

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. Schmuckler, Mr. Follman, Mr. Rennert

3. SWEARING IN OF PROFESSIONALS

Mr. Vogt was sworn in.

4. MEMORIALIZATION OF RESOLUTIONS

1. **Smart Growth Plan and Master Plan Re-examination Report**
Remanded to the planner to make modifications and adjustments

Mr. Jackson read the resolution to the members.

A motion was made by Mr. Franklin, seconded by Mr. Schmuckler to approve.

Affirmative: Mr. Franklin, Mr. Schmuckler, Mr. Follman

Abstained: Mr. Herzl, Mr. Banas, Mr. Rennert

5. PUBLIC HEARING ITEMS

1. **SD 1870** (No Variance Requested)
Applicant: Township of Lakewood
Location: Clifton Avenue
Block 119 Lot 12
Minor Subdivision to create two lots

Project Description

The Township proposes to subdivide a ninety-six foot (96') wide by sixty-five foot (65') deep lot containing six thousand two hundred forty square feet (6,240 SF) or 0.143 acres in area from existing Lot 12 in Block 119. The purpose of the proposed subdivision is to create a new deed restricted lot for retail development. No building is proposed at this time. The future site is currently part of the existing parking lot for the Lakewood Township Municipal Offices. Except for a 50.50' X 110' out parcel on the northwest corner of Block 119, known as Lot 1, existing Lot 12 constitutes the entire area of Block 119. The Block is situated in the north central portion of the Township and is surrounded by improved municipal streets with curb and sidewalk. Fourth Street borders the Block on the north side, Lexington Avenue is located on the east side, Third Street comprises the south boundary, and Clifton Avenue fronts the west side. The proposed Lot in question will front Clifton Avenue. Ninety-six feet (96') of frontage is proposed, immediately south of existing Lot 1 which on the southeast corner Clifton Avenue and Fourth Street. A lot depth of sixty-five feet (65') is proposed. The lot is situated within the B-2 Central Business Zone. No construction is proposed. No waivers or variances are required to create this subdivision since the proposed lot fronting Clifton Avenue would be deed restricted to non-residential development. We have the following comments: I. Zoning 1. The parcel is located in the B-2 Central Business Zone District, which permits retail development in the zone. The non-residential Zoning Requirements apply (i.e., there is no minimum lot area requirement in the B-2 Zone for non-residential use). 2. No waivers or variances are being requested for this subdivision. II. Review Comments 1. The Minor Subdivision Sketch Plat will not be filed. Only the legal description will be filed. 2. The Tax Assessor of the Township of Lakewood has to approve the proposed lot numbers. 3. Shade tree and utility easements are not applicable for non-residential uses in this zone. 4. No construction proposed at this time. If/when development is contemplated; a site plan application must be submitted for Board approval.

Mr. Jackson stated that this should be characterized as courtesy review.

Mr. Wouters, Township Attorney, stated that this is an application to subdivide off of the municipal lot a small lot fronting on Clifton Avenue. It is the intent of the Township once this lot is subdivided, it will be put up for public auction. There will be certain requirements in order for the buyer to purchase the lot. It will have to be a commercial structure, at least two stories with retail on the first floor. No offices or residential will be allowed. The idea is to create additional businesses to downtown Lakewood. We believe it will not adversely affect the parking in the municipal parking lot.

Mr. Franklin stated that you can't keep putting buildings on Clifton Avenue when there is no parking.

Mr. Wouters stated that the Township does have a plan to expand parking downtown. They are aware of the parking considerations and will be looking to put additional parking areas but the Township does feel that this is a worthwhile project.

- 2. SP 1994AA (No Variance Requested)**
Applicant: Rabbi Chaim Eidelman
Location: West Cross Street
Block 294 Lot 2.01

Change of Use/Site Plan Exemption to convert existing house to school.
Barn to be converted for future classrooms

This application will be carried to October 30, 2012 as notice was not provided.

All were in favor.

6. PLAN REVIEW ITEMS

- 1. SD 1866** (Variance Requested)
Applicant: UKR Consulting, LLC
Location: Shady Lane Drive
Block 12 Lots 212 & 243
Minor Subdivision/Lot Line Re-Alignment for two lots

This project will be carried to the October 30th Plan Review Meeting. Additional submission information is required.

All were in favor.

- 2. SD 1861** (Variance Requested)
Applicant: Jeffrey Fernbach
Location: Stirling Avenue & Linden Avenue
Block 189.30 Lot 151
Minor Subdivision to create two lots

Project Description

The applicant seeks amended minor subdivision approval to amend a previously approved minor subdivision application approved under Resolution SD#1646. The previous approval allowed for the subdivision of one (1) oversized lot known as Lot 151 in Block 189.17 into two (2) non-conforming lots to be known as Lots 151.01 and 151.02. The single-family dwelling currently existing on the site would have been removed and two (2) new single-family dwellings fronting Linden Avenue would have been constructed. The amended application reconfigures the lot layout and proposes for the existing dwelling to remain on Lot 151.01 and a new single-family dwelling to be constructed on Lot 151.02. The proposed dwelling on new Lot 151.02 would front Stirling Avenue. The existing seventeen thousand two hundred fifty square foot (17,250 SF), 0.398 acre property, is located in the north central portion of the Township on the northeast corner of the intersection of Stirling and Linden Avenues. Linden Avenue has a forty foot (40') wide right-of-way with about a thirty foot (30') pavement width which is patched and in fair condition. Linden Avenue borders the site to the west, and has existing curb and sidewalk in fair condition. Stirling Avenue has a varied width right-of-way with an approximately thirty foot (30') pavement width in fair condition, except for the north edge which is in poor condition. Stirling Avenue borders the property to the south, and has no existing curb and sidewalk in front of the site. New curb and sidewalk along Stirling Avenue in front of the project is proposed with the subdivision. Water and sewer are available. The proposed lots are situated within the R-10,

Single-Family Residential Zone. The surrounding land uses are residential. We have the following comments and recommendations: I. Zoning 1. The parcels are located in the R-10 Single-Family Residential Zone District. Single-family detached dwellings are a permitted use in the zone. 2. The previous approval allowed a five foot (5') wide Road Widening Easement on Linden Avenue, while requiring a five foot (5') wide Right-of-Way Dedication on Stirling Avenue. The reason for the required right-of-way dedication on Stirling Avenue was to match the existing right-of-way immediately east of the project. The applicant is proposing a five foot (5') wide Road Widening Easement on Stirling Avenue with this amended application. We recommend the previously required Right-of-Way Dedication be continued with this amended application and the requested bulk variances adjusted accordingly. 3. Minimum Lot Area variances are requested for proposed Lots 151.01 and 151.02. A lot area of 9,602.50 square feet is proposed for new Lot 151.01 and 7,647.50 square feet is proposed for new Lot 151.02, whereas ten thousand square feet (10,000 SF) is required. It should be noted that a right-of-way dedication along Stirling Avenue would decrease the proposed lot areas of new Lots 151.01 and 151.02 to 9,185 square feet and 7,315 square feet respectively. 4. A Minimum Lot Width variance is requested for proposed Lot 151.02. A lot width of 66.50 feet is proposed, whereas seventy-five feet (75') is required. It should be noted the previous approval granted proposed lot width variances of fifty feet (50') and sixty feet (60') for the new lots. 5. A Minimum Front Yard Setback variance is requested for the existing dwelling to remain on proposed Lot 151.01. A minimum front yard setback of twenty-five feet (25') is requested from Stirling Avenue, where thirty feet (30') is required. A right-of-way dedication along Stirling Avenue would decrease the proposed front yard setback to twenty feet (20'). However, the previous approval granted a front yard setback of only eighteen feet (18') when considering the right-of-way dedication along Stirling Avenue. 6. Minimum Side Yard Setback variances are required for proposed Lots 151.01 and 151.02. The previous approval granted side yard setback variances of seven feet (7') for one side yard and fifteen feet (15') for combined side yards, whereas ten feet (10') for one side yard and twenty-five feet (25') for combined side yards was required. Proposed Lot 151.02 will continue to be regulated by the values of the previous approval. Since the existing dwelling is now to remain on proposed Lot 151.01, a side yard setback of 3.8 feet is requested. Combined side yards do not apply since new Lot 151.01 would be a corner property. 7. The applicant must address the positive and negative criteria in support of the requested variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. II. Minor Subdivision Review Comments 1. The monuments found on the Outbound and Topographic Survey Plan must be added to the Minor Subdivision Map provided. 2. All plans provided must correctly list Block 189.17 and Lot 151 in the title boxes. 3. The Owners Certification and General Note #1 shall be revised to list Block 189.17. 4. The Zoning Data should be revised to indicate that the Minimum Lot Area for proposed Lot 151.02 and the Minimum Lot Width for proposed Lot 151.01 require variances and were not previously approved. 5. 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. The Zoning Data is requiring and proposing four (4) off-street parking spaces per dwelling unit. Testimony should be provided on the proposed number of bedrooms anticipated, and on off-street parking to be provided. Testimony should also be provided on the apartment listed in the Zoning Data. 6. According to the previous approval basements were proposed for the new dwellings. Therefore, a test pit log must be provided for proposed Lot 151.02 to indicate the minimum two foot (2') separation from seasonal high water table has been maintained. Testimony should be provided on whether the basement proposed will be unfinished. The existing dwelling to remain

on proposed Lot 151.01 has a basement. In any event, parking shall be provided in accordance with parking ordinance 2010-62. 7. The General Notes indicate that horizontal and vertical datum is assumed. A bench mark has been referenced and is shown on the Improvement Plan. 8. Proposed sidewalk extends across the Stirling Avenue frontage and matches the existing sidewalk to the east of the site which must be correctly labeled. A new curb ramp is proposed at the intersection. The design should be revised to provide landing areas and detectable warning surface. 9. Testimony is required on the disposition of storm water management for the proposed development. 10. Curb is proposed on Stirling Avenue from the existing curb at the east end of the site to the intersection. The edge of pavement along Stirling Avenue requires reconstruction with the curb installation because of its poor condition. 11. The existing topography indicates a low point at the curb return on Stirling Avenue. The gutter across Stirling Avenue can be reconstructed to alleviate runoff trapped at this low point. 12. At a minimum, the gutter of Linden Avenue must be reconstructed to eliminate the runoff being trapped along the existing curb line. 13. Testimony should be provided on proposed site grading. Proposed lot grading should direct runoff to the adjoining roads and minimize runoff directed towards adjoining properties. 14. The plan notes that "new structures are to be serviced by public water and sewer". The project is located within the New Jersey American Water Company franchise area. Sanitary sewer is being extended on Stirling Avenue to service proposed Lot 151.02. An existing lateral from the manhole at the intersection of Stirling Avenue and Linden Avenue serves the existing dwelling to remain on proposed Lot 151.01. The existing water main on the north side of Stirling Avenue should be added to the Improvement Plan. 15. The plan indicates new lot numbers have been assigned by the Tax Assessor. The map shall be signed by the Tax assessor should approval be granted. 16. Proposed six foot (6') wide shade tree and utility easements are shown along the property frontage. Bearings, distances, and areas have been provided for the proposed easements on an individual lot basis. Seven (7) "October Glory Maple" shade trees are shown within the proposed six foot (6') wide shade tree/utility easement on the subdivision plan. 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. 17. Our site investigation indicates there is some large trees the property. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review for proposed Lots 151.01 and 151.02. 18. Due to no construction proposed at this time, the Board may wish to require the cost of improvements to be bonded or placed in escrow to avoid replacing them in the future. 19. The Legend should be revised, and "monument set" should be revised to "monument to be set". 20. The proposed monument at the intersection of new Lots 151.01 and 151.02 with the right-of-way line will conflict with the future sidewalk. 21. Compliance with the Map Filing Law is required. 22. The proposed dimension for the base of curb must be coordinated between construction details on the Improvement Plan. 23. The six and a half inch (6-1/2") dimension on the Depressed Curb Detail shall be revised to four and a half inches (4-1/2"). 24. The two foot (2') dimension on the Concrete Sidewalk Detail shall be revised to state "match existing". 25. Gutter reconstruction is need on the details showing the curb sections. 26. Additional construction details are need such as utility trench repair and curb ramps. 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 American Water (sewer and water); and e. All other required outside agency approvals.

Mr. Russ Cherkos is filling in for this application for Mr. Jackson and he has a conflict.

Mr. Glenn Lines stated that this project was previously approved by the Planning Board back in 2007. The new owner would like to subdivide the property on Sterling as apposed to the original application which fronted on Linden. Most of the variances requested were granted in one way or another before. Mr. Lines will go into detail at the public meeting.

Mr. Schmuckler advised Mr. Lines to be prepared as to why then need this subdivision requesting all of these variances.

A motion was made by Mr. Follman, seconded by Mr. Herzl to advance the application to the November 27, 2012 meeting. No further notice required.

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

3. **SD 1859** (Variance Requested)
Applicant: S&H Builders
Location: Hope Chapel Road
Block 26 Lot 8.01
Minor Subdivision to create two lots
This project will be carried to the November 13th meeting per the applicant's request.

All were in favor.

4. **SD 1867** (Variance Requested)
Applicant: Olive Court, LLC
Location: Olive Court
Block 251 Lots 1.16 & 16
Minor Subdivision to create five lots

Project Description

The applicant seeks minor subdivision approval to subdivide two (2) existing lots known as Lots 1.16 and 16 in Block 251 into five (5) lots, designated as proposed Lots 16.01 through 16.05 on the subdivision plan. Existing Lot 16 fronts Lakewood-New Egypt Road and contains a single family dwelling, a contractors building and yard, with a topsoil screening operation. Existing Lot 1.16 fronts Olive Court and is a vacant single family residential building lot created by a major subdivision known as Cory Acres. Public water and sewer is not available. The site is situated in the western portion of the Township between the south side of Lakewood-New Egypt Road and the north side of Olive Court. Lakewood-New Egypt Road is a County Highway with no existing curb and sidewalk in front of the site. Olive Court is a newly constructed road within Cory Acres, which does not have top course pavement constructed. The proposed subdivision would reduce the size of the existing commercial property currently known as Lot 16. The commercial land would become proposed Lot 16.01 and still contain the single family dwelling, contractors building and yard, but without the topsoil screening operation. As a result, the existing commercial activities referenced above would decrease (i.e., become less intense) if this subdivision is approved as proposed. It is our understanding that this proposal is in accordance with requests of local adjoining residents. Four (4) new residential building lots,

proposed Lots 16.02 through 16.05, would be created along the frontage of Olive Court and contain areas of at least eighteen thousand square feet (18,000 SF). The lots are situated within the R-40 Single Family Residential Zone. Variances are being requested to create this subdivision. We have the following comments and recommendations: I. Zoning 1. The parcels are located in the R-40 Single-Family Residential Zone District. Single Family Detached Housing is a permitted use in the zone. Testimony should be provided on how the use of proposed Lot 16.01 conforms to the zoning. 2. Per review of the Subdivision Map and the zone requirements, the following variances are required: • Minimum Lot Area – Proposed Lots 16.02 through 16.05, 18,000.56 SF, 18,021.22 SF, 18,000.54 SF, and 18,015.34 SF proposed respectively, forty thousand square feet (40,000 SF) required – proposed condition. • Minimum Lot Width – Proposed Lots 16.02 through 16.05, 80.72 feet, 85.21 feet, 93.43 feet, and 114.73 feet proposed respectively, one hundred fifty feet (150') required – proposed condition. • Minimum Front Yard – Proposed Lot 16.01, 49.39 feet proposed, fifty feet (50') required – existing condition. It should be noted an anticipated right-of-way dedication to Ocean County will further decrease the dimension of the nonconforming front yard setback for proposed Lot 16.01. 3. The existing trailer shown on proposed Lot 16.01 would be an accessory structure that requires a side yard variance. The plan should be revised to address accessory structures. 4. As the plan currently depicts, waivers are required from the construction curb and sidewalk along Lakewood – New Egypt Road. 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 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 Survey of Property without tree locations has been submitted. The Survey is incomplete and the following shall be added: a. A Legend. b. Lot areas for Lots 1.16 and 16. c. A bearing and distance for the southeast boundary of Lot 1.16. d. Distances for the rear line of Lot 16, and from the northwest corner of Lot 1.16 to its intersection with Lot 16. e. The existing shade tree and utility easement on Lot 1.16 in accordance with the filed map for Cory Acres. f. The existing depressed curb locations on Olive Court. g. Missing existing site improvements on Lot 16. h. The existing County Monument along the Lakewood – New Egypt Road frontage. This monument implies that either a dedication or road widening easement has taken place and is not shown on the Survey and Minor Subdivision. i. Identification of a marker which may be an existing corner from the adjacent Cory Acres subdivision. j. Existing pavement apron for the stone driveway. k. Existing concrete curb along Lakewood – New Egypt Road on the east side of the asphalt driveway. l. The end of the existing sidewalk from the adjacent Cory Acres subdivision. Connection to this sidewalk may be required by the Board. 2. Revision dates must be added to the Minor Subdivision and Improvement Plan. The Survey date is more recent than the above mentioned plans. 3. The Survey date must be revised on the Surveyor's Certification. The Certification has not been signed since the monuments have not been set. 4. Monuments to be set shall be added to outbound corners not currently marked. 5. General Note #6 states that vertical elevation is based on NGVD 1929. A bench mark should be provided. 6. General Note #7 notes that all existing structures are to remain. The existing wall at the rear of existing Lot 16 would have to be removed to allow for the development of proposed Lots 16.04 and 16.05. 7. The text in General Note #10 should be revised to indicate that five (5) lots are proposed. 8. The Zoning Data must be expanded to include accessory structures. 9. The bearing for the five foot (5') dimension on proposed Lot 16.05 does not match the bearing on the filed map for Cory Acres. 10. A bearing is missing from the proposed rear lines of Lots 16.01, 16.03, 16.04, and 16.05. 11. The proposed dimensions of 372.69 feet on the line of Lot 16.01 and 33.89 feet on the line of

Lot 16.03 do not equal the overall dimension of 405.40 feet shown. 12. The proposed typical yard setback lines shall be added to the map. The proposed typical side yards shall be dimensioned as fifteen feet (15') with an aggregate of forty feet (40') noted. 13. The proposed six foot (6') wide Shade Tree and Utility Easement to Lakewood Township shown directly behind the existing right-of-way along Olive Court shall be corrected to ten feet (10') as shown on the filed map for Cory Acres. The proposed survey data and easement areas shall be corrected for Lots 16.02 through 16.05. 14. The General Notes indicate that four (4) off-street parking spaces will be required for each unit and that four (4) off-street parking spaces will be provided for each unit. 15. The Minor Subdivision Plan shows new lot numbers were assigned by the tax assessor's office. If approved, the map shall be signed by the tax assessor. 16. Soil boring logs and seasonal high water table information will be required if basements are proposed on new Lots 16.02 through 16.05. 17. The Improvement Plan proposes nineteen (19) "October Glory Maple" street trees for new Lots 16.01 through 16.05. Landscaping should be provided to the satisfaction of the Board, and should conform to recommendations (if any) from the Township Shade Tree Commission as practicable. Our site investigation on 9/26/12 indicates that there are some existing trees on Lot 16 and most of existing Lot 1.16 is still wooded. This development, if approved must comply with the Township Tree Ordinance. 18. Per communications with the applicant's professionals, storm water management for the proposed lots will be addressed at time of plot plan review. 19. Per communications with the applicant's professionals, proposed lot grading for the proposed lots will be addressed at time of plot plan review. 20. Proposed Lots 16.02 through 16.05 will be serviced by private wells and septic systems. Ocean County Board of Health approvals will be required. 21. Due to no construction proposed at this time, the Board may wish to require the cost of improvements to be bonded or placed in escrow to avoid replacing them in the future. 22. Compliance with the Map Filing Law is required. 23. The location of proposed improvements shall be dimensioned within the right-of-way of Olive Court to match the Cory Acres construction plans. 24. The construction details shall be revised to be in accordance with the Cory Acres construction plans. 25. Final construction details will be reviewed during compliance should subdivision approval be granted. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance (as applicable); b. Ocean County Planning Board; c. Ocean County Soil Conservation District; d. Ocean County Board of Health; and e. All other required outside agency approvals.

Mr. Rennert stepped down.

Mr. Vogt stated that variances are requested including lot area, width, minimum front yard, the existing trailer would require a side yard variance.

Mr. Penzer stated that they can meet all the items in the letter. Items will be presented at the public hearing justifying the variances.

A motion was made by Mr. Herzl, seconded by Mr. Follman to advance the application to the November 27, 2012 meeting. No further notice required.

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

5. SD 1868 (Variance Requested)

Applicant: Mordechai Bistrizky
Location: White Street
Block 251.02 Lot 87
Minor Subdivision to create two lots

Project Description

The applicant seeks minor subdivision approval to subdivide an existing property totaling 89,778 square feet (2.06 acres) in area known as Lot 87 in Block 251.02 into two (2) residential lots, designated as proposed Lots 87.01 and 87.02 on the subdivision plan. The site contains an existing two-story dwelling, in-ground pool, play area, and a couple of sheds. The existing play area and one (1) of the sheds, along with some existing improvements will be removed to create a new residential building lot for a future dwelling on proposed Lot 87.01. The existing two-story dwelling, in-ground pool, and one (1) of the sheds will remain on proposed Lot 87.02. The proposed minor subdivision line appears to be based on the locations of the existing dwelling and in-ground pool to remain on new Lot 87.02. Public water and sewer is not available. The site is situated in the western portion of the Township on the southeast side of White Street, northeast of West Cross Street. White Street is a narrow improved Township Road in fair condition, with no existing curb and sidewalk. The survey shows White Street has an existing right-of-way width of fifty feet (50') in front of the site. The existing pavement width is about twenty feet (20'). Minimal road widening is proposed, along with curb and sidewalk construction, presumably to avoid moving the utility poles and cutting into the steep bank. Proposed Lot 87.01 would become a new residential building lot and contain an area of 42,364 square feet. Proposed Lot 87.02 would become a new lot for the existing dwelling to remain and contain an area of 47,414 square feet. The lots are situated within the R-40 Single Family Residential Zone. A lot width variance is being requested for proposed Lot 87.01 in order to retain the existing dwelling and pool on proposed Lot 87.02. We have the following comments and recommendations: I. Zoning 1. The parcel is located in the R-40 Single-Family Residential Zone District. Single Family Detached Housing is a permitted use in the zone. 2. Per review of the Subdivision Map and the zone requirements, the following lot width variance is required: • Minimum Lot Width – Proposed Lot 87.01, 104.53 feet proposed, one hundred fifty feet (150') required – proposed condition. 3. A design waiver is required for the location of the improvements to White Street. The proposed curb location is being designed twenty feet (20'), instead of ten feet (10') from the front property line. It appears the location being proposed is to avoid relocating the utility poles and cutting into the steep bank. 4. The applicant must address the positive and negative criteria in support of the requested variance. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. II. Review Comments 1. An Outbound and Topographic Survey of Property with tree locations has been submitted. The Survey accurately depicts the existing conditions of the property. 2. General Note #2 references the Outbound and Topographic Survey submitted, along with assumed datum. The benchmark information shown on the Survey should be provided on the Subdivision, along with coordinates for at least three (3) existing property corners. 3. We recommend a revised configuration for the proposed subdivision be provided without the jogs in the side property line. There is a surplus of area for proposed Lot 87.01 which allows some flexibility. The proposed width variance being requested for Lot 87.01 is a result of saving existing structures on Lot 87.02. 4. The proposed lot width for new Lot 87.02 shall be corrected in the Requirements. The width of proposed Lot 87.02 begins to decrease prior to reaching the front setback line. 5. The minimum front yard setback for new Lot

87.01 must be corrected to greater than fifty feet (>50') in the Requirements. 6. The minimum aggregate side yard setback for new Lot 87.02 is not applicable because to the proposed triangular shape of the lot. The Requirements in General Note #6 shall be corrected accordingly. 7. The minimum rear yard setback for new Lot 87.02 must be corrected to 100.7 feet in the Requirements. 8. The Requirements listed under General Note #6 must be expanded to include accessory structures. 9. The proposed rear yard setback lines on the map shall be corrected from twenty-five feet (25') to thirty feet (30'). 10. A proposed six foot (6') wide Shade Tree and Utility Easement to Lakewood Township is shown directly behind the existing right-of-way along White Street. Proposed easement areas shall be shown on an individual lot basis. 11. Existing improvements are either being relocated or removed from proposed Lot 87.01 to create a new residential building lot. 12. A Legend should be added. 13. The General Notes indicate that four (4) off-street parking spaces will be required for each unit and that four (4) off-street parking spaces will be provided for each unit. The Improvement Plan shows that the parking configurations will provide at least four (4) off-street parking spaces per unit. Off-street parking shall be in accordance with the Township Parking Ordinance. A minimum of four (4) off-street parking spaces for a dwelling unit with a basement is to be provided. 14. The Minor Subdivision Plan shows new lot numbers were assigned by the tax assessor's office. If approved, the map shall be signed by the tax assessor. 15. A soil boring log and location has been provided on the Improvement Plan. The information indicates that seasonal high water table was not encountered within a depth of ten feet (10'). Based on the proposed first floor elevation and grading for new Lot 87.01, a basement can be provided. 16. The Improvement Plan proposes two (2) "Green Vase Zelkova" street trees for new Lot 87.01. No street trees are proposed for new Lot 87.02 because existing trees are located within the proposed shade tree and utility easement. Landscaping should be provided to the satisfaction of the Board, and should conform to recommendations (if any) from the Township Shade Tree Commission as practicable. Our site investigation on 9/26/12 indicates the survey accurately locates the existing trees on-site. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review. Based on the proposed improvements shown for new Lot 87.01, the trees to be removed should be indicated. 17. A proposed 40' X 58' two-story dwelling has been shown on new Lot 87.01. The location of the proposed dwelling should be shifted to not encroach into any side yard setbacks. 18. Testimony is required on the disposition of storm water from the development of new Lot 87.01. 19. Testimony should be provided on proposed site grading. Proposed grading is indicated on the Improvement Plan for new Lot 87.01 and is generally well designed. Proposed grading must be added along the site frontage since the improvements cut into the steep existing bank. 20. An existing well which will be located on proposed Lot 87.01 will be abandoned since it serves the existing dwelling to remain on new Lot 87.02. A proposed new well location shall be shown for proposed Lot 87.02. The location of the existing septic system serving the dwelling to remain should also be indicated. Ocean County Board of Health should be added to the list of outside agency approvals in General Note #10. 21. Due to no construction proposed at this time, the Board may wish to require the cost of improvements to be bonded or placed in escrow to avoid replacing them in the future. 22. Compliance with the Map Filing Law is required. 23. Unless the proposed sidewalk is widened to five feet (5'), pedestrian bypass areas shall be designed. 24. The location of proposed improvements shall be dimensioned within the right-of-way. 25. Road widening/reconstruction details are required for White Street because of the varying road crown. 26. The leader locations for the eighteen inch (18") dimension on the Depressed Curb at Driveway Detail shall be corrected. 27. The eight foot (8') length dimension of the cedar stakes on the Deciduous Tree Planting Detail shall be eliminated since the length is dependent upon the proposed tree

height. 28. Final construction details will be reviewed during compliance should subdivision approval be granted. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance (as applicable); b. Ocean County Planning Board; c. Ocean County Soil Conservation District; d. Ocean County Board of Health; and e. All other required outside agency approvals.

Mr. Vogt stated that a variance is required for minimum lot width and a design waiver will be sought for the location of the improvements to White Street.

Mr. Lou Felicetta, Esq. on behalf of the applicant stated that this is a simple straight forward minor subdivision for two lots fronting on White Street. They will be fully prepared at the public meeting to discuss the variance requested.

Mr. Surmonte stated that there is an existing house near the middle of the lot. The application would like to subdivide off the westerly 100 ft for development. The proposed lot will exceed 40,000 sq ft. They will relocate the fence.

A motion was made by Mr. Schmuckler, seconded by Mr. Follman to advance the application to the November 27, 2012 meeting. No further notice required.

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

6. **SD 1869** (No Variance Requested)
Applicant: Yaakov Klugman
Location: Albert Avenue
Block 1159.01 Lot 15
Minor Subdivision to create two lots

Project Description

The applicant seeks minor subdivision approval to subdivide an existing 200' X 218' lot totaling forty-three thousand six hundred square feet (43,600 SF) or just over an acre in area known as Lot 15 in Block 1159.01 into two (2) new residential lots. The proposed properties are designated as proposed Lots 15.01 and 15.02 on the subdivision plan. The site is vacant and wooded. Proposed Lots 15.01 and 15.02 will become two (2) equal 100' X 218' properties of twenty-one thousand eight hundred square feet (21,800 SF), both just over a half acre. Public water and sewer is not available. Curb and sidewalk does not exist across the frontage of the tract, but is proposed. The site is situated in the south central portion of the Township on the east side of Albert Avenue between Oak Street and Salem Street. Albert Avenue is a Township Road, and is in poor condition at this location. The road has an existing right-of-way width of fifty feet (50') and a pavement width of twenty-seven feet (27'). The lots are situated within the R-20 Single Family Residential Zone. No waivers or variances are required to create this subdivision. We have the following comments and recommendations: I. Zoning 1. The parcel is located in the R-20 Single-Family Residential Zone District. Single family detached housing is a permitted use in the zone. 2. No waivers or variances are being requested for this subdivision. II. Review Comments 1. A Survey Plan with topography has been submitted for review. The following information shall be added: a. The area of Lot 15. b. Horizontal and vertical datum information along with a bench mark. c. The grate elevation of the inlet located to the north of the site. 2.

The Survey Certification on the Minor Subdivision Plan indicates the survey date to be 8/30/12. This date must be corrected to 8/23/12. 3. The General Notes indicate that horizontal datum is assumed. 4. General Note #6 shall be corrected to "vertical elevation based on National Geodetic Vertical Datum 29". A bench mark shall be provided. 5. The Schedule of Bulk Requirements indicates that four (4) off-street parking spaces will be required for each unit. The plan also indicates that four (4) off-street parking spaces will be proposed for each lot. Parking shall be provided to the satisfaction of the Board. 6. The General Notes indicate proposed site improvements to be provided at time of plot plan submittals. Any basements proposed for the future dwellings on Lots 15.01 and 15.02, will require a minimum of four (4) off-street parking spaces to comply with the Township Parking Ordinance. 7. If basements are proposed, seasonal high water table information will be required. The General Notes also imply that seasonal high water table information will be provided with plot plan submissions. 8. The Minor Subdivision Plan shows new lot numbers were assigned by the tax assessor's office. If approved, the map shall be signed by the tax assessor. 9. The project will be serviced by private well and septic. Ocean County Board of Health approval will be required. 10. Stray text shall be erased from proposed Lot 15.02 on the Subdivision Plan. 11. Six foot (6') wide shade tree and utility easements dedicated to the Township are proposed along the property frontages of new Lots 15.01 and 15.02. The proposed easement areas have be shown on an individual lot basis. 12. Five (5) "October Glory Maple" street trees are proposed within the shade tree and utility easement of Lots 15.01 and 15.02. Landscaping should be provided to the satisfaction of the Board, and should conform to recommendations (if any) from the Township Shade Tree Commission as practicable. Our site investigation on 9/26/12 indicates there are many existing trees on-site. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review for proposed Lots 15.01 and 15.02. 13. The applicant proposes to construct new curb, sidewalk, and driveway aprons along the property frontage of new Lots 15.01 and 15.02. The location dimensions for the proposed sidewalk shall be shown within the right-of-way. A pedestrian bypass location shall be designed for the proposed sidewalk since a length of two hundred feet (200') will be constructed. The proposed curb will be located fifteen feet (15') from the centerline. 14. During our site investigation, we noted an existing inlet to the north of the site had polyethylene pipe extending southward toward this project. Because of the minimal gutter slope proposed on this project, we recommend an inlet be designed in front of this site with recharge piping constructed to meet the existing inlet and pipe to the north. 15. The Improvement Plan shall be revised to provide a proposed Typical Half Pavement Widening Section because of the existing condition of the asphalt area on Albert Avenue. 16. Testimony is required on the disposition of storm water from the development of proposed Lots 15.01 and 15.02. The property is very flat and slightly slopes eastward towards the rear. The proposed grading and storm water management may be designed to account for the increase in runoff to be handled by a proposed system in Albert Avenue. The General Notes state that proposed site improvements to be provided at time of plot plan submittal. 17. Testimony should be provided on proposed site grading. The General Notes indicate that proposed site improvements to be provided at time of plot plan submittal. 18. Due to no construction proposed at this time, the Board may wish to require the cost of improvements to be bonded or placed in escrow to avoid replacing them in the future. 19. Compliance with the Map Filing Law is required. 20. The Construction Details shall be revised on the Improvement Plan to account for the pavement widening. 21. The Depressing Curb at Driveways Detail shall be revised to show an eight inch (8") curb base and a depression dimension of four and a half inches (4-1/2") as opposed to six and a half inches (6-1/2"). III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree

Ordinance (as applicable); b. Ocean County Planning Board; c. Ocean County Soil Conservation District; d. Ocean County Board of Health; and e. All other required outside agency approvals.

No variances or waivers are being requested for this application.

A motion was made by Mr. Follman, seconded by Mr. Schmuckler to advance the application to the November 27, 2012 meeting. No further notice required.

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

7. CORRESPONDENCE

8. PUBLIC PORTION

9. APPROVAL OF MINUTES

A motion was made and seconded to approve.

Affirmative: Mr. Franklin, Mr. Schmuckler, Mr. Follman, Mr. Rennert
Abstained: Mr. Herzl, Mr. Banas

10. APPROVAL OF BILLS

A motion was made and seconded to approve.

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

11. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Sarah L. Forsyth
Planning Board Recording Secretary