

## **1. FLAG SALUTE & 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 at least 48 hours in advance. The public has the right to attend this meeting, and reasonable comprehensive minutes of this meeting will be available for public inspection. This meeting meets the criteria of the Open Public Meetings Act."**

## **2. ROLL CALL**

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

### **3. SWEARING IN OF PROFESSIONALS**

Mr. Terence M. Vogt, P.E., P.P., C.M.E. was sworn in.

## **4. PLAN REVIEW ITEMS**

## **1. SD 2111 Tiferes Shulem, Inc.**

Joe Parker Road Block 189.04, Lots 188-190  
Minor Subdivision to create three lots

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

Mr. Vogt stated that a waiver from providing topography of the site is sought. A partial waiver is recommended provided that necessary topography be provided for any improvements along Joe Parker Road.

Mr. Lines said that is fine, they have to deal with the County anyway.

A motion was made and seconded to approve the waivers as recommended by the Board Engineer and Planner. All were in favor.

Mr. Vogt said they had identified a potential side yard setback on the accessory building. He asked if it would be moved to eliminate the variance.

Mr. Lines said yes, they would relocate the accessory structure to eliminate the variance.

Mr. Vogt said design waivers are sought from providing curb and sidewalk along proposed lots 188.02 and 188.03. A design waiver is also required from providing street trees, as well as a shade tree and utility easement along the property's frontage.

Mr. Neiman said to make sure that sidewalks are shown on the plans when this comes back for a public hearing.

Mr. Lines said they would have to deal with the County.

Mr. Neiman asked for a quick overview of this application.

Mr. Lines said there are three existing lots. One has a school on it and there are two residential lots next to it. They are basically taking the backs off the residential lots because they are in the process of being sold and making them 20,000 sf lots. The back portions would become part of the school lot.

Mr. Rennert asked why a design waiver is being sought from providing shade trees.

Mr. Lines said they are fairly heavily wooded lots. There are shade trees on the school property already. It would be addressed at the public hearing.

A motion was made and seconded to advance this application to the April 19, 2016 meeting.  
All were in favor.

**2. SD 2112 1814 New Central Avenue Holding**

New Central Avenue                              Block 11.02, Lot 2  
Minor Subdivision to create four lots

A review letter prepared by Remington, Vernick & Vena Engineers dated February 18, 2016 was entered as an exhibit.

Mr. Vogt stated that variances are required including minimum lot frontage, lot area and lot width.

Mr. Lines said that is correct. They have reviewed the letter and will address the comments.

Mr. Neiman said they will need to convince the board that in an R-12 they should grant these variances. The board is very strict with granting variances in this zone.

Mr. Lines understands, they are just slightly under 12,000 sf.

Mr. Rennert said these are flag lots.

Mr. Lines said they are proposing three houses on a private road and another that will face New Central Avenue.

Mr. Neiman said this is a quadruple flag lot.

Mr. Lines said the Planning Board can grant a variance for a lot not fronting on a street.

A motion was made and seconded to advance this application to the April 19, 2016 meeting.  
All were in favor.

**3. SD 2113 Eli Liberman**

Van Buren Avenue                              Block 11, Lots 82 & 83  
Minor Subdivision to create two lots

A review letter prepared by Remington, Vernick & Vena Engineers dated February 18, 2016 was entered as an exhibit.

Applicant is requesting a combined plan review and public hearing at this meeting.

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

Mr. Vogt stated that variances include minimum lot area and width. There is also a pre-existing parking variance condition on lot 82.02. Only two parking spaces are provided, whereas four spaces are required.

Mr. Neiman asked if there is a basement in that home.

Mr. Lines said no, it is built on a slab. Basically they are proposing to move the lot line over 22 ft to make one of the rear yards larger.

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

A motion was made and seconded to approve the application.

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

Abstain: Mr. Rennert

4. SP 2163 The TYY Foundation

Cross Street Block 439, Lot 20

Preliminary and Final Major Site Plan for an addition to the existing school and a new dormitory

A review letter prepared by Remington, Vernick & Vena Engineers dated February 18, 2016 was entered as an exhibit.

Mr. Vogt stated that waivers are requested including topography, contours and man-made features within 200 ft, plans and profiles of proposed utility layouts, locations, names, and widths within 200 ft, EIS, tree protection management and design calculations. As indicated, topography, contours, man-made features are supported as there is enough information provided in the design. EIS is also supported since the subject lots are fully developed and there are no environmentally sensitive areas on these properties. It is recommended that stormwater calculations be provided prior to the public hearing. If approval is granted, the applicant will have to comply with the tree ordinance as time of compliance.

Mr. Lines said they have already addressed most of the comments in the letter including the stormwater management design.

A motion was made and seconded to approve the waivers as recommended by the Board Engineer and Planner. All were in favor.

Mr. Vogt stated that variances are required including minimum front yard, rear and side yard setbacks. A partial waiver appears necessary from providing sidewalks along the Cross Street frontage and perimeter buffer relief.

Mrs. Miriam Weinstein, Esq. said they do not need the waiver from providing sidewalk.

Mrs. Weinstein said this is an existing school. All testimony to justify the variances will be provided at the public hearing. The applicant has met with some neighbors and worked out some issues which will be put on record at the public hearing.

Mr. Franklin said the loading zone needs to be revised. There is not enough room.

Mr. Lines said they would revise it.

Mrs. Weinstein wanted to point out that this is a post-high school so there will be no busses. All students will live in the dormitory on campus.

Mr. Franklin said a loading zone is shown on the plans. He said it should be properly designed.

Mr. Rennert said they are asking for a 22 foot front yard setback where 50 feet is required.

Mr. Lines said yes. They are right on the border for the HD-7. Across the street there is an R-12, R-10. There is an existing house on that lot. If you meet the HD-7 requirements, you cannot build on this piece of the lot at all.

Mrs. Weinstein said the 50 foot setback is designed because most of the properties in the HD-7 zone front along Route 9, this property fronts on Cross Street.

Mr. Rennert asked what the front set back is for the adjacent zone.

Mr. Lines said 30 feet.

Mr. Rennert asked about the rear yard setback.

Mr. Lines said it is behind the building which is existing.

Mr. Rennert asked what is currently behind the building.

Mr. Lines said there is an office building which goes out to Route 9.

Mr. Rennert asked about the side yard setback.

Mr. Lines said that is for the dormitory and it is adjacent to the detention basin for the townhouses.

Mr. Herzl asked if it would make sense to switch the parking to the dormitory in order to eliminate the setbacks.

Mr. Lines said they were trying to make as much use of the existing pavement.

Mrs. Weinstein said the reason they did not design it that way is because the neighbors in the adjacent development did not want to see it that way.

Mr. Franklin asked that they get a design for the trash enclosure before the public hearing.

A motion was made and seconded to advance this application to the April 5, 2016 meeting.  
All were in favor.

## **5. SP 2164 Congregation Chateau Park**

Pine Boulevard Block 430, Lots 4 & 50  
Preliminary and Final Major Site Plan for a synagogue

A review letter prepared by Remington, Vernick & Vena Engineers dated February 22, 2016 was entered as an exhibit.

Mr. Vogt stated that variances are requested for perimeter buffer, minimum side, rear setback and lot coverage. A design waiver is required with respect to the number of driveways within the frontage. Submission waivers are requested from providing topography and contours within 200 ft, environmental impact statement and a tree protection plan. The site feature waivers can be supported since there is enough information provided for design. The subject property is situated within a developed residential area and there is no proposal to disturb and/or modify existing topography behind the tract.

A motion was made and seconded to approve the waivers as recommended by the Board Engineer and Planner. All were in favor.

Mr. Neiman wants to ensure the basement won't be rented out. He would like to make it a condition of approval.

Mrs. Miriam Weinstein, Esq. said this is the sefard minion of Congregation Chateau Park. Many of the developments down Route 9 were built 10 or so years ago. At the time they were built, the developer provided a shul which was more or less large enough at that time because the children were all young and none went to the shul. Since then, the neighborhood has grown exponentially and there are lots of grown children who are now old enough to attend the shul and there is just no place for them to pray. This shul is going to serve the Chateau Park development. She understands that a parking variance is being requested but these people will be walking to this shul. There really is no more room for them to pray in the existing shul and no more land available that is close enough for them to walk. The Simcha hall will only be used on Shabbos and would only be used for a Kiddish after the prayer services on the Sabbath. It will not be used during the week.

Mr. Rennert asked if the setback variances are going to be on the residential side.

Mrs. Weinstein said this is the HD-7 zone which was designed for properties that front along Route 9. That is why you have these very large setback requirements.

Mr. Rennert wants to know what use is next to the 8 ft side yard setback.

Mrs. Weinstein does not know but she will find out before the public hearing.

Mr. Herzl said Pine Boulevard is unimproved.

Mrs. Weinstein said part of it is improved but they will be extending it.

Mr. Herzl asked if there is any on-street parking on Pine Boulevard.

Mr. Neiman wants to make sure the parking variance is addressed at the public hearing.

A motion was made and seconded to advance this application to the April 5, 2016 meeting. All were in favor.

**6. SD 2116 Mordechai Eichorn**

Williams Street                            Block 420.01, Lot 28  
Minor Subdivision to create two lots

Mrs. Morris announced that this application must be heard at the Zoning Board as it is split zoned. The application has been withdrawn and will not be heard.

**7. SD 2118 Yehoshua Frenkel**

River Avenue                            Block 534, Lot 7  
Preliminary and Final Major Subdivision to create fourteen lots

A review letter prepared by Remington, Vernick & Vena Engineers dated February 22, 2016 was entered as an exhibit.

Mr. Grunberger arrived at the meeting.

Mr. Vogt stated that waivers are requested for topography, contours and man-made feature within 200 feet as well as an environmental impact statement. The B - offsite features are supported since only the development of the newer surrounding sites has not been updated on the topography. Waiving of the EIS can be granted provided an update is given on the leaky underground gasoline storage tank.

Mr. Joe Kociuba, P.E., P.P. said they do have clearance from NJDEP on that and it has been resolved.

A motion was made and seconded to approve the waivers as recommended by the Board Engineer and Planner. All were in favor.

Mr. Vogt stated that variances are requested on lot 7.01 for minimum lot area, front yard from a state highway, front yard setback for the proposed cul-de-sac and minimum rear yard setback. Two of the lots would face Route 9 and would be office/commercial. An application for proposed lot 7.02, SP 2165, would have variances including minimum lot area, front yard, side yard and rear yard setbacks.

Mr. Kociuba said the property was previously subject to an approval for 20 townhouses. They are now proposing 6 duplexes.

Mr. Vogt said as well as two commercial offices in the front.

Mr. Kociuba said that is correct. Those were part of the original application. There is an existing building to the north which will remain but they are proposing a new building on the southern lot.

Mr. Vogt said they do have concerns with the variances on the proposed lot. As indicated, a lot is being created that is about half of the zone minimum. The basic issue is for what they are proposing, over half of the parking is within the desired typical section which is prohibited by code. If and when Route 9 is widened in that area, they are not going to have those parking spaces. Their recommendation is either reduce the size of the office building or come up with a larger property.

Mr. Kociuba said they understand and they have submitted amended plans showing a reduced building in order to get parking out of the desired typical section.

Mr. Neiman asked if the setback used to be 100 ft.

Mr. Vogt said yes. What the state typically looks for is 57.5 feet. The significance of that number is that it is one half of the total right of way. The code requirement cited in their review letter is 65 ft. He believes Joe testified is they will be looking at reducing the office size and pulling the parking out of that section.

Mr. Rennert does not feel Route 9 can afford any more variances. He would like to see a plan that conforms with this zone.

Mr. Kociuba said they do already have approvals for the commercial lots.

Mr. Rennert asked what is currently existing on the lot.

Mr. Kociuba said there is an existing building but it has become very dilapidated.

Mr. Rennert said they will be bringing in a lot more traffic with variances to Route 9.

Mr. Franklin asked how wide the road will be.

Mr. Kociuba said it will be a 40 foot right-of-way with a 24 ft lane.

Mr. Vogt asked if there will be no parking.

Mr. Kociuba said that is correct. There will be two entrances to the proposed office so there will be no where to park.

A motion was made and seconded to advance this application to the April 19, 2016 meeting.  
All were in favor.

8. SP 2165 Yehoshua Frenkel

River Avenue Block 534, Lot 7  
Preliminary and Final Major Site Plan for an office building

A review letter prepared by Remington, Vernick & Vena Engineers dated February 23, 2016 was entered as an exhibit.

Mr. Vogt stated that waivers are requested for topography, contours and man-made feature within 200 feet as well as an environmental impact statement. The B - offsite features are supported since only the development of the newer surrounding sites has not been updated on the topography. Waiving of the EIS can be granted provided an update is given on the leaky underground gasoline storage tank.

Mr. Joe Kociuba, P.E., P.P. said they do have clearance from NJDEP on that and it has been resolved.

A motion was made and seconded to approve the waivers as recommended by the Board Engineer and Planner. All were in favor.

Mr. Vogt stated that variances are requested on lot 7.01 for minimum lot area, front yard from a state highway, front yard setback for the proposed cul-de-sac and minimum rear yard setback. Two of the lots would face Route 9 and would be office/commercial. An application for proposed lot 7.02, SP 2165, would have variances including minimum lot area, front yard, side yard and rear yard setbacks.

Mr. Kociuba said the property was previously subject to an approval for 20 townhouses. They are now proposing 6 duplexes.

Mr. Vogt said as well as two commercial offices in the front.

Mr. Kociuba said that is correct. Those were part of the original application. There is an existing building to the north which will remain but they are proposing a new building on the southern lot.

Mr. Vogt said they do have concerns with the variances on the proposed lot. As indicated, a lot is being created that is about half of the zone minimum. The basic issue is for what they are proposing, over half of the parking is within the desired typical section which is prohibited by code. If and when Route 9 is widened in that area, they are not going to have those parking spaces. Their recommendation is either reduce the size of the office building or come up with a larger property.

Mr. Kociuba said they understand and they have submitted amended plans showing a reduced building in order to get parking out of the desired typical section.

Mr. Neiman asked if the setback used to be 100 ft.

Mr. Vogt said yes. What the state typically looks for is 57.5 feet. The significance of that number is that it is one half of the total right of way. The code requirement cited in their review letter is 65 ft. He believes Joe testified is they will be looking at reducing the office size and pulling the parking out of that section.

Mr. Rennert does not feel Route 9 can afford any more variances. He would like to see a plan that conforms to this zone.

Mr. Kociuba said they do already have approvals for the commercial lots.

Mr. Rennert asked what is currently existing on the lot.

Mr. Kociuba said there is an existing building but it has become very dilapidated.

Mr. Rennert said they will be bringing in a lot more traffic with variances to Route 9.

Mr. Franklin asked how wide the road will be.

Mr. Kociuba said it will be a 40 foot right-of-way with a 24 ft lane.

Mr. Vogt asked if there will be no parking.

Mr. Kociuba said that is correct. There will be two entrances to the proposed office so there will be no where to park.

A motion was made and seconded to advance this application to the April 19, 2016 meeting.  
All were in favor.

**9. SD 2119 1495 East Spruce, LLC**

East Spruce Street                            Block 855.01, Lots 26 & 29  
Preliminary and Final Major Subdivision to create seven lots

A review letter prepared by Remington, Vernick & Vena Engineers dated February 24, 2016 was entered as an exhibit.

Mr. Vogt stated that waivers are requested for topography, contours and man-made features within 200 feet, locations of test holes, test, results, and approximate location of intended disposal field, location, names and widths of all existing and proposed streets on the property and within 200 feet of the tract, environmental impact statement and design calculations showing proposed facilities. The B-site features waivers can be supported since there is enough information provided for design. Waiving of the testing for conventional septic disposal systems can be waived for completeness purposes only. The testing will be required prior to the public hearing to complete the proposed project design. The environmental impact statement can be waived as long as the site contains no environmental constraints. Waiving of the design calculations is supported for completeness purposes only. A stormwater management report must be provided for review to complete the propose project design prior to the public hearing.

A motion was made and seconded to approve the waivers as recommended by the Board Engineer and Planner. All were in favor.

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

Mr. Lines said this is a private road for 7 homes. It is way too dense. This is an R-20 zone, he can understand going down to 15,000 sf but these lots are under 13,000 sf. The applicant is going to have to eliminate some of the variances or it may not get granted.

Mr. Franklin said the road should be 32 feet.

Mr. Hibberson asked if the applicant can tie in to city sewer/water and eliminate the septic.

Mrs. Miriam Weinstein, Esq. said the applicant is going to look into it. The school next door does have a pump station but it is privately owned. If it is feasible, the applicant would love to do it.

Mr. Vogt said they may need to make it feasible. He understands that it is an outside agency approval but they don't want to create lots that they can't develop.

Mrs. Weinstein understands.

A motion was made and seconded to advance this application to the April 19, 2016 meeting.  
All were in favor.

**10. SD 2120 Mordechai Eichorn**

Oak Street                  Block 855.06, Lots 24, 24.01, & 27  
Minor Subdivision to create six lots

A review letter prepared by Remington, Vernick & Vena Engineers dated February 24, 2016 was entered as an exhibit.

Mr. Vogt stated that variances are requested for minimum lot area and width. Design waivers are requested from providing sidewalk, street trees and a shady tree/utility easement.

Mr. Adam Pfeffer, Esq stated they are not asking for those waivers. They have reviewed the engineer's review letter and have no objections.

Mr. Rennert said this is an R-20 zone. He would like the applicant to look into making the lots at least 15,000 sf.

A motion was made and seconded to advance this application to the April 19, 2016 meeting.  
All were in favor.

**11. SD 2121 Mordechai Eichorn**

New Hampshire Avenue                  Block 855.06, Lots 18 & 33  
Minor Subdivision to create six lots

A review letter prepared by Remington, Vernick & Vena Engineers dated February 24, 2016 was entered as an exhibit.

Mr. Vogt stated that variances are requested for minimum lot area and width. Design waivers are requested from providing sidewalk, street trees and a shade tree/utility easement.

Mr. Adam Pfeffer, Esq stated they are not asking for those waivers. They have reviewed the engineer's review letter and have no objections.

A motion was made and seconded to advance this application to the April 19, 2016 meeting.  
All were in favor.

**12. SP 2166 New Jersey Natural Gas Company**

Vassar Avenue                  Block 1601, Lot 1  
Preliminary and Final Major Site Plan for a warehouse addition

A review letter prepared by Remington, Vernick & Vena Engineers dated February 25, 2016 was entered as an exhibit.

Mr. Vogt stated that submission waivers are requested for topography and contours within 200 feet, environmental impact statement, tree protection management plan and landscaping plan. The B-site features submission waivers can be supported since there is enough information provided for design. Granting of the EIS is supported since the subject lots are fully developed and there are no environmentally sensitive areas on these properties. The waiver from providing a tree protection management plan may be supported for completeness purposes only. Demonstrating compliance with the tree protection ordinance will be required as a condition of approval.

A motion was made and seconded to approve the waivers as recommended by the Board Engineer and Planner. All were in favor.

Mr. Vogt stated that a front yard setback variance is requested.

Ms. Skidmore, Esq. said this is a 10,450 sf prefabricated warehouse addition to a 51,000 sf building. IT is currently utilized for office and warehouse space for New Jersey Natural Gas Company.

Mr. Neiman asked if there is any additional parking necessary.

Ms. Skidmore said they already exceed the parking requirements.

A motion was made and seconded to advance this application to the April 19, 2016 meeting. All were in favor.

## 5. PUBLIC HEARING ITEMS

### 1. SP 2047 Congregation Olam Chesed, Inc.

Hillside Boulevard                                    Block 11.12, Lot 25  
Preliminary and Final Major Site Plan for a proposed synagogue

Mrs. Morris announced that she received a request to advance this to a later meeting as they are still meeting with neighbors.

A motion was made and seconded to carry this application to the April 5, 2016 meeting. No further notices. All were in favor.

## 6. CORRESPONDENCE

- SD 2070 Adil Homes, LLC - setback variances clarified from previous approval

Mr. Adam Pfeffer, Esq. said this is a previously approved application and is currently going through resolution compliance. They realized some of the variances can be minimized and/or eliminated a few that will be increased by no more than a few feet. No new lots are being created. They are essentially decreasing several of the variances.

Mr. Rennert asked what the new variances will be.

Mr. Pfeffer said the following variances were either increased, decreased or removed as a result of the development changes:

Lot 73.01 - The lot area variance was decreased to 13,152 SF and the lot width variance was decreased to 62.66'.

Lot 73.02 - The lot area variance was decreased to 12,141 SF.

Lot 73.03 - The lot area variance was decreased to 12,057 SF.

Lot 73.05 - The lot area variance was decreased to 12,001 SF.

Lot 73.08 - The lot area variance was decreased to 12,023 SF and the lot width variance was increased to 77.00'.

Lot 73.09 - The lot area variance was increased to 13,365 SF and the lot width variance was raised to 103.50' and eliminated.

Lot 73.20 - The combined side yard setback variance was decreased to 20.00'.

Lot 5 (Block 190.07) - The lot area variance was decreased to 12,042 SF.

Lot 7 (Block 190.07) - The lot area variance was increased to 12,837 SF and the lot width variance was increased to 77.71'.

Mr. Hibberson asked if any of the buildings are being moved.

Mr. Pfeffer said no.

Mr. Neiman opened to the public.

Mr. Bill Hobday said the applicant should provide revised plans for the board's approval.

Mrs. Morris said they were provided to the board.

Mr. Neiman closed to the public.

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

- 7. PUBLIC PORTION**
- 8. APPROVAL OF MINUTES**
- 9. APPROVAL OF BILLS**
- 10. ADJOURNMENT**

The meeting was hereby adjourned. All were in favor.

Respectfully submitted  
Sarah L. Forsyth, Planning Board Recording Secretary