  
Amended Preliminary and Final Major Site Plan for an office building

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

- 4. SD 1921** (No Variance Requested)  
Applicant: Moshe Becker  
Location: Ashley Avenue  
Block 774.02 Lot 8  
Minor Subdivision to create two lots

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

- 5. SD 1922** (No Variance Requested)  
Applicant: Benzion Eidelman  
Location: Ridge Avenue and Highgrove Crescent  
Block 223 Lots 84.01, 84.02, & 9.04  
Minor Subdivision to realign lot lines

Mrs. Morris said this is a minor subdivision to realign lot lines for an existing house that was abutted to the rear on a recently built duplex. The decks are slightly above the 3 ft qualification to be included in the building footprint, therefore, a minor coverage variance is required. No testimony was given at the time of the subdivision.

Mr. Jackson said it was in the engineer's review letter but there was no testimony about it and the Board did not specifically grant that variance.

Mr. Neiman asked if this is is an issue if that new ordinance passes.

Mrs. Morris said no.

Mr. Neiman is fine with it.

Mr. Jackson said the proposed resolution will have an additional comment stating the existing deck can remain and the lot area, per the engineer's review letter, is granted for a variance for lot coverage.

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

6. **SP 2049AA** (No Variance Requested)  
Applicant: Congregation Mesivta of Eatontown  
Location: New Hampshire Avenue  
Block 1082.03 Lot 2  
Change of Use/Site Plan Exemption from residence to school

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

7. **SD 1912** (Variance Requested)  
Applicant: Lakewood Investments LLC  
Location: Columbus Avenue  
Block 12.10 Lot 19  
Resolution of Denial - Minor Subdivision to create two lots

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

8. **SD 1918** (Variance Requested)  
Applicant: Shaul Halpern  
Location: Pine Street  
Block 774.04 Lot 14.01  
Minor Subdivision to create two lots

A motion was made by Mr. Schmuckler, seconded by Mr. \_\_\_\_\_ to approve.  
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Rennert, Mr. Percal  
Abstain: Mr. Rennert, Mr. Sussman

9. **SP 2043** (Variance Requested)  
Applicant: Casa Nova Today, LLC  
Location: Lexington & First Street  
Block 124 Lot 1  
Preliminary and Final Major Site Plan for proposed mixed use building

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

10. **SD 1923** (Variance Requested)  
Applicant: Tal Spruce LLC  
Location: Spruce Street  
Block 782 Lots 5 & 6  
Minor Subdivision to create six fee simple duplex lots

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

- 11. SP 2050AA** (Variance Requested)  
Applicant: Congregation Lutzk  
Location: Whitesville Road  
Block 251 Lot 16  
Change of Use/Site Plan Exemption from residence to school

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

## **5. PLAN REVIEW ITEMS**

- 1. SP 2057** (No Variance Requested)  
Applicant: Congregation Satmar of Lakewood  
Location: Kennedy Boulevard East  
Block 174.11 Lot 38.02  
Preliminary and Final Major Site Plan for a proposed synagogue

### **Project Description**

The applicant is seeking site plan approval for construction of what appears to be a dual school and synagogue use in a two-story building (and a finished basement). The architectural plans depict an 1,825 sf Bais Medrash three (3) rooms and a lobby on the first floor. A "Woman's section" is depicted on a second floor mezzanine. Finally, a Study Hall, Mikvah and supporting facilities are depicted in the Finished Basement. Site amenities include but are not limited to an access drive, parking area and interior sidewalks. The site is located on the north side of Kennedy Boulevard East, approximately 50 west of its intersection with Twin Oaks Drive. Developed areas south and east of the site are predominantly residential. Per the site plans, existing utilities include public water and sewerage. Sidewalk and curbing exist along the property frontage. We offer the following comments and recommendations regarding this project: I. Waivers A. The following submission waivers have been requested (or appear necessary): 1. B2 - Topography within 200 feet thereof (50 feet provided). 2. B4 - Contours within 200 feet of the site. 3. B10 - Man-made features within 200 feet of site. 4. C13 - Environmental Impact Statement. 5. C14- Tree Protection Management Plan We support the above-referenced submission waivers Site Plan hearing purposes. Township Tree Protection requirements may be satisfied as a condition of Board approval (if/when forthcoming). II. Zoning 1. The property is located in the R-15 (Single Family residential) Zone. Schools and synagogues are permitted uses in the zone, subject to the requirements of Sections 18-905 and 18-906 of the UDO. 2. Testimony must be provided from the applicant's professionals regarding the proposed use(s). 3. Per review of the Site Plan and the zone requirements, the proposed site layout complies with the Bulk requirements of the R-15 zone. 4. No new bulk variances appear necessary for the Site Plan application. As noted, there is an existing non-conforming lot width for the existing property (77.41 feet existing, 100 feet proposed). The site plans indicate that a lot width variance was granted under the prior subdivision which created the property. 5. As noted below, off-street parking relief appears necessary for both (school, synagogue) uses. 6. Perimeter buffer relief is necessary per 18-905B(1)b, where 20 foot buffer

(or equivalent screening) is required from adjacent property lines. 7. Parking area buffer relief is necessary per 18-905A(2), where screening of parking adjacent to residential property (within 20 feet of property line) is proposed. III. Review Comments A. Site Plan/Circulation/Parking 1. Final coordination will be required between the site plans and architectural plans. This can be addressed during compliance, if/when Board approval is granted. 2. Testimony should be provided from the applicant's professionals regarding the maximum number of congregants anticipated at the synagogue. 3. The following testimony should be provided to support the proposed educational (i.e., classroom and study hall) use: a. How many students are proposed at the facility. b. Will any parents drive and park at the facility. c. How many buses (if any) are proposed d. Will any students will be dropped off and picked up (by car). 4. Eleven (11) off-street parking spaces are proposed as illustrated on the site plan. Per the UDO, 11 parking spaces are required for 1,825 sf of primary sanctuary space (as referenced on the Site Plans). Based on preliminary review of the architectural plans, an additional five (5) spaces appear necessary to meet UDO requirements for the (secondary) school use (excluding the Mikvah facility). Parking shall be provided to the satisfaction of the Board. 5. Proposed pedestrian access will be provided via a 6'-foot wide sidewalk extending from the parking lot to the front entrance of the synagogue building. A separate ADA accessible sidewalk to the rear of the building is also proposed. 6. Testimony should be provided as to whether (at least) some congregants will walk to and from the synagogue. If so, it may be advisable to extend sidewalk from the Kennedy Boulevard frontage (to avoid conflict with vehicles in the parking lot). 7. A trash and recyclables container storage area is proposed near the southwest corner of the parking lot. Confirming testimony shall be provided that containers will be placed curbside for pickup. 8. The design of the entrance will be reviewed during compliance, if/when approval is granted to confirm that the proposed curb radii are adequate for safe ingress and egress (including emergency vehicles). B. Architectural 1. Preliminary architectural plans have been provided for the proposed Synagogue/school building. 2. Per the Zoning Data on the site plans, the building will be within the 35 foot zoning height limitation. 3. We recommend that renderings be provided for the Board's review and use prior to the public hearing. 4. No mechanical equipment has been shown for the proposed building. The sizes and locations of the proposed equipment must be shown on the site plans and architectural plans. The proposed equipment should be adequately screened. C. Grading 1. Per the Grading and Drainage Plan, the grading design as proposed is feasible and generally well-prepared. Proposed site grades are consistent with existing grades, and are less than 3% slope. 2. Final grading will be addressed during compliance review if/when approval is granted (including but not limited to site entrance and handicap accessible ramps). D. Storm Water Management 1. The Grading and Drainage Plans depict two (2) sets of underground recharge systems – one set to attenuate stormwater from the proposed parking lot and access drive, and a separate underground recharge area (including roof leaders) that will attenuate stormwater from the Synagogue building. Per review of the design, it is generally well-prepared. As noted, the project is not major development per NJAC 7:8. 2. Stormwater calculations were provided for review. Said calculations will be reviewed and finalized during compliance, if/when Board approval is granted. 3. Soil permeability data will be reviewed during compliance, if/when Board approval is granted. E. Landscaping 1. The proposed Landscaping Plan is generally-well prepared. Rows of arborvitae are proposed as perimeter buffer along the easterly and westerly limits of the parking lot, and behind the trash/recyclables container storage area. Additional foundation plantings are proposed along the building frontage, as well as Schip Laurels and Crepe Myrtles proposed within the site. 2. Landscaping should be provided to the satisfaction of the Board. 3. A final review of landscaping can be conducted during compliance, should site plan approval be granted. F. Lighting 1. As identified on the Lighting Plan, parking lot lighting

will be provided using two (2) 15' high pole mounted fixtures. Building lighting will be provided using several building-mounted lights. The lighting concept, as depicted is generally well-prepared, pending minor modifications and shielding to prevent spillover onto adjacent Lot 39.02. 2. We recommend that non-security lighting (i.e., the parking lot area at a minimum) be placed on timers so that site lighting is deactivated off-hours. G. Utilities 1. Water and sewer utility connections are depicted on the plans, connecting to existing public water and sewerage within Kennedy Boulevard East. H. Signage 1. No signage information (other than parking or directional signage) is provided in the site plan submission. A full signage package for any 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. I. 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. The data layers were reviewed to evaluate potential environmental issues associated with development of this property. No environmentally-sensitive areas exist per available mapping. 2. Compliance with the Township Tree Protection ordinance must be provided as a condition of approval, if/when forthcoming. 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. A detailed review of construction details will occur during compliance review; if/when this application is approved. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Developers Agreement at the discretion of the Township; b. Township Tree Ordinance; c. Ocean County Planning Board; d. Ocean County Soil Conservation District; e. Water and Sewer (NJAW of LTMUA); and f. All other required outside agency approvals.

Mr. Follman arrived at the meeting.

Mr. Vogt stated that submission waivers have been requested for topography, contours, man-made features, EIS and Tree Protection Management Plan. The waivers are supported as long as tree protection is dealt with during compliance.

A motion was made by Mr. Herzl, seconded by Mr. Rennert to approve the waivers.

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

Abstain: Mr. Follman

Mr. John Doyle, Esq. on behalf of the applicant. One concern is that the engineer's letter states it is for a dual school/synagogue use. It is not for a school. This was designed with the intention to preserve buffering and enhance it wherever possible. There have been ongoing discussions with the neighbors.

Mr. Neiman said Satmar is a very popular shul and people do come constantly all day. He wants to make sure there is sufficient parking.

A motion was made by Mr. Herzl, seconded by Mr. Schmuckler to advance the application to the April 29, 2014 meeting.

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

2. **SP 2055** (Variance Requested)  
Applicant: New Hampshire Holdings, LLC  
Location: New Hampshire & America Ave  
Block 549.02 Lot 2  
Preliminary and Final Major Site Plan for retail buildings

### **Project Description**

The applicant is seeking Preliminary and Final Site Plan approval. This site plan is for a proposed commercial site. The proposed project would be located on an almost rectangular existing Lot 2 in Block 549.02. The applicant proposes to develop the site which is currently vacant. The construction would include five (5) retail store locations with a free standing restaurant, associated parking, landscaping, lighting, and utilities proposed. The existing almost rectangular property totals 289,034 square feet, or 6.635 acres in area. The large vacant tract was previously disturbed and is mostly cleared with wooded uplands located along the perimeter of the site. The site contains some significant slopes, with the highest topographic elevation in the southwest corner at about seventy-five (75), and the lowest elevation in the northwest corner at approximately thirty-five (35). The property is situated on the southwest corner of intersecting America Avenue and New Hampshire Avenue. The site has approximately four hundred sixty-five feet (465') of frontage along America Avenue and about five hundred forty feet (540') of frontage along New Hampshire Avenue. A total of two hundred sixty-eight (268) off-street parking spaces are proposed at the above-referenced location. Eight (8) of the proposed spaces will be designated as handicap, none of which being van accessible. Proposed standard parking spaces will be a minimum of 9' X 18' with access aisles being twenty-four foot (24') in width. Access to the proposed development will be provided by a main driveway intersecting America Avenue. The main access would be from a full movement driveway proposed on America Avenue approximately two hundred feet (200') west of New Hampshire Avenue. A right turn exit only access driveway would be from the southeast corner of the site to southbound New Hampshire Avenue. A service access to the rear of Retail Store #1 would be at the northwest corner of the site to America Avenue. America Avenue is an improved Municipal Road with a fifty foot (50') right-of-way. New Hampshire Avenue is a County Highway with a one hundred foot (100') right-of-way. Curb and sidewalk is being proposed along both road frontages. Multiple infiltration systems are being proposed for storm water management. In fact, part of the proposed storm water management design includes the expansion of a Township owned infiltration basin located offsite across America Avenue, to the northwest of the project on Lot 1 in Block 549.01. 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. Some of the surrounding land uses include Lake Shenandoah Park to the north, Herr's Distribution Center in the Industrial Park to the east, Lakewood Township Municipal Utilities Authority to the south, and Lakewood Public Works to the west. Restaurants, retail stores, and shops are all permitted uses in the zone. 1. Zoning 1. The site is situated within the B-6 Corporate Campus/Stadium Support Zone. Per Sections 18-903R.1.a., and b., of the Ordinance, restaurants, retail stores, and shops are all permitted uses. 2. The following bulk variances are being requested: • Minimum Front Yard Setback – fifty feet (50') proposed, whereas one hundred feet (100') required – proposed condition. Minimum Side Yard

Setback – ten feet (10') proposed for the loading dock on Retail Building #1, whereas fifty feet (50') required – proposed condition. 3. The following sign variances are being requested: • A greater number of Business Signs than allowed. Only one (1) type of sign permitted for each separate street frontage. Two (2) signs are proposed. • A greater square footage and height of Freestanding Sign than allowed. A maximum sign area of fifteen square feet (15 SF) and maximum height of five feet (5') is permitted on America Avenue. A square footage of twenty-four square feet (24 SF) and a height of five and a half feet (5.5') are proposed. • A greater square footage and height of Freestanding Sign than allowed. A maximum sign area of one hundred twenty square feet (120 SF) and maximum height of twenty-two feet (22') is permitted for the corner sign on New Hampshire Avenue. An area of four hundred ten square feet (410 SF) and a height of twenty-eight feet (28') are proposed. 4. A variance is required for the proposed number of off-street parking spaces. A total of two hundred sixty-eight (268) off-street parking spaces are being proposed, whereas the plans indicate a total of three hundred nineteen (319) off-street parking spaces are required. However, our review of the project indicates the proposed square footage of the retail area to be about two thousand square feet (2,000 SF) more than tallied on the plans. Therefore, the magnitude of the parking variance would be increased by roughly ten (10) off-street parking spaces. The extent of the proposed off-street parking variance should be confirmed for the Public Hearing. 5. The applicant must address the positive and negative criteria in support of the requested variances. At the discretion of the Planning Board, supporting documents 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 2 in Block 549.02 has been submitted for review. In addition, a Topographic Survey of an off-site infiltration basin located on Lot 1 in Block 549.01 has been submitted for review. The title of this topographic survey should be revised since it only covers a portion of Lot 1 in Block 549.01. 2. The Sheet Index on the Title Sheet must be coordinated with the plan set. 3. The proposed building square footages need to be coordinated among the Architectural Plans, Site Plans, and Schedule of Bulk Requirements. The total required number of off-street parking spaces could be impacted. Considering the current number of spaces being proposed, the number of handicap spaces is adequate. However, no van accessible spaces are proposed. A minimum of eight feet (8') wide accessible aisle widths are required for van accessible spaces. 4. The Schedule of Bulk Requirements and the General Notes requires editing. 5. Proposed building dimensioning should be completed on the Site Plan. 6. Proposed sidewalk should be a minimum of five feet (5') wide unless pedestrian bypass areas are designed. 7. Various loading and delivery areas are shown throughout the proposed project. The Traffic Impact Analysis should be expanded to address the operation of the proposed loading and delivery areas, as well as onsite vehicular circulation. Testimony is required to document the adequacy of proposed vehicular circulation for facility operations. 8. Various proposed trash enclosures without dimensions have been indicated. Testimony should be provided on collection of trash and recyclable material. The General Notes indicate a private company will be responsible for removal. The waste receptacle areas shall be designed in accordance with Section 18-809E., of the UDO which includes screening. 9. Proposed shade tree and utility easements are missing from the plans. The proposed landscaping locates shade trees along the project frontages. 10. An existing sight triangle easement is shown at the intersection of America Avenue with New Hampshire Avenue. Proposed sight triangle easements associated with the site access points along America Avenue and New Hampshire Avenue should be added. 11. Traffic Striping is proposed throughout the site. The proposed striping limits should be dimensioned. 12.



Proposed "No Parking Fire Lane" signs must be added to the site plan. B. Architectural 1. Preliminary architectural floor plans and elevations were submitted for review. Per review of the submitted plans, the tallest proposed building will be just under forty-nine feet (49') in height. The allowable height is fifty feet (50'). Except for the restaurant, the proposed structures will house predominantly retail floor space, with basement and storage areas. 2. The applicant's professionals should provide testimony regarding the proposed building facades, and treatments. We recommend that renderings be provided for the Board's review and use prior to the public hearing, at a minimum. 3. Testimony should be provided as to whether roof-mounted HVAC equipment is proposed. If so, said equipment should be adequately screened. 4. Testimony should be provided as to whether fire suppression systems will be proposed. The Utility Plan shows a proposed eight inch (8") potable water main traversing through the site. 5. Downspouts will need to be depicted on the architectural drawings and underground roof leaders will need to be designed on the engineering drawings. C. Grading 1. Detailed Grading and Drainage Plans are provided on Sheets 4 and 5 of 19. Because of the significant grade differences throughout the site, a retaining wall is proposed on the south and west sides of the project. The proposed retaining wall creates a tree save area for CAFRA on the south edge of the site. A storm sewer collection system is proposed to collect runoff from the developed portion of the site. 2. As a result of the varied terrain, site grading is proposed throughout the entire project. It is not readily evident whether the proposed grading will balance, or whether significant excavation or fill will be required. 3. The proposed grading includes the expansion of an existing offsite infiltration basin to the northwest of the site, across America Avenue. The proposed grading must be revised such that proper basin access can be designed. Approval will be required for the proposed grading encroaching into the Lakewood Township Municipal Utilities Authority easement. 4. Proposed spot elevations should be added to handicapped parking areas to insure slope compliance. 5. The existing elevations and contour lines should be "grayed" to facilitate review. 6. 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 multiple infiltration systems located on Lot 2 in Block 549.02. The design also proposes the expansion of an existing infiltration basin located on Lot 1 in Block 549.01. 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. Water quality is being addressed by proposed "Jellyfish Filter Vaults". 3. Since the property is owned by the Lakewood Industrial Commission, the existing drainage located in the northwest corner of the site is owned by the Township. Therefore, a proposed drainage easement to the Township shall be provided for this existing storm sewer system. Furthermore, the offsite infiltration basin being expanded is also on land owned by the Township. The ownership and maintenance of the proposed onsite storm water management system will be the applicant. Therefore, a proposed transition manhole shall be provided at the drainage easement line where the facilities will cross future ownership lines. 4. Our site investigation on 3/7/14 noted that the offsite infiltration basin has lost its porosity and is in need of a new sand bottom filter. Therefore, we recommend that the proposed expansion of the infiltration basin shall include excavation and disposal of existing material and installation of a new six inch (6") thick sand bottom filter with a finished grade of elevation 24.77. In addition, we recommend that the existing thirty-six inch (36") outfall must be reinstalled (i.e., covered) since the basin expansion would leave the pipe exposed. Finally, we recommend existing conduit outlet protection shall be repaired (or replaced) for the outfall pipes. 5. Permeability testing and seasonal high water table information has been provided in the Report to justify the proposed

design and depth of the infiltration systems. The locations of Soil Logs have been provided on the Grading and Drainage Plan. 7. A cursory review of the Report indicates the runoff reduction rates will be met. 8. Storm sewer profiles have been included with the plans. 9. The project will require a Storm Water Management Operation & Maintenance Manual to be 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. The report is generally well-prepared. 2. The Analysis examines future traffic from this development anticipated to be constructed and fully tenanted by 2016. 3. The following highlights some of the findings of the analysis: a. The America Avenue and New Hampshire Avenue intersection are right turn movements only and will operate at levels of service "B" for the AM and PM peak hours. b. The America Avenue no signalized intersection with Cedar Bridge Avenue will operate at level of service "C" for the AM and level of service "E" for the PM peak hours. c. Exiting movements onto New Hampshire Avenue from the proposed site access will operate at levels of service "B" during the AM and PM peak hours. d. All movements at the proposed main site access to America Avenue will operate at level of service "A" during both peak hours. e. 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 7 of 19. 2. The planting schedule must be added. Otherwise, the planting notes and seeding schedule along with the details can also be found on Sheet 7 of 19. 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. 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 8 of 19. 2. Per review of the Lighting Schedule, there are twenty-two (22) proposed high pressure sodium one hundred seventy-five watt (175W) pole mounted fixtures and fifteen (15) high pressure sodium two hundred fifty watt (250W) wall mounted fixtures. The proposed pole mounted fixtures are sixteen feet (16') high and the wall mounted fixtures thirteen feet (13') high. 3. Details of the light fixtures can also be found on Sheet 8 of 19. 4. A point to point diagram shall be submitted to determine the adequacy of the lighting and compliance with the ordinance. 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 with eight inch (8") mains run through the commercial project site. The proposed sanitary sewer will connect to an existing system within America Avenue. 3. Proposed eight inch (8") water main will run through the development and connect to existing mains in New Hampshire Avenue and America Avenue. 4. Electric service is available from Jersey Central Power & Light Company. Gas service is available from New Jersey Natural Gas Company. 5. Testimony should be provided regarding proposed fire protection measures. Proposed hydrants have been designed throughout the site. I. Signage 1. Signage information is provided for free-standing signage on the site plans requiring relief by the Board for review and approval as part of the site plan application. Signage includes one ground sign proposed along New Hampshire Avenue, a pylon sign proposed at the intersection, and a proposed ground sign to be located in the island at the facility entrance. 2. Any (additional) signage proposed, if any, shall comply with the Township Ordinance. Per communications with the applicant's professionals, the applicant agrees with this condition. J. Environmental 1. Site Description Per review of the site plans, aerial photography and a site inspection of the property, the tract consists of a total 6.63 acres in area, and is currently

undeveloped and previously disturbed containing some wooded uplands along the perimeter. The project is located in the eastern portion of the Township on the southwesterly corner of New Hampshire Avenue and America Avenue. The intersection is not signalized. The site is bordered to the south and west by public lands owned by the Lakewood Township Municipal Utilities Authority and the Lakewood Department of Public Works.

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 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 includes the submission of a Woodland Management Plan. The Plan locates existing trees ten inches (10") or greater in diameter within the proposed site. The plan properly shows the tree replacements required in accordance with the Ordinance. Only revisions to the Temporary Tree Protection Detail and the General Notes are required.

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 11 through 16 of 19 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;
- 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;
- h. New Jersey Department of Environmental Protection CARFA Permit;
- and i. All other required outside agency approvals.

Mr. Rennert stepped down.

Mr. Vogt stated that the variances being requested include minimum front yard setback, minimum side yard setback as well as various sign variances.

Mrs. Morris stated the applicant missed one person on the certified list and they have requested to re-notice to that person for the public hearing.

Mr. Jackson said that is fine.

Mr. Abraham Penzer, Esq. on behalf of the applicant stated that this is going to be a very upscale shopping center. They are endorsed by the Lakewood Industrial Commission. The State is also fast tracking them on CAFRA permits. They agree to all the comments in the engineer's review letter. He asked to be on the April 8, 2014 meeting.

Mr. Vogt said the applicant agrees with pretty much all the comments in the letter and the applicant's engineer has agreed to do a response letter for the April 8, 2014 meeting.

Mr. Neiman asked if there will be a traffic engineer.

Mr. Penzer said yes.

A motion was made by Mr. Follman, seconded by Mr. Sussman to advance the application to the April 8, 2014 meeting.

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

- 3. SP 1955A** (No Variance Requested)  
Applicant: Nitto Denko  
Location: Rutgers Boulevard  
Block 1607 Lot 7

Amended Preliminary and Final Major Site Plan for Phase 3 building addition

At the June 28, 2011 Planning Board Meeting, the application received amended preliminary and final major site plan approval with associated variances and waivers subject to the conditions set forth per Planning Board Resolution SP# 1955, dated July 26, 2011. Per review of the amended site plan application and communications with the applicant's engineer, the applicant is seeking an amendment of its existing Site Plan approval to enlarge the previously-approved "Phase 3" building from its approved length (200 feet) to a proposed length of 245 feet. Based on the building width of 80 feet, the size of the building footprint will increase approximately 3,600 sf over what was approved under application SP#1955. Proposed site improvements have been modified on the Civil/Site design drawings to accommodate the larger building footprint. We offer the following comments and recommendations: I. Zoning 1. No change of use is proposed with the amended site plan. 2. No (new) bulk variances will result from the proposed enlargement of the Phase 3 building. 3. As noted on the Site Plans, the proposed number of parking spaces (133 spaces at buildout) well exceeds parking required for the maximum work shift (59 spaces) for this facility. II. Review Comments 1. As depicted on the amended Site Plans, the limits of curbing and paving north of the Phase 3 building will be expanded to accommodate the larger building, but still maintain adequate drive aisle width for facility vehicles. Per communications with the applicant's engineer, a revised Circulation Plan will be provided during compliance (if approval is granted) demonstrating the adequacy of revised access around the enlarged building. 2. The revised grading proposed to accommodate the larger building is depicted on the amended site plans, and is adequate. 3. As depicted on the amended site plans, existing storm water collection piping under the area of the Phase 3 building enlargement will be removed and replaced with new 24" diameter RCP piping located outside of the new building footprint. Per review of the amended site plans and the amended stormwater calculations, the amended stormwater design is acceptable as proposed. 4. A 'doghouse' manhole detail for the construction of proposed stormwater manhole #3 should be added to the amended site plans during compliance (if approval is granted). Per communications with the applicant's professionals, the applicant agrees to this condition. 5. The lighting design has been revised to accommodate the building enlargement, and is adequate. 6. No revisions are necessary to the approved landscaping design. III. REGULATORY AGENCY APPROVALS Amended outside agency approvals (if any) that may for this project may include, but are not limited to the following: a. Lakewood Township Industrial Commission; b. Ocean County Soil Conservation District; and c. All other required outside agency approvals. Per communications with the applicant's professionals, the applicant agrees to seek and obtain any necessary (amended) outside agency approvals necessary for the proposed enlargement of the Phase 3 building (and site design revisions).

Mr. Abraham Penzer, Esq. on behalf of the applicant asked that this application be heard as tech and public tonight. He said this company is one of the largest Japanese auto companies in the world. They have been in Lakewood for 22 years. They have discovered that the conveyer system has to be 3,000 ft longer. This application has no variances and the addition will not affect the parking. The Board had already given approval for this building but they are just short the 3,600 sf.

Mr. Vogt said the applicant is asking for a 3,600 sf increase of what was previously approved. They have looked at it and it is fine.

Mr. Neiman agreed that this could be heard as tech/public.

Mr. Stevens, P.E. was sworn in. He said this is an amended site plan approval for the Nitto Denko facility located on Rutgers Boulevard in the industrial park. The Board had previously given an approval to add two additions. This is a third addition wherein the applicant wants to manufacture in that particular area so they need to extend the length of the building by about 45 ft. The Board previously approved a building of 200 ft and now it's going to be 245 ft. The building addition extension does not change any of the site circulation, utilities or parking.

Mr. Neiman asked if there will be more employees as a result of this addition.

Mr. Penzer said perhaps but they exceed the parking requirements.

Mr. Vogt said they have parking based upon the maximum shift and they are well in excess.

Mr. Stevens said that is correct.

Mr. Penzer said they have a letter from the Industrial Commission supporting this application.

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

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

- 4. SD 1937** (Variance Requested)  
Applicant: Lakewood Investments, LLC  
Location: Williams Street  
Block 420 Lot 21.01, 21.02, 23 & 24  
Minor Subdivision to create 7 lots

### **Project Description**

The applicant seeks minor subdivision approval to subdivide four (4) existing lots totaling sixty thousand square feet (60,000 SF) in area known as Lots 21.01, 21.02, 23, and 24 in Block 420 into seven (7) new lots. The existing rectangular tract has four hundred feet (400') of road frontage and is one hundred fifty feet (150') deep. The subdivision proposes to provide for three (3) duplex buildings on six (6), five thousand square feet (5,000 SF) zero lot line properties, and a remainder vacant lot of thirty thousand square feet (30,000 SF). The proposed lots are designated as Lots 21.03 through 21.06, 23.01, 24.01, and 24.02 on the subdivision plan.

Proposed Lot 23.01 will be the thirty thousand square foot (30,000 SF) remainder vacant lot. Proposed Lots 21.03 through 21.06, and proposed Lots 24.01 and 24.02 will contain the three (3) duplex buildings on the five thousand square foot (5,000 SF) zero lot line properties. The site contains three (3) existing one-story dwellings and a shed. The plan indicates that all existing dwellings and appurtenant features within the subdivision are to be removed. The site is on a ridge, with most of it sloping westerly toward Williams Street. The tract has some large trees which have not been located on the survey. Based on the survey, it does appear the existing dwellings are serviced by individual septic systems and potable wells. The site is situated in the west central portion of the Township on the east side of Williams Street, north of Prospect Street. The existing right-of-way width of Williams Street is sixty-six feet (66') with a pavement width of forty feet (40'). Williams Street is a municipal paved road with numerous patches, curbing in fair condition exists along the property frontage, but sidewalk does not. Overhead electric exists on the west side of the street. The area to the west of Williams Street is predominantly residential. The area to the east of the site is Hospital Support Zone. The lots are situated within the R-7.5 Single Family Residential Zone. We have the following comments and recommendations: I. Zoning 1. The site is situated within the R-7.5, Single-Family Residential Zone District. "Single-Family and Two-Family Housing, with a minimum lot area of seven thousand five hundred square feet (7,500 SF) for single-family and ten thousand square feet (10,000 SF) for two-family structures" are listed as permitted uses. Zero lot line subdivisions for duplexes are permitted in the Zone. 2. The following variances are being requested for the proposed duplexes on the combination of new Lots 24.01/24.02, 21.03/21.04, and 21.05/21.06: • Maximum Building Coverage – Thirty-three percent (33%) proposed, thirty percent (30%) allowed – proposed condition. 3. Per review of the Subdivision Map and the zone requirements, the following waivers are required: • Construction of sidewalk along the site frontage. • Planting of shade trees along the site frontage. 4. The applicant must address the positive and negative criteria in support of the required variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. II. Review Comments 1. A Boundary and Topographic Survey of the property has been provided. The following revisions should be provided: a. Individual lot areas. b. The addition of Lot 21.02 to the Legal Description. c. Horizontal datum. d. Signs. e. Mailboxes. 2. The Minor Subdivision indicates coordinates are in an assumed datum. The Minor Subdivision should indicate that vertical datum is NAVD 1988 and reference the bench mark provided on the Survey. 3. During our site investigation on 2/20/14 we noted some large trees of significance located on the site. These large trees have not been indicated on the survey. 4. The General Notes must be edited. 5. The Schedule of Bulk Requirements must be edited to provide zero lot line zoning. 6. The proposed lot width for new Lot 23.01 shall be revised to two hundred feet (200') and the lot area to thirty thousand square feet (30,000 SF) to insure all the zero lot line properties will meet the minimum area requirements. 7. The plan indicates that four (4) off-street parking spaces will be provided per dwelling. The plan also indicates that four (4) off-street parking spaces are required per dwelling. Since Williams Street is heavily traveled and the proposed lots are relatively deep, we recommend the applicant consider circular driveways to eliminate backing out onto the street. Parking should be provided to the satisfaction of the Board and comply with ordinance 2010-62. 8. Seasonal high water table information will be required should basements be proposed for the future dwellings on Lots 21.03 through 21.06, 24.01, and 24.02. 9. Proposed monuments shall be added to the outbound corners of the original tract. 10. The date for the Notary Public shall be corrected in the Owners Certification. 11. The Zoning Map shall be corrected to conform to the Re-Zoning of Blocks 420, 420.01, and 421. 12. A proposed ten foot (10') wide shade tree and utility easement is shown on the

subdivision plan dedicated to Lakewood Township. Survey data with easement areas to the hundredth of a foot for the proposed individual lots have been completed. 13. The concrete curb which is in fair condition along Williams Street will require replacement in most locations because of the proposed improvements necessary. Unless a waiver is granted, concrete sidewalk should be proposed along Williams Street. A five foot (5') width should be provided unless pedestrian passing lanes are proposed. 14. Testimony should be provided as to whether the proposed subdivision will be serviced by potable water and sanitary sewer. The project is within the franchise area of New Jersey American Water Company. A water main may already exist in front of the site, as our site investigation on 2/19/14 noted a utility trench on the east side of the pavement. Based on the sanitary sewer manhole locations shown on the survey, sanitary sewer would have to be extended to the project. 15. Should proposed utility connections on Williams Street disturb more than twenty percent (20%) of the road length in front of the site, an overlay would be required. Our observations note a half width roadway reconstruction is needed. 16. Ocean County Board of Health approval will be required for the abandonment of the existing wells and septic systems on the site. 17. Proposed lot numbers must be approved by the tax assessor's office. 18. Unless a waiver is granted, shade trees should be proposed within the shade tree and utility easement 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. 19. Proposed grading must be provided on an Improvement Plan. Coordination of proposed grading is necessary because of the numerous lots proposed. 20. Storm water management from development of proposed Lots 21.03 through 21.06, 24.01, and 24.02 must be addressed. It is anticipated that the project will be major development since it is expected that over a quarter acre of impervious surface will be added. 21. Compliance with the Map Filing Law is required. 22. An Improvement Plan must be provided to include grading, drainage, and construction details as required. This Improvement Plan may be provided during compliance if approval is given. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance; b. Ocean County Planning Board; c. Ocean County Soil Conservation District; d. Ocean County Board of Health; and e. All other required outside agency approvals.

Mr. Brian Flannery said there is only one variance but it will be eliminated by the public hearing.

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

Mr. Rennert said this application was not on the website.

Mrs. Morris said it is on the agenda but it is incorrectly listed under public hearing.

A motion was made by Mr. Banas, seconded by Mr. Follman to advance this application to the April 29, 2014 meeting.

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

## 6. PUBLIC HEARING ITEMS

1. **SP 2047** (No Variance Requested)  
Applicant: Congregation Olam Chesed Inc  
Location: Hillside Boulevard  
Block 11.12 Lot 25, 26, & 28  
Preliminary and Final Major Site Plan for proposed synagogue

Mrs. Morris stated the applicant requested this project be carried to the April 8, 2014 meeting.

Mr. Neiman would like to push this off until the May meeting as it has been carried numerous times already. He would like to make sure the applicant resolves all issues before then.

Mrs. Morris recommends the applicant re-notice for the meeting.

Mr. Neiman agrees.

Mr. Jackson announced that the applicant will be re-noticing.

2. **SD 1927** (Variance Requested)  
Applicant: Aryeh Weinstein  
Location: Caranetta Drive  
Block 86 Lots 11 & 12  
Minor Subdivision to create three lots

### Project Description

The applicant seeks approval to subdivide two (2) existing single family residential lots into three (3) proposed lots. The site, consisting of existing Lots 11 and 12 in Block 86 would be subdivided into proposed Lots 11.01, 11.02, and 12.01 as designated on the subdivision plan. The existing tract consists of two (2) adjacent irregular lots totaling about 1.27 acres. Existing Lot 11 contains about 26,175 square feet and has a two and half story masonry dwelling with attached back porch and a detached wood shed. Existing Lot 12 contains approximately 29,089 square feet and has a two-story brick dwelling with detached frame garage and detached wood shed. These existing dwellings would remain on proposed Lots 11.01 and 12.01. A new residential building lot proposed as Lot 11.02 would be created in between. Proposed Lot 11.01 would become a 14,395.90 square foot irregular lot containing the existing two and a half story dwelling. Proposed Lot 11.02 would become a 14,464.75 square foot irregular new building lot. Proposed Lot 12.01 would become a 26,404.04 square foot irregular lot containing the existing two-story brick dwelling. The site is situated in the central portion of the Township on the southeast corner of the intersection of Caranetta Drive with Bradshaw Road. Lake Manetta borders the property on the south side. Caranetta Drive is an improved municipal road in fair condition with a fifty foot (50') right-of-way and about a thirty foot (30') pavement width. Existing Lot 11 contains the two and a half story masonry dwelling, a wood shed, and a bituminous concrete driveway. While the masonry dwelling will remain on proposed Lot 11.01, the future status of the driveway and shed are unclear. Existing Lot 12 contains the two-story brick dwelling, a detached garage, a wood shed, and a concrete driveway. The dwelling and shed will remain on proposed Lot 12.01, while the garage will be removed. The proposed lots are situated within the R-12 Single-Family Residential Zone. The surrounding land uses are residential. We have the following comments and recommendations per testimony provided at the 2/4/14



Planning Board Plan Review Meeting and comments from our initial review letter dated January 22, 2014: I. Zoning 1. The parcels are located in the R-12 Single-Family Residential Zone District. Single-family detached housing is a permitted use under R-12 Zoning requirements. Statements of fact. 2. Per review of the Subdivision Map and the zone requirements, variances are required for Minimum Lot Width. New Lots 11.01 and 11.02 propose 83.62 foot lot widths, whereas ninety feet (90') is required. The Board shall take action on the requested lot width variances. 3. Minimum Front Yard Setback variances are required for proposed Lot 11.01. The southwest corner of the existing dwelling to remain is located 11.40 feet from the right-of-way of unimproved Bradshaw Road and the northwest corner of the house is located 29.79 feet from Caranetta Drive. A minimum front yard setback of thirty feet (30') is required. It should be noted that the porch of the existing dwelling is closer to the right-of-way than 11.40 feet, but a dimension has not been provided. The revised plans show the porch 9.83 feet from the right-of-way of unimproved Bradshaw Road. The Board shall take action on the front yard setback variances. 4. A Minimum Side Yard Setback variance for an Accessory Structure is required for proposed Lot 12.01. The existing shed to remain would be 9.73 feet from the side line, whereas ten feet (10') is required. The Board shall take action on the requested side yard setback variance for an accessory structure. 5. A design waiver is required from the improvement of Bradshaw Road. Bradshaw Road is an unimproved right-of-way leading to the lake. Since the development of Bradshaw Road would provide no future access to development, we recommend the Board grant this design waiver. The Board shall take action on this design waiver. 6. A design waiver is required for the proposed side lot lines not being perpendicular to the right of way. We recommend the granting of this design waiver since all of the proposed side lot lines would be parallel to the existing right-of-way line of Bradshaw Road and the existing eastern side lot line of the original tract. The Board shall take action on this design waiver. 7. The applicant must address the positive and negative criteria in support of the required variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. II. Review Comments 1. An Outbound and Topographic Survey has been provided. The survey should be revised as follows: a. Note #8 contains conflicting information. Horizontal datum should be NAD 1983 since the bearings are noted to be NAD 1983. b. The existing curb at all intersections shall be drawn to be radial. c. Significant figures for dimensions should be no more than to the hundredth of a foot. d. Existing regulatory signs should face toward traffic. Survey revisions have been made. Horizontal datum and coordinates shall be in NAD 1983 to agree with the bearing system. Corrections can be provided with resolution compliance submission should approval be granted. 2. According to our investigation, we believe a Category One Waterway is associated with the lake bordering the site. However, no riparian buffers are shown. Per review of site conditions and communications with the applicant's professionals, areas to be developed within all proposed lots were previously disturbed and/or developed, and are therefore exempt from category one buffer restrictions. Fact. 3. The Surveyor's Certification has not been signed since the monuments have not been set. Statement of fact. Revision dates shall be provided on the Minor Subdivision Plan with resolution compliance submission should approval be granted. 4. General Note #9 should be revised to indicate that horizontal datum is NAD 83. Coordinates must be provided on three (3) outbound corners. Horizontal datum and coordinates shall be in NAD 1983 to agree with the bearing system. Corrections can be provided with resolution compliance submission should approval be granted. 5. Proposed monuments must be indicated. The Legend shall be revised to show "monuments found" as open boxes and "monuments to be set" as solid boxes. The Legend has been revised. The symbol for "monuments found" on the plan shall be corrected. We recommend the proposed

monument conflicting with the existing sidewalk be offset to the easement line. The corrections can be provided with resolution compliance submission should approval be granted. 6. It appears the existing wood shed on old Lot 11 may temporarily remain on proposed Lot 11.02. The future status of the wood shed should be clarified. The applicant's professionals indicate that testimony will be given regarding the wood shed. 7. The Zoning Data Table requires revisions. We recommend the applicant's surveyor contact our office to review corrections prior to submitting for resolution compliance should approval be granted. 8. The Zoning Data indicates that four (4) off-street parking spaces are required and being provided. The existing driveways from old Lots 11 and 12 are shown to be crossing proposed lot lines. Proposed driveways should be shown which are large enough to accommodate four (4) vehicles. Testimony should be provided on the number of bedrooms and whether basements exist and/or are proposed for the various dwellings. Testimony on off-street parking shall be provided. A General Note has been added indicating the plot plan for proposed Lot 11.02 will include relocating of the driveways, curb cuts, and sidewalks for Lots 11.01 and 12.01. Off-street parking shall be to the satisfaction of the Board. 9. Curb and sidewalk exist along the Caranetta Drive frontage of the project. The existing curb and sidewalk should be replaced where existing and proposed driveways will be altered. A pedestrian bypass shall be proposed since the existing sidewalk is only four feet (4') wide. Detectable warning surface shall be constructed at the existing curb ramps. Accordingly, an Improvement Plan should be provided. The General Notes basically stipulate the Improvement Plan required will be the proposed plot plan for Lot 11.02, which will also show the above requested details. The plan will be provided to the satisfaction of the Township Engineer prior to construction. 10. A proposed six foot (6') wide shade tree and utility easement is shown along the property frontage. Proposed dimensions shall be added, checked, and corrected. Areas shall be provided for the proposed easement on an individual lot basis. Easement dimensions must be completed since the proposed lot lines are skewed. Proposed easement areas shall be checked and corrected. The corrections can be provided with resolution compliance submission should approval be granted. 11. New lot numbers should be assigned by the Tax Assessor. The map shall be signed by the Tax Assessor should approval be granted. The map shall be signed prior to filing should approval be granted. 12. Seasonal high water table information must be provided for proposed Lot 11.02 if a basement is proposed. A soil boring location and log must be provided. A minimum two foot (2') separation will be required from seasonal high water table should a basement be proposed for the new dwelling. Testimony should be provided on whether any basement proposed will be unfinished. Fact (will be addressed at Plot Plan review). 13. Proposed lot grading should be addressed. Proposed lot grading should maximize the direction of runoff to Caranetta Drive and minimize runoff directed towards adjoining properties and the lake. Fact (will be addressed at Plot Plan review). 14. Unless a waiver is granted, shade trees are required within the proposed six foot (6') wide shade tree and utility easement on the Caranetta Drive and Bradshaw Road frontages. 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. Shade trees have been added to the plan. 15. Compliance with the Map Filing Law is required. Fact. 16. An Improvement Plan with construction details shall be submitted. Fact. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance (as applicable); b. Ocean County Planning Board; c. Ocean County Soil Conservation District; d. New Jersey Department of Environmental Protection; and e. All other required outside agency approvals.

Mr. Vogt stated that variances are being requested for minimum lot width, front yard and side yard setbacks. A design waiver is required from the improvement of Bradshaw Road as well as for side lot lines not being perpendicular to the right-of-way.

Mrs. Miriam Weinstein, Esq. on behalf of the applicant.

Mr. Brian Flannery, P.E., P.P. was sworn in. This is a very simple minor subdivision. There are two existing lots with two houses on them. The applicant just wants to create a new lot. He is currently not looking to building anything. The only variance requested is for lot width. The ordinance requires 90 ft and 83.62 ft is proposed.

Mr. Neiman asked if they have created any new variances on the lots where the existing house are.

Mr. Flannery said no. The existing homes have variances for setback to the street that is never going to be built.

Mr. Neiman opened to the public.

Mr. Grossberger, 117 Forest Park Circle, was sworn in. He objected to the application. He said the affidavit of ownership was submitted incorrectly. He believes one of the properties is being used without a CO.

Mr. Jackson told him to only address this particular property as it relates to the subdivision.

Mr. Grossberger reiterated his concerns with the affidavit of ownership.

Mr. Jackson said the law says the applicant has to show they have a legal or beneficial interest in the property. This Board is not required to make a determination of that interest.

Mrs. Weinstein said her client lives in Florida. He owns the property listed on the affidavit of ownership. He owned it for many years but it is currently vacant. There is no relevance to Mr. Grossberger's comments.

Mr. Robert Cormack, 96 Seminole Drive, was sworn in. He is Mr. Weinstein's attorney in his ongoing litigation with Mr. Grossberger which has been going on for about three years. He said that Mr. Grossberger has filed numerous false statements with a number of townships. He would like the Board to bear that in mind as they consider his testimony.

Mr. Neiman closed to the public.

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

- 3. SD 1930** (Variance Requested)  
Applicant: Nosiva, LLC  
Location: Ridge Avenue & Highgrove Crescent  
Block 223 Lots 9.04 & 83

Minor Subdivision to create three lots

**Project Description**

The applicant seeks subdivision approval to convey six thousand six hundred square feet (6,600 SF) of land to Lot 9.04 in Block 223 from Lot 83. Furthermore, the applicant seeks to subdivide the remainder of Lot 83 to create two (2) zero lot line properties for a proposed duplex. Existing Lot 83 in Block 223 would convey eighty feet (80') of its rear yard to the rear yard of existing Lot 9.04. The existing properties involved with this minor subdivision total 44,665.75 square feet or 1.02 acres in area are known as existing Lots 9.04 and 83 in Block 223. Existing Lot 9.04 is a very irregular shaped 18,802 square foot property containing a two-story dwelling having frontage on a cul-de-sac called Highgrove Crescent. Existing Lot 83 is rectangular 82.50' X 313.50' vacant lot containing 25,863.75 square feet, which fronts on Ridge Avenue. The existing rear portion of Lot 83 is surrounded on three (3) sides by a portion of single family Lot 9.04. The proposed subdivision of the existing properties would create new Lots 83.01 through 83.03. The two (2) zero lot line properties would become proposed Lots 83.01 and 83.02. The single family property would become proposed Lot 83.03. A rectangular 80' X 82.50' section of the rear yard from existing Lot 83, totaling six thousand six hundred square feet (6,600 SF), would be conveyed to existing Lot 9.04. Therefore, proposed Lots 83.01 and 83.02 would both become 41.25' X 225' rectangular properties of 9,281.25 square feet each with frontage on Ridge Avenue, after an eight and a half foot (8.5') right-of-way dedication along Ridge Avenue is provided. Proposed Lot 83.03 on the subdivision plan would become an irregular 25,402 square foot tract for the single-family dwelling fronting on Highgrove Crescent. The site is situated in the northern portion of the Township between the north side of Ridge Avenue and the south side of Highgrove Crescent. Highgrove Crescent is a paved municipal road (cul-de-sac) with a fifty foot (50') right-of-way. This cul-de-sac is fairly new, and is in good condition with belgian block curb and concrete sidewalk. Ridge Avenue is a twenty-four foot (24') wide paved municipal road in poor condition, which is undergoing widening on the opposite side. An eight and a half foot (8.5') right-of-way dedication is proposed to provide the proper twenty-five foot (25') half right-of-way width in front of the site. Curb and sidewalk exists across the site frontage. Trees exist on the single family lot. The front portion of the vacant lot has been cleared; the rear of the lot is mostly brush with a few large trees interspersed. The proposed lots are situated within the R-10 Single Family Residential Zone. The surrounding uses are mostly residential. It should be noted that this review is based on the application being a stand alone project. However, an adjoining Minor Subdivision (SD1922) was approved on the Public Hearing portion of the 2/4/14 Board agenda, which also will add land to existing Lot 9.04. Therefore, depending on when the Minor Subdivision Map on SD1922 is filed, final details for this Minor Subdivision application and the accompanying plans may change (slightly) after this Public Hearing. We have the following comments and recommendations per testimony provided at the 2/4/14 Planning Board Plan Review Meeting and comments from our initial review letter dated January 28, 2014: 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. A partial waiver for not providing topography for Lot 9.04 in Block 223 has been requested since there are no improvements proposed on the property fronting Highgrove Crescent. Accordingly, we have reviewed the partial waiver requested and can support its granting. The Board granted the partial submission waiver. II. Zoning 1. The parcels are located in the R-10 Single Family Residential Zone District. Single Family Detached Housing, Two Family Housing, and Duplex Housing are all permitted uses in the zone. Minimum lot area for single family housing is ten thousand square feet (10,000 SF). Minimum lot area for two family housing is twelve thousand square feet (12,000 SF).

Statements of fact. 2. An existing minimum front yard setback nonconformance is shown on the Minor Subdivision for proposed Lot 83.03, which was granted by a previous Subdivision approval. Statement of fact. 3. An existing shed on proposed Lot 83.03 is shown 6.3 feet from the rear property line. Unless the shed is removed or relocated, an accessory structure setback variance will be required. The Board shall take action on this required accessory structure rear yard setback. 4. Unless off-street parking is added to new Lot 83.03, it appears a variance is required for the number of off-street parking spaces. The revised plan shows the existing non-conformity of only three (3) off-street parking spaces. This situation was approved by the Board under Application SD# 1922. 5. Per review of the Minor Subdivision Map, it appears no waivers are required. Statement of fact. 6. The applicant must address the positive and negative criteria in support of any 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. A Plan of Survey has been provided for Lots 9.04 and 83. The survey should be revised to include the following: a. The missing shade tree and utility easement along the Highgrove Crescent frontage. b. New chain link fencing and gate on Lot 9.04. c. Topography on Lot 83 (assuming the Board grants the partial waiver from providing topography on Lot 9.04). Topography with existing tree locations must exist since this information is shown on the Improvement Plan. d. The missing inlet and depressed curb along Ridge Avenue in the vicinity of the southernmost property corner. A revised Survey has been provided. Based on communications with the surveyor, the new chain link fencing and gate on Lot 9.04 must have been installed subsequent to the field work. All other necessary revisions have been completed 2. There are many fence encroachments. All encroachments shall be eliminated as a condition of any approvals. The elimination of all fence encroachments should be included as a condition in the Resolution should approval be granted. 3. Setback lines shall be corrected on proposed Lot 83.03. The corrected setback lines can be provided with resolution compliance submission should approval be granted. 4. Proposed outbound corner monuments shall be completed. The proposed outbound corner markers shall be offset where necessary. All proposed outbound corner monuments can be provided for resolution compliance submission should approval be granted. 5. Horizontal and vertical datum shall be indicated along with a vertical bench mark. The revised plans note both horizontal and vertical datum is assumed. A bench mark has been provided and shall be referenced in the General Notes with resolution compliance submission should approval be granted. 6. The minimum side and rear yard setbacks of proposed Lot 83.03 in the Requirements Table need corrections. The corrections can be provided along with the proposed setback lines for resolution compliance submission should approval be granted. 7. Confirmation must be provided that combination of proposed Lots 83.01/83.02 do not exceed the minimum aggregate side yard setbacks. Based on the Improvement Plan, it appears the required twenty-five foot (25') minimum aggregate side yard setbacks will be adhered to. Minimum side yard setbacks of 12.5 feet have been provided for both new Lots 83.01 and 83.02. A minimum aggregate side yard setback of twenty-five feet (25') for the combination of proposed Lots 83.01/83.02 can be provided in the Table for resolution compliance submission should approval be granted. 8. The Minor Subdivision Plan should show that 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. 9. Compliance with the Map Filing Law is required. Statement of fact. 10. The Improvement Plan proposes two (2) Green Vase Zelkova shade trees with a one and a half inch (1-1/2") caliper along the Ridge Avenue frontage. The proposed caliper size shall be increased. 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. The plan

has been corrected. The Board should provide landscaping recommendations, if any. Our site investigation notes the larger existing trees on-site have been located on the Survey and Improvement Plan. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review. The Township Tree Ordinance shall be complied with. 11. The proposed dwellings would be serviced by public water and sewer. The project is within the New Jersey American Water Company franchise area. Approvals will be required from the New Jersey American Water Company. General Notes can be added for resolution compliance submission should approval be granted. 12. Proposed grading is indicated on the Improvement Plan. The proposed grading scheme is directing runoff to adjoining properties. Proposed onsite drainage will be required to rectify this matter. Proposed curb and gutter grades shall be designed to direct runoff to the existing inlet which has not been shown at the southeast side of the site. Proposed grading will be reviewed with resolution compliance submission, after subdivision approval is acted upon. 13. Construction details should be revised on the Improvement Plan in accordance with the any conditions of approval required by the Board. Construction details will be reviewed after 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 American Water Company; and e. All other required outside agency approvals.

Mr. Vogt said submission waivers were granted at the tech meeting. Variances include minimum front yard setback (previously granted) and accessory structure setback for the shed unless it is removed or relocated.

Mr. Adam Pfeffer, Esq. on behalf of the applicant said they will be removing the shed.

Mr. Vogt said therefore no new relief is needed.

Mr. Pfeffer said that is correct. They have reviewed the latest engineer letter and have no objections.

Mr. Schmuckler asked if the existing dwelling only has three parking spots.

Mr. Pfeffer said that is correct. On the revised plans it says 12.5 ft side variance but it should be 10 ft. That was an error on their part.

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

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

4. **SP 2059AA** (No Variance Requested)  
Applicant: Congregation Tiferes Shmuel Corp  
Location: Princewood Ave & Claremont Court  
Block 429 Lot 26

Change of Use/Site Plan Exemption to convert a portion of the existing residence into a synagogue

**Project Description**

The applicant is seeking Site Plan exemption/Change of Use approval for conversion of An “existing (955 sf) family room addition” to a pre-existing 2-story dwelling into a Synagogue, including a 955 sf space, one (1) study, one (1) lobby area and two (2) bathroom facilities. A finished basement is also located under the addition as depicted on the architectural plans, including what appears to be a (secondary) sanctuary space, food preparation room, pantry and two (2) additional ADA-accessible bathrooms. The addition is currently permissible for residential use, but requires change of use approval for the proposed synagogue use. The site is located at 941 Princewood Avenue, on the easterly side of the cul-de-sac terminus. The property is irregular in shape, and is 21,400 sf in area. The site is surrounded primarily by single-family residential structures. Curbing and sidewalk exist along the property frontage. I. Zoning 1. The property is located in the R-12 (Single Family Residential) Zone. Synagogues are a permitted use in the zone, subject to the requirements of Section 18-905 of the UDO. 2. Per review of the Site Plan and the zone requirements, the proposed synagogue conversion complies with the Bulk requirements of the R-12 zone. No new bulk variances appear necessary for the change of use request. A pre-existing lot variance exists for Front Yard setback (28.54 ft existing, 30 ft required). 3. As noted in review comment II (1) below, relief for off-street parking may be necessary, pending testimony from the applicant’s professionals. 4. Relief appears necessary for the perimeter buffer requirements set forth in UDO Section 18-905 B(1)b, which requires a 20 foot wide residential buffer to adjacent residential uses, or supplemental vegetative buffer and/or fencing as stipulated in subsection 18-905B(3), to the satisfaction of the Board. The addition is situated within 10 feet from the adjacent Lot 12 to the south of the property. 5. The following design waivers also appear necessary: a. Landscaping. b. Lighting. II. Review Comments 1. Per review of the design documents and the site plan application, the existing family room addition is 955 sf with a note of “799 useable sf” of shul space identified. As there is no discernable way of “restricting” the existing (primary sanctuary) space to under 800 sf, we estimate that at least two (2) off-street spaces should be provided for the Shul use per UDO requirements (18-905A.1). Four (4) off-street spaces are required for the existing dwelling. Four (4) spaces are provided via the existing driveway. Therefore, relief for at least two (2) off-street spaces appears necessary. 2. Confirming testimony should be provided that no on-site catering is proposed. 3. Parking shall be provided to the satisfaction of the Board. 4. Landscaping (if any) shall be provided to the satisfaction of the Board (including consideration of adjacent Lot 12). 5. Confirming testimony shall be provided that trash will continue to be disposed in robocans stored on the side of the residence that will be put curbside for collection by the Township DPW. 6. Testimony should be provided regarding any existing or proposed security lighting associated with the proposed use. 7. Any information necessary to document compliance with Section 18-905, “Places of Worship and Religious Facilities” of the UDO.

Mr. Vogt said there are no new bulk variances, however, relief will be required for the perimeter buffer requirement. Design waivers are also requested for landscaping and lighting.

Mrs. Miriam Weinstein, Esq. on behalf of the applicant stated that this application is to convert an existing 955 sf family room addition into a synagogue within the residence. The residence is the Rabbi’s house. This neighborhood has seen exponential growth and there is demand for this synagogue. The only variance being sought is for a front yard setback which is an existing condition. There are no plans for a catering facility. The basement may be utilized for a kiddush on shabbos. It would not be used during the week where there would be any need for parking.

Mr. Glenn Lines, P.E. was sworn in.

Mr. Schmuckler asked about the parking requirements.

Mrs. Weinstein said it is her understanding that it is going to be a weekend synagogue. She can't promise that there would be a weekday service now and then. They can provide as many parking spaces as they can get on the property.

Mr. Lines said they could probably get four more spaces if they shifting things around.

Mr. Schmuckler asked that he work it out with the board engineer.

Mr. Lines said they are willing to put a fence up to add more buffer with the neighbor on the side where the synagogue is.

Mr. Banas asked about the landscaping waiver.

Mr. Lines said they didn't provide any landscaping. There are some existing shrubs in the front of the house.

Mr. Banas said something needs to be worked out with the board engineer as far as landscaping.

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

Mr. Schmuckler said there should be a fence on the side where the synagogue will be.

Mr. Lines agrees with that.

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

- 5. SD 1685** (Variance Requested)  
Applicant: Dan Reich  
Location: Brittany Court  
Block 27 Lots 9.05 & 47.01  
Minor Subdivision to realign two lots

**Project Description**

The applicant seeks minor subdivision approval to amend an existing lot line between existing Lot 9.05 and Lot 47.01, in Block 27, two existing (2) residential lots. Existing Lot 47.01 is occupied by a one-story residential dwelling. A portion of this dwelling is proposed to be removed in accordance with a previous subdivision approval (SD 1575, filed December, 2007). Existing Lot 9.05 is occupied by a two-story residential dwelling as well as a detention basin. As indicated per Note #5 on the plan, "The purpose of this subdivision is (to) provide New Lot 47.01 with sole access to Brittany Court. This will alleviate the existing dangerous access to County Line Road West". As part of this approval, an existing shed within the lot line adjustment will be



removed, and a new concrete apron will be provided for the dwelling on Lot 47.01 to access Brittany Court. The existing driveway onto County Line Road will be eliminated. Both lots have frontage along Brittany Court, as well as dual frontage on County Line Road (to the rear). The proposed lots are situated within the R-12, Single Family Residential Zone. The surrounding land uses are predominantly residential. We have the following comments and recommendations per testimony provided at the 8/4/09 Planning Board workshop hearing, and comments from our initial review letter dated July 27, 2009. I. Zoning 1. The parcels are located in the R-12 Residential District. Single-family detached dwellings are a permitted use in the zone. Statements of fact. 2. Per review of the Subdivision Map and the zone requirements, the following variances are required for the proposed (amended) lots: • Front Yard setback (Lot 9.05, 20.3 feet proposed, 30 feet required) – existing condition, granted by previous subdivision. • Lot Area (Lot 47.01, 10,344.9 square feet, Lot 9.05, 11,584.9 square feet) – proposed conditions, 12,000 square feet required (It should be noted both existing lots are undersized). • Rear Yard setback (Lot 47.01, 10 feet proposed, 20 feet required) – proposed condition (granted by previous subdivision and an improvement over the existing condition). • Off-street parking (Lot 9.05, two (2) spaces proposed, 2.5 spaces required) – existing condition. Statements of fact. 3. The applicant must address the positive and negative criteria in support of the requested variances. Testimony shall be provided. II. Review Comments 1. The NJ R.S.I.S. requires 2.5 off-street parking spaces for a single-family dwelling when the number of bedrooms is not specified. No specific parking data for the existing and proposed lots is provided. Therefore, the zoning table rounds up to three (3) off-street parking spaces being required. As noted above, a variance for a pre-existing parking condition is requested for Lot 9.05. The zoning requirement depicts three (3) spaces proposed for Lot 47.01. A proposed driveway configuration must be shown. Parking shall be provided to the satisfaction of the Board. A driveway configuration capable of providing three (3) off-street parking spaces for Lot 47.01 has been shown. 2. We note that sidewalk and curbing exist along the property's Brittany Court frontage. Curbing exists along County Line Road West. Sidewalk is proposed along County Line Road West across the frontage of new Lot 47.01, but not new Lot 9.05. The Board should decide whether to require sidewalk along the County Line Road West frontage of new Lot 9.05. Easements will be required for any proposed sidewalk along County Line Road West. A sidewalk detail must be added to the plan. 3. Per review of the existing subdivision plan, we note that the dwelling on Lot 9.05 is served by public water and sewer. The existing dwelling on Lot 47.01 appears to be served by an existing septic system. Testimony should be provided by the applicant's professionals as to whether the dwelling on Lot 47.01 is serviced by public water or a potable well, and whether new utility service is proposed. We note a water service line on the plan for the existing dwelling on Lot 47.01. Whether the service is existing or proposed should be clarified. Testimony is still required regarding the abandonment of the existing septic system since sanitary sewer lines are in close proximity. 4. As indicated previously, a driveway apron is proposed for access for the Lot 47.01 dwelling onto Brittany Court. A construction detail (and supporting grading information) must be provided on the plan. The depressed curb associated with the driveway apron must be eighteen inches (18") deep. The proposed driveway apron must include the replacement of the existing sidewalk behind it with six inch (6") thick, reinforced concrete. Also, details of the proposed pavement replacement in front of the apron and the bituminous driveway in back of the apron are required. 5. The location of the proposed driveway for Lot 47.01 (and supporting grading and construction information) must be provided on the plan. The proposed location and grading for the driveway with parking may trap runoff against the dwelling as proposed. The existing building corners of the dwelling are at a lower elevation than the surrounding roads. Design revisions appear necessary. 6. The lot numbers should be consistent with the numbers assigned by the Tax Assessor. Statement of fact. 7.

No shade trees are shown within the existing 6 foot shade tree/utility easement on the subdivision plan. Shade trees should be provided to the satisfaction of the Board (or waiver sought). Statements of fact. 8. Descriptions shall be provided for the proposed lots (unless the subdivision is filed by plat). If approved, it appears the subdivision will be filed. 9. Compliance with the Map Filing Law is required. Statement of fact. 10. Should approval be granted, the necessary monuments to be set (for the lot line adjustment) must be in place prior to signing the map for filing with the County. A monument to be set shall be added at the proposed intersecting subdivision line with Brittany Court. III. Outside Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Ocean County Planning Board; b. Ocean County Board of Health (if necessary); c. Water and Sewer Approvals (if necessary); d. Ocean County Soil Conservation District (if necessary); and e. All other required outside agency approvals.

Mrs. Miriam Weinstein, Esq. on behalf of the applicant said this is a minor subdivision from 2009. What happened was that the applicant went under contract to purchase this property but during that time, they discovered the house was "under water". The seller had two mortgages and there was not going to be anywhere near ample funds to satisfy the mortgages. The seller had to go ahead with two short sales before this property could be sold which took four years. At this point, the applicant has finally acquired title to the property and they are now back before the Board for approval.

Mrs. Weinstein said this application is for a minor subdivision to realign the lots lines to provide access to lot 47.01 from Brittany Court rather than from County Line Road. The sole reason for this application is for safety.

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

Mr. Neiman said he lives on a cult-de-sac and asked how this would work.

Mr. Flannery said this was not part of the initial cult-de-sac but it does touch it. It is an existing house. The only issue is do the homeowners pull their car out of County Line Road or Brittany Court. Most of the variances are existing.

Mr. Neiman asked if this was noticed to residents of Brittany Court.

Mrs. Weinstein said yes.

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

Mr. Franklin said there is a stockade fence going along County Line Road. He said there should be gates at the back of the property so you can mow it.

Mr. Flannery said the applicant has no problem with adding a gate.

Mr. Neiman asked if the applicant will now be taking their garbage out to Brittany Court.

Mr. Flannery said yes.

A motion was made by Mr. Schmuckler and seconded by Mr. Follman to approve the application.

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

6. **SP 2060AA** (No Variance Requested)  
Applicant: Toms River Torah Center  
Location: 185 Seminole Drive  
Block 2 Lot 38  
Change of Use/Site Plan Exemption to convert existing house into a school

### **Project Description**

The applicant is seeking Site Plan Exemption/Change of Use approval for conversion of an existing one-story, single-family dwelling into a proposed school building with two (2) classrooms and two (2) offices. No site plan improvements are proposed with this request. An existing paved access is shown in the front of the site. Private sidewalk from the entrance to Seminole Drive is also depicted. The site is located on the north side of Seminole Drive about one hundred and eighty (180') east of its intersection with Pawnee Road. Seminole Drive has a 32-foot wide cartway, and terminates near the eastern corner of the property. The surrounding area is predominantly single-family housing, except to the east where the property abuts Lakewood Pine Park. I. Zoning 1. The property is located in the R-12 Single Family Residential 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 Site Plan and the zone requirements, a waiver is required from the buffer requirements. The existing building to be converted into a proposed school is 16.8 feet from the side property line adjoining residential Lot 122. A twenty foot (20') buffer is required. We note that a stockade fence is depicted as existing along a portion of this area. 3. Per review of the Site Plan, the following design waivers are required for proposed project: • Providing sidewalk and curb along the Seminole frontage of the site. • Providing landscaping. • Providing shade trees and a shade tree and utility easement across the site frontage. • Providing site lighting. • Providing topography. • Providing proposed grading (no site improvements proposed). • Providing an architectural plan. II. Review Comments 1. Testimony should be provided giving a general description of the proposed site activities. Testimony should include the anticipated number of students, teachers, and cars. 2. As indicated previously, no architectural information is provided at this time. Testimony regarding proposed building renovations for the proposed conversion must be provided to the satisfaction of the Board. 3. Confirming testimony that conventional buses are not proposed with the change of use, as there appears to be inadequate circulation for buses. 4. The Change of Use application indicates two (2) classrooms and two (2) offices will be provided. Based on Section 18-906C of the UDO, a minimum of four (4) off-street parking spaces are necessary. It appears that the driveway is large enough for four (4) stacked off-street spaces. Parking shall be provided to the satisfaction of the Board. 5. Testimony should be provided as to how trash collection will occur. Onsite collection from the Township must be approved by the Department of Public Works. 6. A waiver is required from landscaping since the plan indicates no landscaping is proposed. Testimony should be provided on existing landscaping. Landscaping shall be provided to the satisfaction of the Board. 7. A waiver is required from site lighting. No site lighting is proposed. Testimony should be provided regarding any existing or proposed security lighting associated with the proposed use. Lighting shall be provided to the satisfaction of the Board. 8. Testimony must be provided regarding existing and proposed utilities servicing the existing home, and whether they are adequate for the proposed school use. III. Regulatory Agency Approvals Outside agency

approvals for this project may include, but are not limited to the following: a. Developers Agreement at the discretion of the Township (as applicable); b. Township Tree Ordinance (as applicable); c. Ocean County Planning Board; d. Ocean County Soil Conservation District (if applicable); e. Ocean County Board of Health (unless public water and sewer exist); and f. All other required outside agency approvals.

Mr. Vogt said he doesn't believe there are any bulk variances required but there are a number of design waivers proposed.

Mr. Brian Flannery, P.E., P.P. was sworn in. He said this is a change of use application from an existing house to a post graduate school with two classrooms and two offices. Relief is needed from the perimeter buffer requirements. A 20 ft buffer is required and the existing house is 16.8 ft from the property line. Design waivers are requested for curb, sidewalk, landscaping, lighting, topography, grading and architectural plans. It is an existing house that has been there many years. The school will be very low impact with 17 students and 3 teachers. The students would not be allowed to have cars. The four parking spaces provided are sufficient. There will be internal renovations to the home and the students will be dropped off in a van.

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

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

7. **SP 2053** (No Variance Requested)  
Applicant: Bnos Melech of Lakewood  
Location: James Street  
Block 364 Lot 1

Preliminary and Final Major Site Plan for addition to existing school and provisions for Phase II construction of a high school and parking facilities

### **Project Description**

The applicant previously obtained Site Plan exemption/Change of Use approval for conversion of a portion of an existing 100' by 200' industrial building and property for a school, including classrooms, offices, several conference rooms, a second story "multi-purpose room" and amenities per Section 18-906.B of the UDO (via SP#1979) . Per available information, the school will continue to serve (K-8) grade students. The existing school is identified as "Existing 2-Story Girls Grammar School" on the site plans. Additionally, existing access, paving and parking improvements to the main parking lot fronting James Street are depicted on the Site Plans, including but not limited to two (2) accesses and drive along the southeast portion of the frontage to provide for bus and car circulation, resurfacing and striping. Proposed (phased) site improvements for which Site Plan approval are requested include the following: • Phase 1, including a two-story building addition to the existing school, new parking (in place of spaces to be removed with the building addition), a (future) pool, a Recreation Area and a retention basin. • Phase 2, including a proposed 2-story Girls High School and two (2) new parking lots. The site is located in the northwest portion of Industrial Park, on the south side of James Street, west of the intersection with Ridgeway Place. The tract is irregular in shape, and is 7.58 acres in area. Commercial and light industrial sites are in the vicinity of the property. We offer the following comments and recommendations: I. Waivers A. The following waivers have been requested (or appear necessary): 1. B2 - Topography within 200 feet thereof (50 feet provided). 2. B4 -

Contours within 200 feet of the site. 3. B10 – Man-made features within 200 feet of site. 4. C10 - Shade Trees (none provided). 5. C13 - Environmental Impact Statement. 6. C14 - Tree Protection Management Plan. 7. C15 – Landscaping Plan. We support the above-referenced submission waivers Site Plan hearing purposes. Per communications with the applicant's professionals, the applicant agrees to meeting Township Tree Protection requirements as a condition of Board approval (if/when forthcoming). Landscaping (if any is required by the Board) will be provided during compliance as a condition of Board approval (if/when forthcoming). II. Zoning 1. The property is located in the M-1 (Industrial) Zone. Schools are a permitted use in the zone, subject to the requirements of Section 18-906 of the UDO. 2. Per review of the Site Plan and the zone requirements, the existing and proposed layout complies with the Bulk requirements of the M-1 zone. 3. No bulk variances appear necessary for the Site Plan application. 4. Perimeter buffer relief is necessary per 18-906A(1), where 10 foot buffer (or equivalent screening) is required from adjacent property lines. 5. Per review of the parking schedule on the Cover Sheet, (short-term) relief for number of off-street parking spaces appears necessary (i.e., prior to Phase 2 construction). Seventy-one (71) parking spaces are identified to be constructed with Phase 1 of the improvements (90 required per UDO). However, an additional one hundred (100) spaces will be provided in Phase 2, which will bring overall parking in excess of UDO standards at that time. III. Review Comments A. Site Plan/Circulation/Parking 1. Testimony should be provided by the applicant for the Board summarizing the proposed expansion of the existing facility (by phase), including but not limited to the following: a. How many students are proposed at the school. b. Will any 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. The "Site Layout: Plan (Sheet 3 of 12) depicts proposed circulation of the expanded facility, by phase. As depicted, the existing access points and drive serving the existing school facility would be extended around the proposed school addition (Phase 1) and between the proposed high school and existing school buildings, also providing access to future parking areas and bus stalls (Phase 2). Per communications with the applicant's professionals, minor revisions to the phasing of said improvements, and a dimensioned Circulation Plan will be provided as conditions of Board approval, if/when forthcoming. Per review of available information, the proposed circulation design appears well-prepared. 3. Detectable Warning Surface must be proposed throughout the site. Existing curb ramps are missing detectable warning surface. Some existing handicapped signage is also missing. Plan revisions can be provided with resolution compliance submission. 4. Testimony should also be provided as to the maximum number of staff professionals at the site during school operations. 5. As shown on the Site Plan, bus stalls are identified to be installed on the west side on the existing school building as part of the Phase 2 improvements. Per communications with the applicant's professionals, testimony will be provided identifying proposed bus drop-offs associated with the existing school addition (Phase 1). 6. The existing refuse enclosure will be relocated as depicted on the Site Plans to accommodate Phase 1 improvements. If Township pickup will continue, approval from the DPW Director is necessary. The waste receptacle areas shall be screened and designed in accordance with Section 18-809.E., of the UDO. Plan revisions can be provided with resolution compliance submission (including necessary vehicular access prior to the Phase 2 improvements). Per communications with the applicant's professionals, the applicant agrees to this condition. 7. Per communications with the applicant's professionals, summary testimony describing the proposed Recreation Area and Pool facilities will be provided at the Public Hearing. Details for these facilities will be provided for review during compliance, if/when Board approval is granted. B. Architectural 1. Architectural plans have been provided for the proposed school addition (Phase 1). As depicted, the addition will be less than 28 feet in height, and lower than the height of the existing school building. The allowable building height is sixty-five

feet (65'). 2. Per review of the architectural plans, the proposed school addition will be constructed on slab (i.e., no basement). 3. Per communications with the applicant's professionals, proposed water and sewer connections for the additional and future high school will be provided during compliance, if/when approval is granted. This is satisfactory for hearing purposes. 4. Per communications with the applicant's professionals, both the school addition and future high school will be designed to comply with applicable fire code requirements (based on existing and proposed water service). This is satisfactory. 5. We recommend that the location of proposed HVAC equipment be shown. Said equipment should be adequately screened. Revised architectural plans can be provided with resolution compliance submission. 6. We recommend that color renderings be provided for the Board's review and use prior to the public hearing, at a minimum. C. Grading 1. Per review of the proposed grading plan (Sheets 3 and 4), the initial design concept is detailed and well-prepared. We commend the applicant's professionals' work, which resulted in the current design. 2. Final grading design revisions will be addressed during compliance review (including but not limited to design of proposed retaining walls) if/when approval is granted. Per communications with the applicant's professionals, said condition would be satisfactory. 3. The final grading design must be coordinated with the architectural plans (including future plans for the proposed high school) as final plans are developed. Revised plans can be provided with resolution compliance submission. Per communications with the applicant's professionals, said condition would be satisfactory. 4. Soils data are necessary to review the final design, including but not limited to the proposed recharge basin to be constructed in Phase 1 (and recharge piping throughout the site. Said data can be provided with resolution compliance submission. Per communications with the applicant's professionals, said condition would be satisfactory. D. Storm Water Management 1. As indicated on the Grading and Drainage Plans (Sheets 3 and 4 of 12), stormwater management for the improvements consists of collection piping serving a recharge basin proposed as part of the Phase 1 improvements, and collection/recharge piping proposed for Phase 2 of the improvements. Per review of the design concept, it is feasible as proposed. 2. A stormwater management report has been provided for the current design in accordance with NJ Stormwater Rule (NJAC 7:8) requirements. The design would be reviewed in detail during compliance (if approval granted), based on forthcoming soils data. Per communications with the applicant's professionals, said condition would be satisfactory. 3. A Storm Water Management Facilities Operation and Maintenance Manual must be provided (if approval granted). The O & M Manual can be provided with resolution compliance submission. Per communications with the applicant's professionals, said condition would be satisfactory. 4. If maintenance of the proposed system by DPW is desired, DPW approval of the proposed design would be necessary (if approval granted). Per communications with the applicant's professionals, said condition would be satisfactory. E. Landscaping and Lighting 1. As indicated previously, no landscaping is proposed at this time. Landscaping (if any) should be provided as desired by the Board as a condition of approval, if/when forthcoming. Per communications with the applicant's professionals, said condition would be satisfactory. 2. As identified on the submitted Lighting Plan, future site lighting will be provided by a network of 15' high, pole mounted light fixtures. The lighting concept, as depicted is generally well-prepared, pending minor modifications and shielding to prevent spillover onto adjacent properties. 3. We recommend that the final lighting designs necessary to support the proposed buildings, accessways, parking areas and site amenities be reviewed as a condition of Board approval, if/when forthcoming. Per communications with the applicant's professionals, said condition would be satisfactory. 4. We recommend that non-security lighting be placed on timers so that site lighting is deactivated off-hours. Per communications with the applicant's professionals, said condition would be satisfactory. 5. This project, if approved must comply with applicable

requirements of the Township's Tree Protection ordinance. Compliance may be demonstrated during compliance review. Per communications with the applicant's professionals, said condition would be satisfactory. F. Utilities 1. The plans indicate the site is served by public water and sewer. 2. Detailed water and sewer plans will be required to demonstrate adequate water, sewer and fire suppression service to the expanded school and future high school. Per communications with the applicant's professionals, said information would be prepared during compliance (if/when approval is granted), and be subject to NJAW review and approval. This is satisfactory. G. Signage 1. No signage information is provided (other than standard traffic and directional signage). Per communications with the applicant's professionals, no signage is proposed at this time. 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 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 review of said mapping, no wetlands, water bodies or known environmental constraints exist on this property. 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. A detailed review of construction details will occur during compliance review; if/when this application is approved. 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; e. Water and sewer utilities, prior to occupancy permits; and f. All other required outside agency approvals.

Mr. Rennert stepped down for this application.

Mr. Vogt said the submission waivers were granted last meeting. No bulk variances are required. The applicant will address the perimeter buffer requirement. There is also an issue with the phases relative to the number of parking spaces that would be in place prior to phase 2.

Mr. Abraham Penzer, Esq. on behalf of the applicant. The previous school has now been outgrown and they would like to build this which is double in size. There are currently 660 students. The first phase of this project is the elementary school and there will be a total of 1,150 students. The second phase, the high school, there will be 700 students. The parents will not drive or park to the school. They will prohibit that. There are currently 16 buses for the elementary and 12 buses for the high school.

Mr. Glenn Lines, P.E. was sworn in. He said with regard to the buffering, on the west side is all existing woods. There is also an existing detention basin further to the west. To the south is the New Jersey Southern Railroad Branch. On the east side is the Bradco Supply Company. Their detention basin will be adjacent to their basin.

Mr. Banas asked where they are going to park 16 buses.

Mr. Lines said currently the buses load and unload at the front of the school. That will continue the way it is. The phase one building will have 20 classrooms but only 2 or 3 will be used the first year, 7 or 8 the second year and on.

Mr. Schmuckler asked how the buses are going to stack when the school is full.

Mr. Lines said by the time that school is full, the phase 2 building will be done. In phase 2 there will be parking in the front of the high school and a dedicated bus lane on the west side of the existing elementary school. The lane goes around the entire school to stack approximately 30 buses.

Mr. Schmuckler asked how many buses you can stack in phase 1.

Mr. Lines said they currently stack 9 to 10 buses in the front of the school. He could provide a phasing plan to show how the buses are going to fit it on a year by year basis.

Mr. Vogt said it may be a possibility that they do the lane around the west side of the existing school only. If that is done, there would be short term circulation around the entire building. Currently shown, most of the drive aisle east of the addition to be proposed under phase 1. If they simply did the aisle around the other side, not the parking area, and connect it. There would be a complete loop around there.

Mr. Abe Auerbach was sworn in. He said that may be an issue because of all the drainage that needs to go in. The school specifically wants to design this in phases in order to offset the budget. The bulk of the funding will go towards the high school. He also said the buses do not come all at one time.

Mr. Penzer asked what the maximum number of buses currently is at one time.

Mr. Auerbach said 6 or 8 max.

Mr. Vogt said they would have to come back during compliance with a detailed circulation plan showing bus staging as part of that.

Mr. Banas is concerned about the safety of the students during the construction of phase 2.

Mr. Lines said the play area of the elementary school is right near the school. You do not need to cross any roadways to get to it.

Mr. Schmuckler asked if there will be a fence containing the children in the play area.

Mr. Lines said yes.

Mr. Banas asked how wide the driveway is.

Mr. Lines said 30 ft. It is wide enough for two buses to pass each other. No parking will be allowed on the eastern side. He met with Public Works and they are going to add a trash enclosure for phase 1. They wanted the trash enclosure at the rear.

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

A motion was made by Mr. Schmuckler, seconded by Mr. Follman to approve the application.



Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Schmuckler, Mr. Follman, Mr. Sussman, Mr. Percal

8. **SP 2056** (No Variance Requested)  
Applicant: Yeshiva Chemdat Hatorah  
Location: Massachusetts Avenue  
Block 440 Lots 27 & 44  
Site Plan for addition to existing school

### **Project Description**

The applicant is seeking site plan approval for expansion of an existing two-story school and dormitory, to an existing 1-story dwelling and site improvements which were approved via Board approval SP#1936. Existing site improvements include a one-way access drive along the property's Massachusetts Avenue frontage, connecting to a two-way access drive leading to off-street parking located behind the existing building. Proposed improvements include expansion and improvements of the basement, two full stories and an "Accessory Storage Attic/Mezzanine" as depicted on the architectural plans. In addition, a 45.75' by 91' "Proposed Gym" is depicted to be constructed 10 feet behind the location of the proposed building addition. The existing parking spaces and access drive will be expanded as depicted on the Site Plans to provide fifty-one (51) off-street spaces. The site is located on the west side of Massachusetts Avenue, approximately 250 feet north of its intersection with Cross Street. Developed areas south and east of the site are predominantly residential. Per the current site plans and per information presented with the prior application (SP1936), existing utilities include two (2) potable wells, and a septic system. Sidewalk exists along the property frontage. We offer the following comments and recommendations regarding this project: I. Waivers A. The following waivers have been requested (or appear necessary): 1. B2 - Topography within 200 feet thereof (50 feet provided). 2. B4 - Contours within 200 feet of the site. 3. B10 - Man-made features within 200 feet of site. 4. C13 - Environmental Impact Statement. We support the above-referenced submission waivers Site Plan hearing purposes. Per communications with the applicant's professionals, the applicant agrees to meeting Township Tree Protection requirements as a condition of Board approval (if/when forthcoming). II. Zoning 1. The property is located in the R-20/12 (Single Family residential) Zone. Schools are a permitted use in the zone, subject to the requirements of Section 18-906 of the UDO. 2. Per review of the Site Plan and the zone requirements, the existing and proposed layout complies with the Bulk requirements of the R-20 zone. 3. No bulk variances appear necessary for the Site Plan application. As noted, there is an existing non-conforming front yard setback for the existing building. 4. Perimeter buffer relief is necessary per 18-906A(2), where 10 foot buffer (or equivalent screening) is required from adjacent property lines. 5. The Site Plans depict an existing trailer to be relocated away from the Bushwick Avenue ROW. The distance of the proposed setback should be provided to ensure relief is not necessary. III. Review Comments A. Site Plan/Circulation/Parking 1. Additional coordination will be required between the site plans and architectural plans. This can be addressed during compliance, if/when Board approval is granted. 2. Testimony should be provided from the applicant's professionals regarding the proposed gymnasium including days and hours of operations. Architectural plans will be required during compliance, if/when Board approval is granted. 3. Per the site plans, the facility will continue to use the existing dumpster area as designated on the Site Plans, located immediately north of the existing paved access area. We recommend, as a condition of approval, that DPW review the current area for adequacy in light of the proposed facility expansion. 4. A note should be added to the plans to replace deteriorated or damaged existing

curb. 5. A note should be added that existing paving that is deteriorated or damaged (and disturbed for stormwater pipe installation) will be replaced as part of the proposed parking lot expansion. Construction details will have to address all proposed restoration activities. 6. As noted on the plans, proposed off-street parking (51 spaces) will well exceed UDO requirements (35 spaces) based upon current design information. B. Architectural 1. Preliminary architectural plans have been provided for the proposed school building expansion. Proposed improvements include expansion and improvements of the basement, two full stories and an "Accessory Storage Attic/Mezzanine" as depicted on the architectural plans. 2. Per the Zoning Data on the site plans, both the building addition and gymnasium buildings will be within the 35 foot zoning height limitation. The applicant's professionals should provide confirming testimony (or seek the appropriate relief). 3. We recommend that renderings be provided for the Board's review and use prior to the public hearing. 4. No proposed water and sewer connections are shown for the gymnasium building. 5. No mechanical equipment has been shown for the proposed building. The sizes and locations of the proposed equipment must be shown on the site plans and architectural plans. The proposed equipment should be adequately screened. C. Grading 1. Per the Grading and Drainage Plan, the grading design as proposed is feasible and generally well-prepared. Proposed site grades are consistent with existing grades, and are less than 5% slope (with the exception of the proposed retention basin. 2. Final grading will be addressed during compliance review if/when approval is granted. D. Storm Water Management 1. The Grading and Drainage Plans depict stormwater collection piping, and roof leaders from the school addition and gymnasium leading to a proposed recharge basin proposed in the rear of the site. 2. Stormwater calculations were provided for review. Said calculations will be reviewed and finalized during compliance, if/when Board approval is granted. 3. Soil data, including but not limited to permeability data in the vicinity of the proposed recharge basin bottom will be provided during compliance, if/when Board approval is granted. 4. A stormwater maintenance plan will be prepared in accordance with NJAC 7:8 will be provided during compliance review, if/when Board approval is granted. 5. Confirming testimony shall be provided that the operation and maintenance of any proposed on-site storm water management system will be the responsibility of the applicant. Otherwise, DPW approval of the proposed design will be required. E. Landscaping 1. The Lighting and Landscape Plan includes Red Maples, arborvitae, Japanese Holly and Spirea as depicted. 2. Landscaping should be provided to the satisfaction of the Board as practicable. 3. A final review of landscaping can be conducted during compliance, should site plan approval be granted. F. Lighting 1. As identified on the Landscape and Lighting Plan, future site lighting will be provided by a network of 16' high, pole mounted light fixtures as well as several building-mounted lights. The lighting concept, as depicted is generally well-prepared, pending minor modifications and shielding to prevent spillover onto adjacent properties. 2. We recommend that the final lighting designs necessary to support the proposed buildings and expanded parking areas and site amenities be reviewed as a condition of Board approval, if/when forthcoming. 3. We recommend that non-security lighting be placed on timers so that site lighting is deactivated off-hours. G. Utilities 1. Per the current site plans and per information presented with the prior application (SP1936), existing utilities include two (2) potable wells, and a septic system. 2. Detailed water and sewer plans will be required to demonstrate adequate water, sewer and fire suppression service to the expanded school and gymnasium. Said information can be provided during compliance, if/when Board approval is granted. 3. Approval for the water and septic system expansions will be required from the Ocean County Board of Health. H. Signage 1. No signage information is provided in the site plan submission. A full signage package for any 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. I. 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. The data layers were reviewed to evaluate potential environmental issues associated with development of this property. No environmentally-sensitive areas exist per available mapping. 2. A Tree Protection Management Plan must be provided as a condition of approval, including compensatory plantings. 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. A detailed review of construction details will occur during compliance review; if/when this application is approved. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Developers Agreement at the discretion of the Township; b. Township Tree Ordinance; c. Ocean County Planning Board; d. Ocean County Soil Conservation District; e. Ocean County Board of Health; and f. All other required outside agency approvals.

Mr. Vogt said the submission waivers were granted at the tech hearing.

Mr. Percal has a family member attending this Yeshiva so he stepped down for this application.

Mr. Samuel Brown, Esq. on behalf of the applicant. There are some minor issues which will be worked out with the board engineer during compliance including the perimeter buffer. The gymnasium will only be used for the students attending the school. It is not open to the public. This is a vast improvement over the site plan that had originally been before this Board. The school is utilizing much more property and adding more parking. The parking requirements are 35 spaces where 51 spaces are being proposed.

Mr. Glenn Lines, P.E., P.P. was sworn in. The school is on Massachusetts Avenue. To the south is Cross Street, to the east is Hearthstone. There are woods between their property and Cross Street as well as woods to the west and north. The school actually owns another piece of property to the north where the detention basin and part of the gym is located.

The site plan was marked as A-1.

Mr. Lines said there is an existing bus drop off lane in the front of the school. There is an existing house which will now be removed and the school will be extended to the west behind the existing school. There is a proposed gymnasium and an outdoor basketball court. Currently there are two temporary trailers on the property which will be removed once the addition is complete.

Mr. Schmuckler is happy to see this Yeshiva will have a gymnasium.

Mr. Lines said if there is a need for additional parking during some sort of school function, there is a grassed area where people could park.

Mr. Banas asked how many students will be using buses to get to the school.

Mr. Lines said about half the students will be using buses. There are dorms as well.

Mr. Franklin asked how Public Works will get to the dumpster behind the parking lot.

Mr. Lines said they have met with Public Works and they have been servicing where it is now without a problem. They did offer to stripe two of the spaces on the opposite side so that they could have a way of doing a k-turn.

Mr. Rennert asked about Bushwick Avenue.

Mr. Lines said Bushwick Avenue comes in from another paper street to the north, comes down and passes through their property and then dead ends. They are not building across the middle of it. There is no continuation of Bushwick Avenue to the south of their property.

Mr. Brown said they do not need to vacate anything where the Board would approve and perhaps they would have a problem later if the street wasn't vacated.

Mr. Schmuckler said Bushwick Avenue would never extend to Cross Street.

Mr. Lines said that is correct. It may have been extended 30 years ago but now it is already vacated up to their southerly property line.

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

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

## **7. CORRESPONDENCE**

- **SD 1564** – Major Subdivision amended approval request for re-aligned roadway

Mrs. Morris said the applicant is getting approval from the County tomorrow so they would like to hold off on this until the April 29, 2014 meeting.

Mr. Jackson announced that this matter will be carried to the April 29, 2014 meeting. No further notices.

- **SP 1727** – Major Site Plan - modified building footprint

Mrs. Morris said this is for the School for Children With Hidden Intelligence. They had received approval for phase 2 and submitted permits for same but the footprint did not match what was approved. No new variances are being requested.

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

- **SP 1998** – Major Site Plan – modified sewer design with a pump station

Mr. Penzer said they have settled this case except for one issue. The issue is on the adjoining lot next door, they are going to put a pumping station which will be underground. Mr. Jackson put general language in the resolution stating that any change whatsoever must go back to the Planning Board. The judge said since there is a catch all they should go before the Board. They have sent out the notices which Mr. Liston approved.

Mr. Jackson asked Mr. Krupnick, who is present, if that is acceptable.

Mr. Krupnick said it is acceptable.

Mr. Jackson asked Mr. Vogt if this is something that can be approved under correspondence.

Mr. Vogt said this is typically an outside agency approval and they do not look at sewerage per say. He doesn't have a problem with it. It will be located under the previously approved disturbance area.

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

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Schmuckler, Mr. Follman, Mr. Sussman, Mr. Percal

## **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