

- 5. SP 2155 Congregation Williams Street**
Williams Street Block 411, Lots 12.01 & 13
Preliminary and Final Major Site Plan for a synagogue

A motion was made and seconded to approve the resolution.
All were in favor.

- 6. SP 2060B Toms River Torah Center**
Seminole Drive Block 2, Lot 38
Preliminary and Final Major Site Plan for an addition to the existing school

A motion was made and seconded to approve the resolution.
All were in favor.

- 7. SD 2029 Somerset Development**
Towers Street & Pine Street Blocks 824, 824.01, 825, 828, 829, 830, 853
Request to phase prior Preliminary and Final Major Subdivision approval

A motion was made and seconded to approve the resolution.
All were in favor.

5. ORDINANCES

- Transportation Improvement Districts, Impact Fees

Mr. Stan Slachetka and Mr. Klein, T&M Associates, were sworn in.

Mr. Slachetka said it is their understanding that the board had some specific questions concerning this ordinance.

Mr. Klein said he would like to go over the methodology behind what they did in order to prepare the fair share contributions for the transportation districts 1 and 2 which are outlined in the report prepared. The Smart Growth Plan had infrastructure improvements associated with it for different segments of the Township and they basically built upon the development potential that was provided in that plan. They took the redevelopment and development areas and applied trip generation rates to the full build out of those areas. Once applied, they distributed them along the street system that exists today. They factored in all intersections and roadways which are under municipal jurisdiction and any intersections that are State or County. Obviously they do not have jurisdiction over State and County roadways and they have different fees associated with potential improvements.

Mr. Neiman said if a project is on a County roadway, the developer would be subject to both County and Township impact fees.

Mr. Klein said that is correct.

Mr. Slachetka said this is just addressing those improvements that related to municipal roadway, intersections and related improvements. The County has its own process for identifying fees when an applicant applies for a development on a County road. This is designed specifically to address those municipal improvements that are necessary to implement the Smart Growth Plan. During the process of development the Smart Growth Plan,

they had a very extensive conversations with both the Township Committee and this board with regards to those improvements.

Mr. Neiman asked how the fees would work if a project is only on a County road.

Mr. Slachetka said essentially, the County improvements are the off-site improvements that are directly related to the development. The improvements that are being paid for under this ordinance relate to a wider area that is regionally being impacted in the specific TID district.

Mr. Neiman asked if this would be a fee that the Planning Board would process.

Mr. Vogt said no. He believes what will happen is that when an application is approved, the Township typically will do developer's agreements for minor and major applications. He would recommend that these fees get worked out at that time. It would be part of what the applicant has to do to build. They will have to do outside agency approvals, bond and escrow as part of a developer's agreement with the Township, they will also have to calculate what the fair share is based upon the ordinance and make that contribution as well.

Mr. Neiman said he noticed one of the areas is the Oak Street Core. They just passed an ordinance last month that any projects within that core does not have to come before a board because it went through CAFRA. He asked if these projects would be subject to these fees.

Mrs. Morris said she assumes with the way the ordinance is written those areas would be subject to these fees.

Mr. Slachetka said he is not familiar with all the details of that ordinance but this specifically relates to those transportation improvements that are identified in the ordinance.

Mrs. Morris said the original concept for the transportation improvement district was a division of the town into six major areas. The two that were adopted happened to be the east and west sides of Route 9 which incorporates the Oak Street area but it's not like there are portions of the town that do not fall within a transportation improvement district. It's just that the ones that have already been adopted are only districts one and two. The others have not yet been adopted by the Committee.

Mr. Flancbaum said there is a total fair share contribution listed for each district. He asked if that is the maximum that each district is going to be collecting.

Mr. Klein said not necessarily. The intent was to show the fair share contribution by development area. They came up with those transportation improvements that are necessary based on the Smart Growth Plan. Basically, they took that and divided it out into all the different trips and how many trips along those roadways that are going to be impacting the traffic and they got a cost per trip. So essentially, once the Township gets the fees they should be able to do the improvements necessary based on the development.

Mr. Rennert asked if they looked at the maximum amount of building units in each core.

Mr. Klein said Stan and his staff did the planning study behind the developable land in those different areas and they did the calculations on how much square footage or how many units of the different land uses. He took that information and converted that into traffic.

Mr. Flancbaum said even after those initial improvements are completed and the money is collected, the impact fees will still be collected and be kept for those districts for future improvements.

Mr. Klein said that is correct. Right now there are two districts. The intent would be to retain the fees by district but they would have to seek legal advice to see if that is absolutely necessary based on the ordinance.

Mr. Slachetka said the impact fees which are being collected relate to the improvements that are being affected by that development.

Mr. Rennert said whoever pays into this would benefit.

Mr. Neiman opened to the public.

Mr. Bill Hobday, 30 Schoolhouse Lane, was sworn in. He requested a copy of the ordinance.

Mr. Brian Flannery said there are some big numbers in the report. He asked if there is a cost estimate as to where those numbers came from.

Mr. Klein said yes, it is in the report.

Mr. Penzer said he represents NJ Hand. He asked if they would be subject to these fees.

Mr. Klein said he does not believe the ordinance specifies any exemptions. He said NJ Hand was already approved so they would be grandfathered in.

Mr. Penzer said there are two more phases coming to the board.

Mr. Vogt asked if they received preliminary approval.

Mr. Penzer said yes.

Mr. Slachetka said that would be a legal question. He would have to look into it.

Mr. Neiman closed to the public.

A motion was made and seconded to recommend the proposed ordinance to the Township Committee for adoption.

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

Abstain: Mr. Hibberson

6. PUBLIC HEARING

1. SD 2103 Naftali Falk

Albert Avenue

Block 1159, Lots 58 & 59

Preliminary and Final Major Subdivision to create four lots

A review letter prepared by Remington, Vernick & Vena Engineers dated February 4, 2016 was entered as an exhibit.

Mr. Vogt stated that variances are requested for minimum lot area, lot width and front yard setback. Design waiver is required from providing curb and sidewalk along Albert Street.

Mr. Abe Penzer, Esq. said they worked with the Township engineer and eliminated all variances.

Mr. Vogt said he is not sure that is the case. One variance may be required.

Mr. Graham MacFarlane, P.E., P.P. was sworn in. Minimum lot width variances for proposed lots 58.01 and 58.02 are still required. The application that was originally submitted did have more variances but due to some discussion with the Township engineer, they were able to come up with a plan that eliminated those variances for lot area.

Mr. Neiman asked why they are asking for a waiver from providing sidewalk.

Mr. MacFarlane did not have an answer.

Mr. Neiman said this area is in need of sidewalks and they will be required.

Mr. MacFarlane said they are proposing Salem Street as a private driveway. That would be owned and maintained by the lot owners of 58.01 and 58.02.

Mr. Neiman asked why they aren't improving all of Salem Street.

Mr. Vogt said there are freshwater wetlands in the area. The applicant would have to get approval from the NJDEP to put a more conventional roadway in. There was a discussion that in the short term, unless or until someone comes in to the west of here and there is future development that they would provide a private drive to serve only these lots.

Mr. MacFarlane said that would eliminate the need for the Township to plow or maintain this portion of the right-of-way.

Mr. Neiman said we know that area is going to be developed. He doesn't think this is smart. He said they should make a regular road now and when someone comes in to develop the western portion, they would continue the road.

Mr. Franklin agreed. Nobody is going to be able to get back and forth on a 10 ft wide road.

Mr. MacFarlane said currently they are showing 10 ft pavement. They could add shoulders to it to make it 18 ft wide.

Mr. Neiman said the next developer is going to want to continue that private driveway and there will never be a conventional road.

Mr. MacFarlane said they were trying to preserve the wetlands and not have any impact to the wetlands or transition area.

Mr. Shlomo Wilner was sworn in. He said the property directly behind this is owned by the Township. It is not going to be developed because it is all wetlands.

Mr. Neiman said there are two lots to the west that will be developed eventually.

Mr. MacFarlane said the wetlands corridor does continue all along parallel to Salem Avenue. All the other comments in the review letter can be addressed during resolution compliance. They had developed this plan along with the Township engineer and thought this made the most sense as it would relieve the Township from any responsibility to maintain this portion of the right-of-way.

Mr. Penzer said with this plan, public works does not have to come in to the area. The residents would take their trash cans to Albert Avenue.

Mr. Franklin said that is not happening. The cans will never be rolled out that far.

Mr. Penzer said they would hire a private hauler.

Mr. Herzl asked if the applicant is allowed to pave Salem Street due to the wetlands.

Mr. Vogt said as long as they receive State approval.

Mr. Penzer said another option would be to give up a portion of their land so they would not impact the wetlands.

Mr. MacFarlane said the application original submitted proposed additional right-of-way dedication in order to construct a street in accordance with the full standards.

Mr. Neiman said he is fine granting that variance if they are going to have a full road.

Mr. Vogt said that section of the roadway has to get moved into the property and would be out of alignment with the rest of the roadway.

The board was in agreement that they prefer the original plan with a fully improved street and an additional right-of-way dedication.

Mr. MacFarlane asked if the board is willing to grant the variances in connection with that layout.

Mr. Flancbaum asked what the variances are.

Mr. MacFarlane said minimum lot area due to the right-of-way being move over 15 ft.

Mr. Jackson asked if he thinks they would be able to obtain a permit from the NJDEP.

Mr. MacFarlane said he believes they can but it does take time and comes with a cost.

Mr. Jackson asked if that would be better planning.

Mr. MacFarlane does not believe so. Why would they want to impact the wetlands when there is a plan that wouldn't affect the wetlands.

Mr. Jackson said that involves making a jog in the road and smaller lots.

Mr. MacFarlane said the Township engineer was concerned about the alignment at the intersection. He does not share that concern.

Mr. Franklin said it comes to a point where you're not going to be able to build on every square inch of the town. There are different hazards which will be faced and they will have to work with them. If you can't get in the street then you can't build on the back to lots. These lots are only 115 ft wide lots, they don't want to cut them down any smaller.

Mr. Penzer said he needs those two lots or the plan doesn't work. They are trying to limit the impact to the wetlands.

Mr. Neiman wants to talk about the original plan. He asked how wide the road would be going into this property.

Mr. MacFarlane said 25 ft wide. There would be a slight offset at the intersection of Salem and Albert.

Mr. Franklin said it would be offline for anyone who wants to develop on the other side.

Mr. MacFarlane said on their portion of Salem Street, the road would be offset. It would be then have to be jogged back to line up with the existing right-of-way.

Mr. Grunberger arrived at the meeting.

Mr. MacFarlane said with the 15 ft offset right-of-way, the lots sizes proposed were around 19,000 where 20,000 is required.

Mr. Jackson said the board should probably look at revised plans to see the layout and variances associated.

Mr. MacFarlane said it was submitted to the board and discussed at the tech meeting.

Mr. Vogt said they had identified in their letter what the variances were.

Mr. Flancbaum said he would like to see revised plans.

Mr. Penzer said if the board feels more comfortable they would come back with revised plans.

Mr. Neiman said they would like to see Salem Street going through the wetlands. If the permit is denied, then they would have no problem having that jog in the road. He would rather keep the road in line because they know Salem Street will be developed further.

Mr. Penzer said that would take at least a year and a lot of money. He asked that they be carried to the next meeting.

Mr. Vogt said perhaps they should come back with just a plan view only of how the road will change.

A motion was made and seconded to carry this application to the March 15, 2016 meeting. No further notice. All were in favor.

2. SP 2113A Yeshiva Shaar Hatalmud

Edgecomb Avenue Blocks 1009; 1019; 1022; 1023, Lots 1.04 & 1.06; 2.01; 3; 1
Amended Preliminary & Final Major Site Plan for a school with duplexes

A review letter prepared by Remington, Vernick & Vena Engineers dated February 10, 2016 was entered as an exhibit.

Mr. Neiman said the board had a few questions at the last meeting and he hopes they get resolved tonight. They wanted a bus circulation plan for the middle school and additional parking for the Bais Medrash. He asked for a brief overview.

Mrs. Miriam Weinstein, Esq. said at the last hearing the proposal was for three schools. Building A would be a boy's elementary school. She noted that she may have said it would be a girl's school at the last meeting which is incorrect. Building B will be a boy's high school and building C would be a post high school Bais Medrash. The board should already have the circulation plan. A bus stacking plan will be handed out as that is one of the items the board had requested. Three duplexes are also proposed which will serve as faculty housing. As far as buildings B and C, the parking will be under common ownership. The Bais Medrash will be for the high school.

Mr. Glenn Lines, P.E., P.P. was sworn in. Building A access will be in to the property from Edgecomb Avenue and will go around the parking lot. The buses would unload in front of the school and along the playground area. The stacking plan shows that there is adequate room for 8 buses on the property with no overlap onto Edgecomb Avenue which will be constructed in the near future. Building B access will be off Wadsworth Avenue through a stub street. The buses will then proceed around the parking lot and back out to Pinehurst Boulevard.

Mr. Neiman asked what part of Wadsworth is being improved.

Mr. Lines does not know who will be improving Wadsworth at this point. What they presented was constructing Wadsworth from Vine Avenue up to Pinehurst Avenue. They are coming in first to provide an access road which will be 32 ft wide. The developers will be putting curb and sidewalks along the street.

Mr. Neiman asked if they would be providing curb, sidewalks and a 32 ft wide road along the property frontages.

Mr. Lines said yes as well as on Pinehurst into the School. Building C on the corner of Argyle and Wadsworth has been reconfigured. The previous plan had 7 parking spaces, 13 are now being provided.

Mr. Neiman said they are not improving the Argyle Road frontages.

Mr. Lines said no. It will be improved as part of the Tashbar project.

Mr. Neiman asked if they would be providing sidewalks as well.

Mr. Lines said he would have to go back and look at the plan.

Mr. Neiman said he wants to make sure sidewalks will be installed, either by Tashbar or this developer, and to make it a condition of approval.

Mr. Lines said two variances are required. One is a rear setback where they have 15.5 ft for the wider duplex to lot 3 and a 25 ft setback from the duplex on the west end to Pinehurst which is an access into their school. They moved the duplexes over so they could get the parking in.

Mr. Jackson asked what the justification is for the variances.

Mr. Lines said they shifted over the building so they could get adequate spacing. He does not believe it is a detriment to the zone plan and it is an access into their property. As far as the rear setback, lot 3 is a very deep lot and it would be developed mostly likely for a duplex.

Mr. Neiman asked if a notice was sent to lot 3.

Mr. Lines said yes, notices were sent out. A height variance of 38.4 ft for the gymnasium in Building B is also being requested.

Mr. Neiman opened to the public.

Mr. Bill Hobday, 30 Schoolhouse Lane, was sworn in. He understands the need for schools but why are they allowing duplexes for the staff. The town needs ratables.

Mr. Neiman said initially this application was for one school along with twenty duplexes. The board said no as they need more schools and ratables. The applicant has provided three schools which is very necessary for this town and each school has one duplex for the faculty.

Mr. Hobday said this is not an educational campus. Staff housing should be among the public.

Mr. Jackson asked how many total units there are.

Mrs. Weinstein said twelve.

Mr. Jackson said for a school, it is unusual to have that many people living in the area or on campus to facilitate and assist so they have constant supervision and accessibility.

Mr. Neiman said for a school this size, it is necessary to have faculty living on campus.

Mr. Richard Krupnick was sworn in. His family owns block 1009 lot 1.05. If the board approves this, they would request that fencing be put on the property line between their lot and the east side of building B. He would also like to put some landscaping in before the schools are constructed to create a visual and physical barrier because in the past trees have been removed accidentally.

Mr. Neiman said the applicant can put in the fence before construction.

Mr. Krupnick said that is fine. Looking at the stacking plan, he assumes buses would be coming in twice a day and there is probably a chance they will get clustered which would make it difficult for emergency vehicles to access the schools. Edgcomb should be improved to give emergency vehicles another access point. Building B traffic should have the option of going out to Edgcomb or the very least having some sort of curb that could be driven over for safety reasons. If Edgcomb is improved, he would ask that curbs be provided at a minimum.

Mr. Neiman said this project doesn't have any frontage on Edgcomb.

Mr. Franklin said curbs will need to be provided when building C is constructed.

Mr. Neiman said when Edgecomb does get developed, the school should be responsible for the sidewalk and curb along their side of the property.

Mrs. Weinstein agreed.

Mr. Neiman stated that when any developer comes in, then they would be responsible to continue the curb and sidewalk along Edgecomb.

Mr. Lines said the bus stacking plan was a request from the last meeting and they put as many buses as they could fit on this plan. They only need three buses for the high school.

Mr. Neiman said the fence should be installed prior to construction to protect Mr. Krupnick's property.

Mr. Lines said they already show vinyl fence in that area. An orange safety fence will also be in place.

Mr. Vogt said they want the barrier prior to site disturbance so there are no accidents.

Mr. Lines closed to the public.

A motion was made and seconded to approve the application.

All were in favor.

3. SP 2158 Cedarbridge Office, LLC

Pine Street & Boulevard of the Americas Block 961.01, Lot 2.04

Preliminary and Final Major Site Plan and Subdivision to create four lots and a two-story office building

A review letter prepared by Remington, Vernick & Vena Engineers dated February 9, 2016 was entered as an exhibit.

Mr. Vogt stated a variance is requested for minimum lot frontage. Design waivers are required including perpendicular lot lines as well as improvements within the Sims Avenue right-of-way and sidewalk/curb along all of the property frontages.

Mrs. Miriam Weinstein, Esq. said this is a subdivision to create 4 lots and a site plan approval for an office building on one of those lots. The variances pointed out relate to the subdivision. This is another state of the art office building in the Cedarbridge Redevelopment zone which will increase town ratables and bring jobs to Lakewood. The site plan is virtually variance free.

Mr. William Vogt, P.E. was sworn in. The access provided by both Boulevard of the Americas on the north side of the site as well as Pine Street on the south side. A 24 ft wide driveway off the Americas will be right and right out. Pine Street will be full access through a 24 ft drive aisle. Sufficient parking is being provided.

Mr. Neiman asked if there is room for a wider driveway along Pine Street. He wants to make sure there is adequate site as it is a full access.

Mr. Vogt said it would definitely improve access.

Mr. Franklin said he would leave it as 24 ft as it matches the lanes going through.

Mr. Vogt asked if he looked at the largest possible vehicles that would enter this site.

Mr. William Vogt said that is correct. They are expecting mostly large box trucks. On occasion, there may be a tractor trailer.

Mr. Vogt said the biggest concern would be fire trucks but there is access on the other side of the boulevard.

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

A motion was made and seconded to approve the application.
All were in favor.

- 4. SD 2104 Joseph Singer**
Park Avenue Block 232, Lot 6
Preliminary and Final Major Subdivision to create six lots

A review letter prepared by Remington, Vernick & Vena Engineers dated December 30, 2015 was entered as an exhibit.

Mr. Brian Flannery, P.E., P.P. was sworn in. No variances are being requested as part of this application. The only comment with respect to the engineer's review letter is they need approval from Conrail. He not believe they need approval as they are not touching the railroad.

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

A motion was made and seconded to approve the application.
All were in favor.

- 5. SD 2114 Chaim Abadi**
Miller Road & Shady Lane Block 12.01, Lots 7 & 11
Concept Plan review for minor subdivision to create three lots

A review letter prepared by Remington, Vernick & Vena Engineers dated January 28, 2016 was entered as an exhibit.

Mr. Chaim Abadi said one of the owners would like a wider lot so he does not have to back out onto Miller Road. Two lots would front on Shady Lane and one on Miller Road. The lots would be over 10,000 sf in an R-12 zone.

Mr. Vogt said when this comes back, make sure his engineer looks at Shady Lane as it needs to be RSIS compliant.

Mr. Neiman said curb and sidewalk shall be provided with the plan.

Mr. Abadi understands.

6. SD 2115 Mordechai Eichorn

Massachusetts Ave & Cross Street Block 440, Lots 6 & 7.01
Minor Subdivision to realign lot lines

A review letter prepared by Remington, Vernick & Vena Engineers dated February 3, 2016 was entered as an exhibit.

Mr. Brian Flannery, P.E., P.P. was sworn in. He said this is lot line adjustment. No variances are being requested. This property will come back to the board for a site plan or subdivision.

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

A motion was made and seconded to approve the application along with the submission waivers. All were in favor.

7. SD 2108 George Topas

Central Avenue Block 85, Lot 5
Minor Subdivision to create two lots

A review letter prepared by Remington, Vernick & Vena Engineers dated January 28, 2016 was entered as an exhibit.

Mr. Vogt stated that variances are requested for minimum lot area and width.

Mr. Brian Flannery, P.E., P.P. said the application is for a minor subdivision to create two lots. Exhibit A-1 is a map of the whole area with the subject property in blue. The orange colored lots are deficient in width and the yellow lots are deficient in area. As you can see from the map, there are a lot of similar lots in the area. Exhibit A-2 is showing just the block. Within that block there are lots with less than an area than they are currently seeking.

Mr. Neiman asked if there are homes on those lots.

Mr. Flannery said yes. When the application was denied last time, the board notes that no testimony on the application regarding the satisfaction of the negative criteria. The subject area is filled with undersized and extremely old homes. He does have pictures of some of the homes that have been redeveloped. Also the board indicated that the site has substantial existing trees located on the survey and the application didn't provide a tree protection plan. A plan has been provided this time. He will show which trees will stay and why this is particularly suited to this kind of application. There are lots from 7,000 to 17,000 sf. This lot is 17,000 sf. There are twelve lots in the area and half of them are less than the proposed lots they are requesting. He further explained in detail how the benefits outweigh the detriments.

Mr. Neiman said he knows the board's stance on granting variances in the R-12 zone. This is different because it is a small area and it would not affect the R-12 zoning and there a plenty of lots in this area that will be similar in size.

Mr. Herzl asked if access will be on Central Avenue.

Mr. Flannery said no. Access for both lots will be off of Caranetta Drive.

7. PLAN REVIEW

1. **SD 2109 292 Sampson Ave LLC**
Sampson Avenue Block 246, Lot 24
Minor Subdivision to create two lots

A review letter prepared by Remington, Vernick & Vena Engineers dated February 1, 2016 was entered as an exhibit.

Mr. Joe Kociuba, P.E., P.P. said there is an existing variance for the house on lot 24.02. That house will remain. This is a 15,000 sf lot where they are looking to split down the middle to create two 7,500 sf lots.

A motion was made and seconded to advance the application to the March 15, 2016 meeting. All were in favor.

2. **SD 2111 Tiferes Shulem Inc**
Joe Parker Road Block 189.04, Lots 188-190
Minor Subdivision to create three lots

Mrs. Morris stated that per the applicant's request, this project will be carried to the March 1, 2016 meeting. No further notice.

A motion was made and seconded to carry the application to the March 1, 2015 meeting. All were in favor.

3. **SP 2167 Congregation Lutzk**
Whitesville Road Block 250, Lot 16.01
Preliminary and Final Major Site Plan for a building addition

A review letter prepared by Remington, Vernick & Vena Engineers dated February 10, 2016 was entered as an exhibit.

Mr. Flancbaum stepped down.

Mrs. Morris stated that there is a request to hear this in full tonight. Notice has been properly given.

Mr. Neiman would like to hear it as both tech and public.

Mr. Vogt doesn't have a problem with that but he assumes the applicant agrees with the items in the review letter.

Mr. Adam Pfeffer, Esq. said they have no objections.

Mr. Glenn Lines, P.E., P.P. was sworn in. An approval was received for a change of use for the existing building. Now they are coming in for a 2,108 sf addition which is basically two trailers. The remainder of the site is staying as is. There is an existing garage from a contracting business and an out building on the east side near the property line. The back of the property is all recycled asphalt parking that was used by Champion contracting years ago. There are 14 off-street parking spaces along the westerly property line.

Mr. Neiman asked if there will be any catering hall.

Mr. Pfeffer said no. There is a substantial amount of overflow parking that is gravel and would like to leave it as is.

Mr. Lines said part of the original approval was a walkway that goes from the synagogue along the easterly property line to Olive Court.

Mr. Neiman said the letter indicates a waiver from providing curbs and sidewalks.

Mr. Lines said it is along a County road and they did not want them when the property was subdivided. They are only two properties away from Jackson where there are no sidewalks.

Mr. Pfeffer said the congregants coming from the Olive Court area already have a walking path and the others come from West Gate. Sidewalk is not going to help them from that area.

Mr. Neiman opened to the public.

Ms. Diana Hartman, 532 New Egypt Road, was sworn in. The original plan called for demolishing large building in the rear of the property. The building is still there and a medical supply company has been operating there for 1 1/2 years. She would like to know what can be done as the original plan was not complied with.

Mrs. Morris did review the plans and it was noted as to be removed.

Mr. Lines said this is a build metal building that was used by the contractor to maintain equipment when Champion Contracting was there. He was there today and he can attest there is a sign that says medical equipment.

Mr. Pfeffer said there is currently no tenant there. They were only there for a short period of time. The building is being used as storage for the congregation.

Mr. Neiman would like the sign removed.

Mr. Pfeffer agreed.

Ms. Hartman said when the original plan was approved, no mention that a landscaping company was going to be based on the property with their numerous vehicles.

Mr. Pfeffer said there was a tenant that stored some equipment there. It is not in the synagogue portion, it's in the back portion.

Mrs. Morris said the Olive Court project behind this property is still under construction. It is fairly typical that trucks and different machinery be staged on some of the vacant lots out there and that is acceptable during construction.

Ms. Hartman said these vehicles are not involved with that project.

Mr. Neiman said this sounds like an enforcement issue.

Mr. Jackson asked how this relates to this application.

Ms. Hartman said they were granted approval for one thing but they did something else.

Mr. Jackson said he understands but the board can't enforce anything and if the applicant has a new application the board must address the merits of the new application.

Mrs. Morris said the vehicles may be subject to violations if they are parking on grass as parking should be paved. They do not have jurisdiction regarding multiple vehicles being parked in the street or driveway.

Mr. Pfeffer wants to clarify. The change of use was for the front building. The back building was existing with a tenant. When the applicant purchased the building there were some lease holdovers that stayed over there and some storage facilities.

Mr. Neiman asked if there are any parking requirements for those back buildings.

Mr. Pfeffer said the big building in the back is only being used for storage. There is no tenant in that building.

Mr. Neiman asked about the landscaping trucks.

Mr. Pfeffer said they are storing equipment on the site.

Mr. Herzl asked if this equipment is taking up any parking spaces.

Mr. Pfeffer said no.

Ms. Hartman said that members of the congregation have been parking on the shoulder including in front of her house. It is her understanding that parking is not allowed along this road. The cars obstruct her view when backing out of her driveway.

Mr. Pfeffer said they have no problem places signs.

Mr. Neiman said but they shouldn't be parking on the shoulder.

Mr. Pfeffer said he agrees. They have no problem placing a sign saying do not parking on the shoulder or in front of neighboring properties.

Mr. Jackson said when someone in for approval, that is the board's chance to make sure the site is tightened up and they know what is going on there.

Mr. Neiman said he has no problem with this application but he has concerns about the numerous trucks on the property.

Mr. Pfeffer said those vehicles are no longer there. The site looked like that for a very long period of time. If there are any trucks remaining, they understand that they need to get them removed and do everything they can to appease the neighbors.

Ms. Hartman said she finds all kinds of trash in and around her yard. They cut down a tree and left all the logs in the yard, some are encroaching on her property. She is going to have a survey done and a fence installed in the future.

Mr. Follman said the applicant will be paying for the fence. He asked what kind of fence she would like.

Ms. Hartman said a 6 ft white vinyl fence.

Mr. Pfeffer said the applicant agrees.

Mr. Neiman said they also need to work on the parking along the County road. She does have to right to call the police as you're not supposed to park there. Also, if the back is cleaned up there will be more room for additional parking.

Mr. Pfeffer said part of the issue is the construction for Olive Court. They will be cleaning up the site, a fence will be installed as well as no parking signs.

Mr. Follman said there should be signs in the synagogue as well.

Mr. Pfeffer has no objection. The fence and signs will be put up as soon as possible.

Mr. Neiman closed to the public.

A motion was made and seconded to approve the application.
All were in favor.

- 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