

## **1. FLAG SALUTE & CERTIFICATION OF COMPLIANCE**

Chairman Yechiel Herzl 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. Grunberger, Mr. Franklin, Mr. Herzl, Mr. Isaacson, Ms. Zografos

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

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

## **4. MEMORIALIZATION OF RESOLUTIONS**

### **1. SP 2233 Zichron Chaim Inc.**

712 New Hampshire Ave & 1474 Oak St Block 1159.03, Lots 13 & 17  
Minor Subdivision and Preliminary and Final Major Site Plan for a school

Ms. Morris said at the last meeting, the applicant asked to switch the storage from the basement to the attic and Mr. Franklin had some concerns that the architectural plans didn't seem to be complete. The architectural plans have been provided for the board's review.

Ms. Miriam Weinstein, Esq. said they are simply switching storage from the basement to the attic.

Mr. Franklin said it is a gigantic space. He asked if it will solely be used for storage.

Mr. Nicholas Graviano, P.P. was sworn. After further consideration, the applicant thought it would be better to switch what was formerly located in the basement to the attic of the building. The building size is staying exactly the same. It is the applicant's intent to keep the basement fully open with the mechanicals down there as well as a portion of the elevator machine room.

Mr. Jackson questioned the height of the ceiling and size of the room.

Mr. Graviano said the ceiling height is a little over 8 ft and it is roughly 4,500 sf.

Mr. Jackson asked about access.

Mr. Graviano said there are stairs and an elevator.

Mr. Grunberger asked what was previously being proposed in the basement.

Mr. Graviano said a dining area, a library as well as some other rooms which will now be in the attic or third floor.

Mr. Herzl asked if the kitchen is being moved to the third floor.

Mr. Graviano said the applicant does not plan to have a kitchen.

Ms. Weinstein said there will be a lunch room.

Mr. Graviano said the applicant felt it is a nicer situation to have it above ground then underground.

Mr. Herzl asked if they have enough parking if they utilize the basement.

Ms. Morris said the basement would have to be finished into individual rooms in order to count towards the parking requirements. The applicant would have to obtain the proper permits and hopefully confirmation that no variances will be required for whatever they are proposing.

Ms. Weinstein said it is no different than if they would have used the basement for what they initially planned and then they can finish off the attic later also.

Mr. Grunberger questioned the size of the dining room for the students.

Mr. Graviano said the students will each in stages, not all at once.

Mr. Herzl said if the applicant wants to use the basement for classrooms or anything then they would have to come back before this board.

Ms. Weinstein agreed.

Mr. Graviano said the basement will be used for storage and mechanicals only.

A motion was made and seconded to approve the resolution.

Mr. Sabel, Mr. Meyer and Mr. Rennert arrived at the meeting.

**2. SD 2298 David Herzog**

E Kennedy Blvd, 1127 E Co Line Rd, E Co Line Rd Block 183, Lots 1, 2, & 4  
Denial of a Preliminary and Final Major Subdivision to create seven lots

A motion was made and seconded to approve the resolution.

**3. SP 2269AA Bais Medrash Hope Chapel Inc**

345 Hope Chapel Road Block 11, Lot 139  
Change of Use/Site Plan Exemption to convert a house to a synagogue

A motion was made and seconded to approve the resolution.

**4. SP 2189A Sephardic Bet Yaakov Inc**

243 & 247 Prospect Street Block 411, Lots 26 & 27  
Amended Preliminary and Final Major Site Plan for an addition to an existing school

A motion was made and seconded to approve the resolution.

5. **SP 2262AA Congregation Toras Emes**  
577 James Street Block 370, Lot 1  
Change of Use/Site Plan Exemption to convert temporary school trailers to permanent

A motion was made and seconded to approve the resolution.

6. **SD 2172 Mark Properties, LLC**  
Pine Boulevard Block 423, Lots 29-31 & 76  
Extension of Minor Subdivision to create 2 lots

A motion was made and seconded to approve the resolution.

7. **SD 2252 Aharon Mansour**  
Chestnut Street Block 1095, Lots 14-16  
Extension of Minor Subdivision to create 2 lots

A motion was made and seconded to approve the resolution.

8. **SP 2069 Pine Belt Enterprises, LLC**  
1400-1480 Ocean Avenue Block 669, Lots 10, 23, & 91  
Resolution amending and clarifying a Preliminary and Final Major Site Plan to replace existing car dealership

A motion was made and seconded to approve the resolution.

## 5. **ORDINANCES & CORRESPONDENCE**

- **SP 1832 Bnos Yisroel School for Girls** – administrative change to permit landscape buffer waiver and removal of chain link fence that was fulfilling said buffer requirement

Mr. Adam Pfeffer, Esq. said they received approval back in 2006 and were required to have certain landscaping. They tried doing that but the neighbors were against it as they wanted to keep their natural landscaping buffer. They then attempted to install a fence with privacy slats but the neighbors again wouldn't allow them to access their property as they have to remove certain landscaping. He did notice for this correspondence so the neighbors are aware. They are before the board to remove that one condition.

Mr. Herzl asked what is currently existing.

Mr. Pfeffer said there is a fence and on their side of the property there is a natural buffer.

Mr. Herzl asked why they need a separate fence.

Mr. Abe Auerbach was sworn. In order to install the slats, they need access so they started trimming down the shrubs but they were told by the neighbors to get off their property.

Mr. Pfeffer said they only need the condition to install the slats on the fence removed.

Mr. Auerbach said they have tried four times to install them.

A motion was made and seconded to approve the administrative change to not require the installation of privacy slats in the chain link fence along the property lines.

Affirmative: Mr. Franklin, Mr. Sabel, Mr. Herzl, Mr. Isaacson, Ms. Zografos, Mr. Meyer  
No: Mr. Grunberger

• **Chapter 18 Section 1209:** Development fees to fund affordable housing

Mr. Jackson said he had the opportunity to discuss this with Mr. Hensel. The Township determined that a lot of the affordable housing money was being forwarded to the state so in order for that money to stay in town, this ordinance must be adopted.

A motion was made and seconded to recommend adoption of the ordinance by the Township Committee. All were in favor.

## **6. PUBLIC HEARING**

- 1. SD 2330 Mark Properties, LLC**  
Drake Road Block 251, Lots 4.01-4.04  
Minor Subdivision to realign lot lines

*A review letter prepared by Remington & Vernick Engineers dated February 14, 2018 was entered as an exhibit.*

Ms. Morris said this was previously before the board as a correspondence item. The board didn't seem to have any issues with the application.

Mr. Vogt said this is a fairly simple application. The board acted on a previous subdivision which created the four lots in question. New Jersey American Water will not allow the applicant existing sewer from Whitesville Road until they do this subdivision.

Mr. Herzl asked if any variances are associated with this application.

Mr. Vogt said previously granted lot width relief is necessary for new lots 4.06 and 4.07, formerly lots 4.02 and 4.03 and lot area relief is required for new lots 4.06 and 4.07, formerly lots 4.02 and 4.03. Previous lot area relief granted for proposed lot 4.08, formerly lot 4.04, is no longer necessary. Unfortunately NJAW does not allow easements, therefore, this subdivision is necessary.

Mr. John Doyle, Esq. said an approval was granted for four lots. This subdivision is required to get sewer from NJAW.

Mr. Rennert asked if NJAW ever allows easements.

Mr. Doyle is unsure but he knows they will not on this application.

Mr. Vogt said he has seen this on several other applications. It is detrimental to land use and he hopes they reconsider.

Mr. Brian Flannery, P.E., P.P. was sworn. There will be two non-conforming and two conforming lots but from a practical standpoint nobody is going to know as it is just lot lines instead of easements in the back yard. No other relief is being requested.

Mr. Rennert asked if sidewalks are being provided.

Mr. Flannery said if the original approval did not include sidewalks then they would include them now.

Ms. Morris said it is a minor subdivision so it would have been included in the design unless the board explicitly chose to eliminate them which would be unusual. They would be required at plot plan.

Mr. Rennert questioned if Drake Road is being widened.

Mr. Flannery said the right-of-way to the south is 71 ft and they are following the same right-of-way line as the westerly line on the other side. The existing road there is going to stay but they would add curb and sidewalk. Their side of the road would be 16 ft so there would be a 32 ft wide roadway.

Mr. Meyer asked what the current width of the roadway is.

Mr. Flannery said it looks to be 30 ft.

Mr. Rennert asked if there is a plan the Township has as to how they want the road designed in that area.

Mr. Vogt isn't aware of one.

Mr. Rennert asked if 32 ft is typical.

Mr. Vogt said RSIS for most local roads is a minimum of 28 ft. He knows the board likes to try to get 32 ft.

Mr. Flannery said this application provides the ability for public sewer to the property which is a benefit to the Township, neighbors and property owners.

Mr. Vogt said they are reaffirming the previously granted lot width variance as well.

Mr. Flannery confirmed. The lot width variances have not changed.

Mr. Herzl opened to the public.

Mr. Shlomo Klein, 189 Chateau Drive, was sworn. He asked if curbs and sidewalks will be provided along Whitesville Road as well.

Mr. Flannery confirmed. This is a corner lot so curbs and sidewalks will be provided along the entire frontage.

Mr. Klein said during the Master Plan hearings there were discussions to make the roads 36 ft. There was a recommendation in the Master Plan and then it was discussed that the Township Committee would pass an ordinance.

Mr. Herzl remembers there were discussions to make the roads 36 ft wide.

Mr. Klein is unsure if it was included in the Master Plan but it was specifically said that if it is put in the Master Plan recommending that then the Township Committee would pass an ordinance enforcing that. He recommended that the Planning Board send a letter to the Township Committee requesting this.

Mr. Herzl closed to the public.

A motion was made and seconded to approve the application.

Affirmative: Mr. Grunberger, Mr. Franklin, Mr. Sabel, Mr. Herzl, Mr. Rennert, Ms. Zografos, Mr. Meyer

Abstain: Mr. Isaacson

**2. SP 2265 Talmud Torah Bais Avrohom**

915 New Hampshire Avenue Block 1160.03, Lot 47.01

Preliminary and Final Major Site Plan for a building addition

*A review letter prepared by Remington & Vernick Engineers dated January 8, 2018 was entered as an exhibit.*

Mr. Herzl stepped down for this application due to a conflict.

Mr. Adam Pfeffer, Esq. said there was previous testimony and there was a question concerning notice as additional parking was shown on an adjacent lot. They have since re-noticed to the neighbors to include that lot. The testimony was basically complete but the question came up concerning parking and that's where the issue arose.

Mr. Jackson said there may be people who didn't receive the notice originally and they may want to hear the entire case.

Mr. Pfeffer understands.

Mr. Glenn Lines, P.E., P.P. was sworn. The applicant is proposing an addition at the rear of the building approximately 37 ft wide by 126 ft long. The addition will house five new classrooms, tutor rooms and there will also be some reorganization of the interior of the building. Overall the plan requires 66 parking spaces and between their site and the adjacent site to the north, there are 81 striped spaces as well as additional room where more parking could be added. They are waiting on the traffic study to be prepared and as soon as they have that it will be sent to the Ocean County Planning Board.

Mr. Vogt said the board acted on the waivers previously.

Mr. Pfeffer said the site is not changing at all, they are just extending the existing building.

Mr. Lines said it is approximately a 4,640 sf addition on the existing building which is 29,800 sf.

Mr. Rennert asked how many additional classrooms are being added.

Mr. Lines said five classrooms with approximately twenty students per classroom and probably an additional one to two buses. All improvements are existing, completed and they just received sign off from the County that they are not requiring any new improvements to the site. They need one bulk variance at the rear of the building. The existing building is 26 ft off the property line and the new addition will be 24 ft. There is an existing front yard setback variance which they would request be approved.

Mr. Rennert asked what is behind the building.

Mr. Lines said the self-storage facility and their parking lot is approximately 10 ft off the property line and the self storage building is right behind that.

Mr. Rennert asked if that is the only side or rear setback they're requesting.

Mr. Lines confirmed.

Mr. Rennert questioned bus circulation.

Mr. Lines said the buses come from New Hampshire Avenue and then enter the driveway all the way to the south which is by the jug handle. They come across the New Hampshire side of the building where 4 to 5 buses queue up and then the next set of buses come in. The buses come in at staggered times so there are never any buses waiting on the street.

Mr. Rennert asked how many buses fit on site.

Mr. Lines said 5 fit on the west side of the building and at the off chance another bus shows up, they can actually pull up on the Route 70 side of the building.

Mr. Franklin asked if there are no left turns allowed going into the site from New Hampshire Avenue.

Mr. Lines is unsure, he has seen people do it.

Mr. Franklin said he has too and it really blocks the traffic up.

Mr. Abe Auerbach was sworn. The original plan did restrict left turns from New Hampshire Avenue. There is room for 5 to 8 buses on the site. They are adding 5 classrooms but actually 2 are being spread out so it is really only 3.

Mr. Rennert asked if it is right turn in/out only.

Mr. Auerbach said it is a left turn in and a right turn out. The County agreed to allow a left turn in for one of the entrances but they restricted the most southern entrance to right turn in only, the one in the middle is a left turn only.

Ms. Morris questioned if the site is signed and striped that way because she was under the impression you couldn't make a left there.

Mr. Auerbach said the County made them put in a curb to forcefully restrict a left turn in.

Mr. Rennert questioned why this board doesn't have a copy of the traffic report.

Mr. Auerbach said there was one for the previous application.

Mr. Meyer said there isn't a no left turn sign on the site.

Mr. Auerbach said the County was more concerned with the forced curb than a sign.

Mr. Meyer said there are cars constantly making lefts. It is very dangerous.

Mr. Auerbach said signs don't do anything but the curb helps.

Mr. Meyer said cars can still make that turn and he sees it.

Mr. Pfeffer agreed they would provide a no-left turn sign. The curb was only installed about 4 weeks ago.

Mr. Rennert asked them to discuss parking.

Mr. Pfeffer said they are keeping the same parking but they have more than sufficient parking as they have the additional lot.

Mr. Lines said 66 spaces are required and there are 81 striped spaces.

Mr. Rennert asked how they calculated 66.

Mr. Lines said 30 for classrooms, 20 for tutor rooms, 8 for offices and 8 for the building addition.

Mr. Rennert asked if there are any other rooms.

Mr. Lines said they are actually reconfiguring the bathroom area so they lost 2 classrooms.

Mr. Pfeffer said there are 5 new classrooms but the net gain is only 3.

Mr. Jackson asked how they would make certain that the adjacent lot will always be available and they have the right to park there.

Mr. Lines said it is in a perpetual easement to the school.

Mr. Jackson asked that he submit that easement to the board engineer.

Mr. Rennert asked if that easement has been filed.

Mr. Pfeffer confirmed, it was part of the original school application.

Mr. Rennert asked if that easement can be taken away.

Mr. Jackson said in general, an easement is a grant in land and unless there is something unusual in the document itself it is a land grant and it would require the consent of the dominant estate. He wants to make certain that this easement indicates that it is in the public interest and that the Planning Board relied on this so it would require a court order for it to be extinguished.

Mr. Pfeffer said he would provide a copy of the easement.

Mr. Rennert asked what other uses are adjacent to this site.

Mr. Lines said to the east is a self-storage area, directly to the north is a Mikva building and their parking is on the north side. On the opposite side of New Hampshire Avenue is an apartment complex, to the south is Route 70 with an Exxon station on the corner.

Mr. Rennert asked if sidewalks are proposed.

Mr. Auerbach said there are no sidewalks and they don't want to encourage pedestrians and especially kids to walk along New Hampshire as it is a very busy four lane intersection.

Mr. Jackson argued that it would be safer to have sidewalks if people do choose to walk there.

Mr. Auerbach said the kids won't be walking there as there is nowhere to walk to.



Mr. Lines said there are no sidewalks along the entire length of New Hampshire on their side of the street going north.

Mr. Jackson argued again that it would be safer to install sidewalks as eventually they will all connect in the future. He has seen people walking and riding bikes along there.

Mr. Meyer said they are building something adjacent to the Mikvah.

Mr. Vogt can't speak for this area but he knows they installed sidewalks for the Township on the northern part of New Hampshire Avenue.

Ms. Morris believes Zichron Chaim, which was just approved, is just north of this site on New Hampshire Avenue.

Mr. Rennert said New Hampshire Avenue is getting built up and he would like to see sidewalks.

Mr. Pfeffer said they have no objections but it would be up to the County.

Mr. Rennert said if they do not give approval then they have to come back to this board.

Mr. Pfeffer agreed.

Mr. Franklin asked what is being done with the basement.

Mr. Lines said there will not be a basement. It was shown on the plans but they have since changed it to be on a slab.

Mr. Meyer asked how wide the alley is on the west side of the building. There is a gate over there also.

Mr. Lines said there was a fence with openings that was approved under the original application. The pavement is about 12 ft.

Mr. Meyer said since the County restricted left turns, he asked if that should be a one-way for cars only.

Mr. Auerbach said that is how it is used now.

Mr. Rennert opened to the public.

Mr. Shlomo Klein, 189 Chateau Drive, was sworn. He is happy the board is requiring sidewalks. He has spoken to the County and they said they would never discourage installing sidewalks. He also questioned why there are no crosswalks and the County said when sidewalks are installed then they can add the crosswalks.

Mr. Moshe Zeines, 102 Elmhurst Boulevard, was sworn. He said an apartment complex is being built next to this site so you could have kids who live there and walk to that school. He works as a crossing guard in town so if sidewalks are installed, they should look into that.

Ms. Connie Fossa, 86 Rosewood Drive, was sworn. She has lived in the Chestnut area for 44 years and she has seen numerous times kids walking along the street. She stressed the need for sidewalks.

Mr. Rennert closed to the public.

Mr. Meyer wants to make sure the buses do not pull up to the west side of the building as there is insufficient room.

Mr. Jackson questioned landscaping and lighting.

Mr. Pfeffer said it is all existing.

Mr. Rennert said as long as the engineer's office is satisfied with what is there.

Mr. Vogt asked if the existing lighting is adequate for both the existing site and expansion.

Mr. Lines confirmed.

Mr. Vogt said concerning landscaping, most of the property is already developed with frontage on a County and State road with self-storage in the back.

Mr. Lines said basically any of the landscaping on the property now all stays the same. They are adding to an area which is currently paved so they are not removing any landscaping or reducing lighting.

Mr. Vogt said they can't put in planting islands without taking away parking which they wouldn't want to do.

Mr. Lines confirmed and this is the parking plan which was previously approved for the last addition.

Mr. Pfeffer asked that all of the waivers requested be granted except for sidewalks.

A motion was made and seconded to approve the application.

All were in favor.

**3. SD 2311 Cynthia Hopkinson**  
244 Joe Parker Road Block 189.03, Lot 177  
Minor Subdivision to create two lots

*A review letter prepared by Remington & Vernick Engineers dated February 8, 2018 was entered as an exhibit.*

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

Mr. William Stevens, P.E., P.P. was sworn. Behind this property is the Woodlake Golf Course, some multi-family housing to the south, residential housing located to the north and to the east. This property is within the R-20 zone, the lots to the north are in the R-12 zone and the lots to the south are in the R-M zone which permits multi-family housing and R-7.5 down the block. The zoning here doesn't make sense to him as he doesn't understand why they would leave two lots in the R-20 zone in the midst of the higher density zones. It doesn't make good planning sense and he honestly believes it was an oversight. This application is to subdivide the property into two lots to build two single family homes. On Joe Parker Road, the County is requiring a significant right-of-way dedication of about 17 ft which is also why the variances are being requested.

Mr. Herzl asked how they would install sidewalks if they have to provide 17 ft.

Mr. Stevens said they intend to provide curb and sidewalk along the edge of pavement of Joe Parker Road.

Mr. Herzl argued it would be ripped out if the County widens the road.

Mr. Stevens confirmed but at this point it is the right answer for this applicant trying to build two single family home so they are proposing curb, sidewalk and shade trees along the frontage of this property. They are proposing to create two lots which would conform to the R-15 zone.

Mr. Herzl said the property next door is R-12.

Mr. Stevens confirmed. They are proposing to comply with all of the R-20 setback requirements and beyond that they are proposing to push the development of these homes closer to Joe Parker Homes. Located behind this property are freshwater wetlands. They would keep the tree line at the rear of the property and keep the home development at the front so it would benefit both the environment and the development of these homes.

Mr. Jackson questioned the driveway locations.

Mr. Stevens said in the previous review letter, the board engineer asked them to provide an improvement plan which has been prepared.

Mr. Vogt said they are shown on the plan.

Mr. Stevens confirmed.

Mr. Adam Pfeffer, Esq. said exhibit A-1 is an aerial photo dated January 9, 2018, A-2 is a minor subdivision plan dated September 27, 2017 and A-3 is the development plan dated January 22, 2018.

Mr. Rennert asked what zone lot 180 is in.

Mr. Stevens said it is in the R-20 zone with a single family home.

Mr. Rennert asked how large that lot is.

Mr. Stevens said approximately 20,000 sf. Due to the unusual conditions of the zoning in the area, they are left with a lot that is oversized for residential development in the R-20 zone so they are trying to seek a balance to make this work. He believes the benefits for granting these variances outweigh the detriments.

Mr. Herzl asked if they agree to everything in the engineer's report.

Mr. Pfeffer confirmed.

Mr. Herzl opened to the public.

Mr. Teddy Lachman, 242 Joe Parker Road, was sworn. He lives next to this proposed subdivision and is against this application. He feels it would adversely affect the neighborhood and community. He moved here 13 years ago as it is beautiful and spacious but since then the whole area of Joe Parker has become very congested. The neighbors are forced to put cones in front of their homes so people don't park there. He provided pictures to the board.

Mr. Stevens said his lot is in the R-12 zone.

Mr. Herzl closed to the public.

Mr. Rennert asked if a fence or additional buffering would help.

Mr. Lachman just wants to see one single family home on this property.

A motion was made and seconded to approve the application.

Affirmative: Mr. Grunberger, Mr. Franklin, Mr. Sabel, Mr. Herzl, Mr. Rennert, Ms. Zografos, Mr. Meyer

No: Mr. Isaacson

**4. SP 2271 Bais Shaindel**

685 River Avenue Block 782, Lot 7.01

Preliminary and Final Major Site Plan for a third story addition to existing school

*A review letter prepared by Remington & Vernick Engineers dated February 14, 2018 was entered as an exhibit.*

Mr. Grunberger left the meeting.

Mr. Vogt read from the review letter: a submission waiver has been requested from providing a Traffic Study. The applicant's engineer indicates the additional increase in traffic would be minimal for the proposed third floor rooms and two additional buses. Traffic information and testimony shall be provided. A waiver has been requested from submission to the Ocean County Planning Board. We can support this request since the increase in impervious surface would be minimal and the project would not impact County facilities. Submission waivers have been requested from onsite topography and contour lines, as well as topography, contour lines, and man-made features within 200 ft thereof. We can generally support these waivers requested on the condition that partial topography is provided around the proposed building addition and any other improvements required by the Board with resolution compliance submission should approval be granted. An Environmental Impact Statement has not been provided. We can support this waiver request since the site is already developed and no known environmental constraints exist per NJDEP GIS mapping. A submission waiver has been requested from providing a Tree Protection Management Plan. We can support this requested submission waiver from a completeness standpoint. The plans indicate an existing tree will require removal for a proposed stairwell. Submission of a Tree Protection Management Plan can be made a condition of approval. A submission waiver has been requested from providing a Landscaping Plan. We can support this requested submission waiver from a completeness standpoint. Submission of a Landscaping Plan may become a condition of approval depending upon the Board's action with respect to street trees, buffering, and foundation plantings. A submission waiver has been requested from providing a Soil Erosion and Sediment Control Plan. Provided the proposed project does not disturb more than 5,000 sf, we can support this request. A submission waiver has been requested from providing design calculations showing proposed drainage facilities. We can support this request since the increase in impervious surface would be negligible.

The board granted the submission waivers as recommended by the Board Engineer and Planner.

Mr. Vogt continued: The R-10 Zone along High Street and the R-10 Zoning Data has been added to the revised plans. It appears the following existing bulk variances should be re-evaluated by the Board: The revised plans indicate that a minimum lot frontage variance is required. There is 50 ft of frontage between adjoining Lots 19 and 21, whereas a lot frontage of 75 ft is required in the R-10 Zone. This is an existing condition. The revised plans indicate that a minimum front yard setback variance is required. A front yard setback of 29.4 ft exists to the permanent trailer between adjacent Lots 19 and 21, whereas a front yard setback of 30 ft is required in the R-10 Zone. This is an existing condition. The revised plans indicate that a Minimum Side Yard Setback variance is required. A side yard setback of 5.6 feet exists between the permanent trailer and adjacent Lot 19, whereas a side yard setback of 10 ft is required in the R-10 Zone. This is an existing condition. The revised plans indicate that a minimum combined side yard setback variance is required. A combined side yard setback of 13.30 feet exists for

the permanent trailer between adjoining Lots 19 and 21, whereas a combined side yard setback of 25 ft is required. This is an existing condition. The board should re-evaluate these existing bulk variances. A minimum side yard setback variance is required. A side yard setback of 25.8 ft is shown from the existing portion of the building receiving the proposed third floor addition, whereas a side yard setback of 30 ft is required - proposed condition. Testimony shall be given concerning the adequacy of the parking, buffer relief and loading/unloading areas as they were not shown on the plans.

Mr. Vogt said design waivers include construction of curb along Route 9, construction of sidewalk along the High Street and Route 9 frontages of the lot, proposing shade tree and utility easements along the High Street and Route 9 frontages of the lot, proposing street trees along the project frontages, proposing sight triangle easements, proposing bus parking spaces in accordance with Section 18-807 of the UDO. Per recent communications with the applicant's professionals, the applicant agrees to install sidewalk along High Street and agrees to insure completion of sidewalk along Route 9 (i.e. as currently contemplated by NJDOT along the property frontage). If the board recalls, there has been several recent applications where it has come to light that the NJDOT is going to be installing sidewalks and/or curbing along Route 9 and there have been agreements by the board that basically guarantee that either by the NJDOT or by the applicant. He believes the applicant is asking for similar consideration.

Mr. Adam Pfeffer, Esq. said this application is for an expansion of a two-story school. The site contains approximately 6.59 acres and are seeking to add a third-story addition.

Mr. Glenn Lines, P.E., P.P. was sworn. This site contains a main building, a gymnasium, a pool and several smaller buildings located on the High Street side of the property. There are two driveways on Route 9 where the buses come in, traverse around the building and unload in the rear and then they go out to High Street and make either a right or a left.

Mr. Herzl asked about busing.

Mr. Lines said currently there are 17 buses. There are 35 classrooms. The expansion will require 2 additional buses.

Mr. Herzl asked if the buses come at the same time.

Mr. Pfeffer said the buses are staggered.

Mr. Lines said the existing variances will remain the same.

Mr. Rennert asked if any of these variances are being exacerbated as a result of this addition.

Mr. Lines said no.

Mr. Herzl asked how many spaces they need.

Mr. Lines said they need 52 per ordinance and they are providing 139.

Mr. Herzl asked if there is any parking in the front of the building in case Route 9 gets widened.

Mr. Lines said yes, there is a 'U' shaped driveway in the front. If Route 9 gets widened, they would lose approximately 40 spaces.

Mr. Herzl asked what the state requires.

Mr. Lines said they only want the desired typical section drawn on the plan.

Mr. Herzl asked if sidewalks will still be provided.

Mr. Lines said the applicant just received a letter from the NJDOT and they would be providing curb and sidewalk along the frontage of Route 9.

Mr. Vogt knows that on other applications, the board has required the applicant to post a bond and install the sidewalks if they are not installed within a certain time.

Mr. Rennert said it should be two years.

Mr. Auerbach agreed to stay on a TCO for two years and if sidewalks are not installed, the applicant would install them.

Mr. Jackson recommends that the sidewalks be bonded.

Mr. Vogt said there was a change in the state law that effects bonding requirements that relate to TCOs and COs. for a TCO, you may be required by the new state law to have it bonded.

Ms. Morris thinks the application must either install it or have it bonded.

Mr. Pfeffer said they would agree to bond for the sidewalks prior to a CO.

Ms. Morris said unfortunately the bond is not governed by the Planning Board so it would not be up to them if or when an applicant posts a bond.

Mr. Jackson said it is typically a condition of resolution compliance.

Mr. Abe Auerbach was sworn. He said the state is installing sidewalks from Indian Head Road to Central Avenue and letters were sent to every property owner.

Mr. Herzl asked if the applicant agrees to all of the comments in the engineer's review letter.

Mr. Lines confirmed.

Mr. Herzl 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. SP 2272 Congregation Pri Aahron**  
836 & 840 Ridge Avenue Block 189, Lots 28 & 29  
Preliminary and Final Major Site Plan for a school

*A review letter prepared by Remington & Vernick Engineers dated February 8, 2018 was entered as an exhibit.*

Mr. Isaacson stepped down for this application.

Mr. Vogt said submission waivers are requested for a traffic study. The applicant's engineer indicates that Ocean County has jurisdiction over Ridge Avenue which is a County highway and will require the submission of a traffic study. However, the study is not complete at this time. A waiver has been requested from proof of submission to the Ocean County Planning Board. However, the applicant's engineer indicates that an application will be sent upon completion of the traffic study. Lastly, a waiver from providing an environmental impact study has been requested. They can support this waiver as the site was previously developed and no known environmental constraints exist per NJDEP mapping.

Mr. Herzl questioned why a waiver from providing a traffic study has been requested.

Mr. Glenn Lines, P.E., P.P. said this is a school with a dormitory so there are very few vehicles visiting this site on a daily basis, probably less than ten. If this were two single family houses you'd have more trips than this school is going to create every day. There are no buses and have provided excess parking. The County will be reviewing the traffic study and will be enforcing any restrictions or requirements they have as far as driveway locations, pavement widths, etc. They would submit a traffic study as soon as it ready for the board engineer's review.

Mr. Rennert asked what the County looks for in a traffic report.

Mr. Lines said they look at the number of cars existing on the street now, how many additional vehicles they are going to be adding to that traffic and level of service.

Mr. Rennert asked if they could deny the application if the level of service is not adequate.

Mr. Lines said no, they would make them put in left turn lanes, center turn lanes, etc.

The board granted the submission waivers as recommended by the Board Engineer and Planner.

Mr. Vogt said relief is being sought from providing a 10 ft wide buffer to a non-residential use and a 20 ft wide buffer to an adjacent residential use and providing parking within the required 10 ft wide buffer adjacent to a non-residential use. He asked if any design waivers are being requested.

Mr. Lines said no. The buffer relief to a non-residential use is on the east side to Ocean County Park. It is fully wooded with no improvements in that section. On the west side there is a residential use and they would be providing landscaping. Their office is working on a site plan on several of these properties for another school so very soon this won't be a residential property and a buffer won't be required.

Mr. Herzl asked if a fence is proposed.

Mr. Lines said no, they have either a 6 or 8 ft chain link fence on their property.

Mr. Rennert asked if they would be willing to provide a privacy fence before issuance of a CO if there is no approval for a non-residential use on the adjacent property.

Mr. Lines confirmed, they would provide privacy slats or a new fence.

Mr. Jackson questioned how much of an imposition it would be to put in the privacy slats now.

Mr. Pfeffer agreed they would provide the privacy slats.

Mr. Herzl asked if they have sufficient parking.

Mr. Lines confirmed, they require 8 spaces and are providing 30.

Mr. Rennert asked if there will be a Simcha hall.

Mr. Pfeffer said no.

Mr. Rennert asked if students will be driving.

Mr. Pfeffer said no.

Mr. Lines talked about the site circulation (inaudible).

Mr. Franklin said on the plans, nothing is shown in the basement. He asked where the boiler would be.

Mr. Abe Auerbach was sworn. The location of the mechanicals still needs to be finalized but it is not important as of right now. It will be somewhere in the basement.

Mr. Lines said the basement has a kitchen, cafeteria, small suite for the Rabbi, and a recreation room. There are no classrooms or dormitory rooms in the basement.

Mr. Herzl 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.

- 6. SD 2315 Mordechai Finkelstein**  
106 Oak Street Block 1015, Lot 1.01  
Minor Subdivision to create three lots

*A review letter prepared by Remington & Vernick Engineers dated February 8, 2018 was entered as an exhibit.*

Mr. Meyer stepped down for this application.

Mr. Vogt said the applicant is requesting relief for minimum lot area, minimum lot width and minimum side yard setback. Also, off-street parking relief may be required for new lot 1.10. A design waiver is technically required from proposing street trees along the project's Oak Street frontage. However, the survey locates an existing tree and some wooded area within the proposed shade tree and utility easement. The applicant's engineer indicates the existing trees will remain. The applicant will have to act on a design waiver from supplementing the remainder of the easement per Township standards.

Mr. Brian Flannery, P.E., P.P. was sworn. Exhibit A-1 is the map submitted, A-2 is a tax map of the area. This is an existing 37,000 ft lot with a house on Oak Street. A subdivision is being proposed to chop off the back portion of the lot which has frontage on Audubon and rather than building a duplex which would require no variances, they think it is a much better planning alternative to have two single family lots. A minimum side yard setback variance of 9.4 ft is actually for the existing house. Additionally, the three parking spaces comply with the ordinance for the existing house and no relief should be required. He read through the Master Plan and MLUL to support the variances and design waivers requested.



Mr. Herzl asked if sidewalks are being provided.

Mr. Flannery said there are already sidewalks on Oak and this application would install sidewalks on Audubon.

Mr. Herzl confirmed parking for the existing home is adequate.

Mr. Flannery said yes. It is an existing situation and it works. If in the future they knock down the house then they would have to comply with parking. All of the other comments in the engineer's review letter can be satisfied.

Mr. Herzl opened to the public.

Mr. Yisrael Klein, 100 Oak Street, was sworn. He is not against this application but he is concerned about privacy. He asked that landscaping and/or a fence be provided.

Mr. Flannery said it is a very long property line.

Mr. Jackson said the board certainly has the authority when variances are being requested to put conditions in.

Mr. Flannery said the applicant would work with the neighbor and put up a fence wherever it takes away his privacy.

Mr. Jackson asked if trees would be provided.

Mr. Flannery said there are trees there as it is a wooded lot and they are staying 12.5 ft from the property so they would leave trees along the property line.

Mr. Jackson asked if he would like a 6 ft high solid fence.

Mr. Klein said yes.

Mr. Vogt said it would be 6 ft except within the front yard setback.

Mr. Flannery believes they don't even have to worry about the front yard setback because Mr. Klein's property is on Oak Street. At time of plot plan, they would show where the fence is located.

Mr. Vogt asked if it would be reasonable to say extending from the back corner up to the front yard setback as they are not going to know exactly where the house will be located until the plot plan is submitted.

Mr. Flannery said the front yard setback in this zone is 30 ft and typically the houses get setback 40 ft to allow the driveways.

Mr. Vogt asked if they agree to a 40 ft setback.

Mr. Flannery said the applicant agrees to go from 35 ft back so the most he could be at is 30 ft and it would be 5 ft from the house that doesn't have a fence in the back where the woods are. The neighbor just said there are woods back there. His pool is to the back of this lot so they are going 35 ft to the back of the lot and along the rear property line. Trees would be left in that area as well.

Mr. Herzl closed to the public.

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

**7. SP 2260 Brixmor Operating Partnership LP**  
1700 Madison Avenue Block 27, Lot 63  
Concept Plan review for a bank

*A review letter prepared by Remington & Vernick Engineers dated February 8, 2018 was entered as an exhibit.*

Mr. Vogt said in their letter, they paraphrased their understanding of the traffic but the applicant would give testimony shortly. They have identified four existing driveways to the shopping center, driveways 1 and 2 are along the Kennedy Boulevard frontage and driveways 3 and 4 are along the Route 9 frontage. There is a recommendation to remove an obstruction along Route 9 as well as an additional turn restriction signage. If site plan approval is proposed and granted, they recommend NJDOT review for the Route 9 access. As indicated earlier and at past hearings, the NJDOT is going to be installing improvements along large sections of Route 9 and perhaps this section as well. Finally, a parking study was performed in December of 2017. Their interpretation was that the existing parking lot is filled at no more than 60% during this period.

Mr. Scott Quigley, P.E. said they are proposing to knock down the existing Payless shoe store and building a Chase Bank which would be an increase of about 2,000 sf. They are also proposing 20 additional parking spaces in the rear which would be making up for some of the lost spaces as part of the bank improvements so there would be a net loss of 0 spaces overall for the shopping center.

Alan Lothian, P.E. said they conducted a traffic assessment to look at the operations of the existing intersections and the overall parking. The results of the parking study indicated a peak at 72% parking demand but with that, which occurred midday on a Friday, there were still 177 available spaces within just the main parking field.

Mr. Herzl asked how many spaces are required for the entire shopping center.

Mr. Lothian said 1,128 spaces.

Mr. Herzl said they are proposing 784 spaces.

Mr. Lothian confirmed. That is consistent with what is out there today.

Mr. Quigley said the existing ratio is 3.88 spaces per 1,000 for the whole site. After the proposed improvements, it would be 3.84.

Mr. Herzl asked if there will be drive-through lanes.

Mr. Quigley said there will be two drive-through lanes. One will be for an ATM and the other is just a bypass for now. There will be no drive-through teller lanes.

Mr. Herzl questioned where cars are going to wait.

Mr. Quigley said there is a stacking area.

Mr. Herzl asked if they are losing parking spaces when cars are stacked up.

Mr. Lothian said no they are not. Currently there is parking and site improvements within the NJDOT right-of-way and as part of this application, they would be removing those improvements out of that right-of-way.

Mr. Herzl asked if they can add any more parking on the site.

Mr. Quigley said they can certainly look at it. They are basing a lot of the improvements on old surveys so they don't have exact measurements.

Mr. Herzl said they are asking for a major parking variance. He understands the peek was only 72% but certain stores in this shopping center are always busy and do not have sufficient parking. He would like to see as much parking as possible.

Mr. Vogt asked what their anticipated generation would be for the bank in terms of traffic and anticipated parking demand.

Mr. Lothian doesn't have trip generation numbers. The bank is an existing use within the overall center.

Mr. Jackson said you generally don't get as many people staying at a bank that you have staying at a retail store.

Mr. Lothian said the bank has a lesser parking requirement.

Mr. Jackson suggested this may be a net gain because the retail has more of a parking demand than the bank does.

Mr. Rennert asked if there will be offices. It seems to be a large building for a bank.

Mr. Quigley said it will be a typical branch.

Mr. Herzl asked them to try and get as much parking as possible on the site.

**8. SD 2327 David Herzog**

E Kennedy Blvd, 1127 E Co Line Rd, E Co Line Rd Block 183, Lots 1, 2, & 4  
Concept Plan review to create seven lots

*A review letter prepared by Remington & Vernick Engineers dated February 8, 2018 was entered as an exhibit.*

Mr. Vogt said a previous major subdivision for 7 lots was heard under application SD2298, and denied by this board at the January 9, 2018 hearing. The applicant is seeking conceptual input from the board on the revised layout.

Mr. Brian Flannery, P.E., P.P. said in the original application, 5 of the lots were under 15,000 sf and 2 were conforming. The revised plan has 4 lots conforming and 3 are undersized which would be across the street from 12,000 sf lots. This applicant would be extending sewer and water which is a benefit to his property, the adjoining properties and Lakewood in general. There is a large cost in doing that so that is why he is looking to provide as many housing opportunities as possible.

Mr. Herzl asked if sidewalks are proposed.

Mr. Flannery confirmed.

Mr. Rennert questioned if Major Avenue is being improved.

Mr. Flannery said if the board feels it is appropriate they would improve Major Avenue as well.

Mr. Herzl asked if it is a paper street.

Mr. Flannery confirmed, right now it doesn't go anywhere.

Mr. Rennert would like to see where it could possibly lead to. If it ends up in someone's backyard then it doesn't have to be improved but if it connects to another street or development then it should be.

Mr. Flannery said you can see from the tax map, Major Avenue runs between the park and Carrollina Street. It may go to Beaumont and in the other direction it stops at Calvary Chapel. So Major would only provide access to someone else who wants to develop their property.

Mr. Rennert argued that someone may develop their property on the other side of Major.

Ms. Morris said Major is probably going to be a side street. Someone is going to have to build it at some point.

Mr. Rennert said the ordinance states you have to improve a street if your project fronts it.

Mr. Franklin said if you come down Clayton Street, you have to be able to turnaround somewhere so if you turn around on Major then you can get back out again.

Mr. Flannery said they would provide a hammerhead and improve major along their frontages. Anyone who comes beyond that would improve Major the rest of the way.

Mr. Meyer said there are electrical grids very close to this property.

Mr. Flannery said it would be this applicant's responsibility to move that.

Mr. Franklin believes a hammerhead should be provided on Major but the whole road should not be improved as you don't know what will happen in the future and they could end up tearing it up.

Mr. Rennert, Ms. Zografos and Mr. Meyer would like to see Major Avenue improved.

9. **SP 2274 Yeshiva Ohr Yissocher Academy Inc**  
300 Cross Street Block 529 & 530, Lots 1 & 1  
Preliminary and Final Major Site Plan for a school

A motion was made and seconded to carry the application to the March 6, 2018 meeting.  
All were in favor.

10. **SP 2186 Bais Reuven Kamenetz of Lakewood, Inc**  
Cedarbridge Avenue Block 1160.01; 1160.12, Lots 386 & 387; 261  
Preliminary and Final Major Site Plan for a school

Ms. Morris said the applicant has requested to carry this project to the March 20th public hearing. This would be the third carry.

Mr. John Doyle, Esq. said the objecting attorney, Mr. Gasiorowski, had an issue as to the availability of his planner. He is going to be away up until March 6th so they both agreed on March 20th.

Mr. Herzl asked if they should re-notice.

Mr. Jackson doesn't think it is necessary as long as it is announced.

Mr. Doyle said there is a question as to jurisdiction but he has no doubt this application is before the right board.

Mr. Herzl asked who would determine that.

Mr. Jackson said he would make a recommendation.

A motion was made and seconded to carry the application to the March 20, 2018 meeting. All were in favor.

**11. SP 2273 Congregation Anshei Ridge**

322 & 328 Ridge Avenue Block 236.02, Lots 3 & 4

Preliminary and Final Major Site Plan for an addition to an existing synagogue

A motion was made and seconded to carry the application to the March 6, 2018 meeting. All were in favor.

**12. SD 2129A Miriam Klein**

11 Forest Drive Block 12, Lot 201

Amended Minor Subdivision to create two lots

Ms. Morris said the applicant has requested to table this application until further notice.

**7. APPROVAL OF MINUTES**

**8. APPROVAL OF BILLS**

**9. ADJOURNMENT**

The meeting was hereby adjourned. All were in favor.

Respectfully submitted  
Sarah L. Forsyth  
Planning Board Recording Secretary