

## 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 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. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

## 3. SWEARING IN OF PROFESSIONALS

Mr. Magno was sworn in.

## 4. MEMORIALIZATION OF RESOLUTIONS

- 1. SD 1933** (Variance Requested)  
Applicant: Fourth Street Properties, LLC  
Location: 886 River Ave  
Block 430 Lot 10  
Major Subdivision to create five lots

A motion was made and seconded to approve.

Affirmative: Mr. Franklin, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

- 2. SD 1945** (No Variance Requested)  
Applicant: Aharon Mansour  
Location: 611 & 615 East 5<sup>th</sup> Street  
Block 189.01 Lots 173 & 197  
Minor Subdivision to create four fee-simple duplex lots

A motion was made and seconded to approve.

Affirmative: Mr. Franklin, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

- 3. SP 2064** (Variance Requested)  
Applicant: Lev Avoth Foundation Inc  
Location: 232 Iris Road  
Block 19 Lot 4  
Preliminary and Final Site Plan for a building addition to an existing synagogue

A motion was made and seconded to approve.

Affirmative: Mr. Franklin, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

**4. SP 2075AA** (Variance Requested)

Applicant: Oros Bais Yaakov

Location: Rutgers Boulevard

Block 1609 Lot 35

Change of Use/Site Plan Exemption to convert existing industrial building into a school

A motion was made and seconded to approve.

Affirmative: Mr. Franklin, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

**5. SP 2076AA** (Variance Requested)

Applicant: Congregation Etz Hayim

Location: 21 Cedar Street

Block 777 Lot 8

Change of Use/Site Plan Exemption to convert dwelling into a synagogue

A motion was made and seconded to approve.

Affirmative: Mr. Franklin, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

**6. SD 1949** (Variance Requested)

Applicant: Aaron Finkelstein

Location: 2, 4, 6 Congress Street & 227 Ocean Avenue

Block 250 Lots 2, 3, 4, & 5

Minor Subdivision to create 6 fee simple duplex units

A motion was made and seconded to approve.

Affirmative: Mr. Franklin, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

**7. SD 1950** (Variance Requested)

Applicant: Binyomin Meisels

Location: 295 Albert Avenue & Charity Tull Avenue

Block 854 Lots 5 & 6

Minor Subdivision to create three lots

A motion was made and seconded to approve.

Affirmative: Mr. Franklin, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

**8. SP 2057** (No Variance Requested)

Applicant: Congregation Satmar of Lakewood

Location: Kennedy Boulevard East

Block 174.11 Lot 38.02

Preliminary and Final Major Site Plan for a proposed synagogue

A motion was made and seconded to approve.

Affirmative: Mr. Franklin, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

## 5. PLAN REVIEW ITEMS

1. **SP 2077** (No Variance Requested)  
Applicant: Yeshiva Kol Torah  
Location: Oak Street  
Block 1009 Lot 1.01  
Preliminary and Final Major Site Plan for a boys elementary school

### Project Description

The applicant is seeking Preliminary and Final Major Site Plan approval. This site plan is for constructing a boy's elementary school. The proposed project will construct a two-story school building and associated facilities. The proposed recreation facilities associated with this school application include a baseball field, basketball courts, a pool, and playground areas. The plans indicate the irregular tract contains two hundred thirty-nine thousand seven hundred square feet (239,700 SF), which is 5.50 acres. The proposed site is located on the south side of Oak Street east of its intersection with Route 9. Oak Street is an improved municipally owned collector road having a sixty-six foot (66') right-of-way with a forty foot (40') pavement width. There is curbing, but no sidewalk along the property frontage. The current property contains several trailers, a paved parking lot, basketball courts, and a playground. The survey indicates that the playground area does not impede upon the unimproved Clyde Avenue right-of-way which borders the tract on the eastern side. However, from review of aerial photos, the basketball courts are located in the right-of-way. Per communications with the applicant's professionals, the basketball court is being removed. The survey also shows an exit drive from the parking lot encroaching into the right-of-way (which is being constructed as part of the "Tashbar" application). Otherwise, the surrounding area is primarily wooded. It appears that the existing structures and parking lot will remain. The site plans indicate that the project area includes unimproved Horton Avenue. Site plan approval would require that Horton Avenue be vacated. The site plan indicates forty-three (43) off-street parking spaces will be required for off-street parking. This is based on one (1) off-street parking space required for each classroom, tutor room, library, meeting room, or office. According to the site plan, ninety-one (91) off-street parking spaces will be provided in the parking lot served by two (2) access driveways. Of these parking spaces, five (5) spots are proposed for handicap use. Two (2) spaces would be van accessible, but the other three (3) need wider adjoining aisles to comply with the ADA requirements. Six (6) proposed 12' X 40' bus drop-off spaces are shown. Proposed bus traffic would circulate counterclockwise through the site. The project is located in the southern portion of the Township and is generally surrounded by vacant land and other school sites. The plans list the project in the R-12 Zone. We offer the following comments and recommendations: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. B2 - Topography within 200 feet thereof. 2. B4 - Contours of the area within 200 feet of the site boundaries. 3. B10 - Man-made features within 200 feet thereof. 4. C13 - Environmental Impact Statement. The Survey Plan provided, which is dated December 14, 2012 is no longer valid. Our site investigation on July 10, 2014 notes the following: a. The site

has been excavated and the topography does not depict the existing conditions. b. The existing storm sewer in Oak Street has not been shown (to be provided). We can support the waiving of information within two hundred feet (200') of the site provided an Updated Survey is required as a condition of any approvals. We note the undisturbed portions of the property appear to consist of wooded uplands with no wetlands or areas of environmental concern for the site. Therefore, we can support the requested waiver from an Environmental Impact Statement. II. Zoning 1. The parcel is located in the R-12 Single-Family Residential District. Public and private schools are permitted in the zone, subject to the provisions of Section 18-906. 2. The applicant is seeking approval from the Board to make the existing trailers permanent. 3. No variances or design waivers are being requested in connection with this application. III. Review Comments A. Site Plan/Circulation/Parking 1. As currently configured, Site Plan approval is contingent upon the vacation of Horton Avenue. The applicant shall request that the Lakewood Township Committee vacate Horton Avenue in its entirety. 2. An updated outbound and topographic survey for the tract is required since we note discrepancies with the base map shown on the site plan. 3. New Jersey American Water Company will be constructing sanitary sewer in Clyde Avenue, Halsey Street, and Argyle Avenue which border this project on the eastern side. Eventually these roads will be improved with the neighboring Tashbar project. Proposed improvements to this project must be coordinated with the adjoining approved designs. 4. The General Notes require some minor editing. 5. Horizontal and vertical datum shall be provided along with a bench mark. 6. The following Zoning Data on the title page requires editing: a. The provided setback from Argyle Avenue is not one hundred twenty-seven feet (127'). b. The provided setback from Halsey Street should be added. c. Since the side setback from Lot 1.03 is one hundred twenty-seven feet (127'), the provided aggregate side yard setback should be one hundred fifty-two feet (152'). d. Maximum Building Coverage allowed is thirty percent (30%) not twenty-five percent (25%). 7. Additional proposed dimensions are required on the Site Plan; particularly curb radii, aisle widths, and handicap space access. 8. Proposed setback lines should be shown in order to ensure compliance of the building and accessory structures. 9. Existing structures to be removed or remain should be labeled. 10. Five (5) handicap parking spaces, two (2) being van accessible, are proposed for the project. Currently, the other three (3) spaces are not shown to comply with requirements. 11. No signage (regulatory) for the parking lots is shown. 12. Handicap access via ramp or sidewalk is not shown on the plans. 13. Depressed curb at driveways should be indicated. 14. Testimony is necessary from the applicant's professionals regarding how the proposed bus drop off area will be used, including but not limited to times, sizes, and types of vehicles anticipated (i.e., buses, vans, cars, others). A Circulation Plan has been provided for the proposed bus routes. 15. No proposed refuse enclosure is depicted. Testimony is required from the applicant's professionals addressing who will collect the trash. If Township pickup is proposed, approval from the DPW Director is necessary. Any proposed waste receptacle area shall be screened and designed in accordance with Section 18-809E., of the UDO. 16. Curb is proposed throughout the project and along the road frontages surrounding the property, but sidewalk is not. Proposed sidewalk is required unless a design waiver is granted by the Board. Proposed sidewalk shall be a minimum of five feet (5') in width, unless pedestrian bypass areas are designed. 17. Proposed sight triangle easements should be addressed throughout the proposed project. Testimony on sight triangles should be provided. 18. Shade tree and utility easements shall be completed for the site. 19. Testimony should be provided on loading and deliveries proposed for the site. 20. The plans show a future addition. Per communications with the applicant's professionals, this

addition will include nine (9) classrooms. Testimony should be provided at Public Hearing. 21. The proposed building must be coordinated between the Site Plans and Architectural Plans. B. Architectural 1. Dimensions on the elevation are not provided. The applicant's professionals have indicated that the allowable thirty-five foot (35') height will not be exceeded. 2. Dimensions for the floor plan should be provided in order to verify with the site plan. 3. The applicant's professionals should provide testimony regarding the facades and treatments of the proposed buildings. We recommend that renderings be provided for the Board's review and use prior to the public hearing, at a minimum. 4. Testimony should be provided as to whether the building will have a sprinkler system. 5. Testimony should be provided as to whether ground mounted or roof-mounted HVAC equipment is proposed for the building. Said equipment should be adequately screened. 6. The proposed school building will have an elevator to meet applicable ADA accessibility requirements. C. Grading 1. A grading plan is provided on Sheet 3. A storm sewer collection system is proposed to collect runoff and direct it to underground recharge systems. 2. The topography must be updated to evaluate the proposed grading scheme. 3. We recommend the following be added to the grading plan: a. Proposed top of curb elevations for the parking lot. b. Proposed building corner elevations. c. Proposed building access point elevations. d. Proposed elevations at handicap parking spots and ramps. e. Proposed retaining wall elevations. 4. The roads to the east of the project which include Clyde Avenue, Halsey Street, and Argyle Avenue have been designed for construction of the neighboring Tashbar project. Grading should be proposed for the eastern part of the site and should tie into the approved design. 5. The proposed grading will be reviewed in detail after plan revisions are submitted for resolution compliance should site plan approval be granted. D. Storm Water Management 1. A proposed storm water management system has been designed. The design proposes a storm sewer collection system with two (2) underground recharge systems located under the parking lot. The project qualifies as major development and must meet the requirements of the New Jersey Department of Environmental Protection Storm Water Management Rules (NJAC 7:8). 2. A narrative should be submitted with the Storm Water Management Report. This should include verification that the requirements for major development will be met. 3. Pipe design calculations should be added to the Report. 4. Storm sewer profiles should be added to the plans. 5. The pipe at the east entrance should be labeled as twenty-four (24) linear feet with a slope of one percent (1.0%). 6. According to the Storm Water Management Plan, the proposed upper parking lot recharge trench should be labeled as triple thirty inch (30") pipes. The proposed lower parking lot recharge trench should be labeled as double pipes. Details for each of the trenches should be provided. 7. The submission of a Storm Water Management Operation & Maintenance Manual will be required. The Manual can be provided during compliance submission should site plan approval be granted. E. Landscaping 1. A landscape design has been provided on sheet 4. 2. The overall landscape design is subject to review and approval by the Board and should conform to recommendations (if any) from the Township Shade Tree Commission as practicable. 3. We recommend all proposed sight triangles, utilities, and easements be added to the plan to prevent any planting conflicts. 4. Additional landscaping should be proposed. 5. A detailed review of the landscape design will be undertaken when plan revisions are submitted for resolution compliance should site plan approval be granted. F. Lighting 1. A lighting plan is indicated on sheet 4. 2. Lighting should be provided to the satisfaction of the Board. 3. A point to point diagram will be required. 4. Lighting will be reviewed in detail during compliance should site plan approval be granted. G. Utilities 1. The project is located in the New Jersey American Water franchise area. Therefore,

public water and sewer service would be constructed by NJAWC. 2. No proposed utilities are shown. As mentioned previously, sanitary sewer will be constructed immediately east of this project. A potable water main exists on the north side of Oak Street. This information will be provided during compliance (if approval is given). H. Signage 1. Per review of the design documents, it appears that no signage is proposed at this time. 2. All signage proposed that is not reviewed and approved as part of this site plan application, if any, shall comply with the Township Ordinance. I. Environmental 1. A waiver from preparing an Environmental Impact Statement (EIS) was requested for this project. To assess the site for environmental concerns, our office performed a limited natural resources search of the property and surroundings using NJ Department of Environmental Protection (NJDEP) Geographic Information Mapping (GIS) system data, including review of aerial photography and various environmental constraints data assembled and published by the NJDEP. The data layers were reviewed to evaluate potential environmental issues associated with development of this property. No environmentally-sensitive areas exist per available mapping. 2. A Tree Protection Sheet has been included in the plan set which is not accurate. The topographic base map requires updating along with the locating of the current tree line. J. Construction Details 1. Construction details are provided on Sheets 6 and 7 of the site plans. 2. A detail for the recharge trenches should be included to verify storage volume. 3. All proposed construction details must comply with applicable Township or NJDOT standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete. 4. Construction details will be reviewed in depth after plan revisions are submitted for resolution compliance should site plan approval be granted. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Committee (street vacation); b. Developers Agreement at the discretion of the Township; c. Township Tree Ordinance (as applicable); d. Ocean County Planning Board; e. Ocean County Soil Conservation District; f. Ocean County Board of Health; and g. All other required outside agency approvals.

Mr. Rennert stepped down for this application.

Mr. Magno stated that submission waivers are required including topography, contours and man-made features within 200 ft as well as EIS. An updated survey must be provided as a condition of approval.

A motion was made by Mr. Follman, seconded by Mr. Banas to approve the waivers.  
Affirmative: Mr. Franklin, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman

Mr. Abraham Penzer, Esq., on behalf of the applicant, stated that they agree with almost all of the comments in the engineer's review letter. They have subsequently changed the configuration of the building but it will not have any impact. He also said the existing trailers will be permanent.

Mr. Neiman asked if this is an existing school.

Mr. Penzer said yes.

A motion was made by Mr. Follman, seconded by Mr. Sussman to advance the application to the August 12, 2014 meeting.

Affirmative: Mr. Franklin, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman

## **6. PUBLIC HEARING**

**1. SD 1946** (Variance Requested)

Applicant: H & H, LLC

Location: New Hampshire Avenue & Kenyon Drive  
Block 1603 Lot 2.02

Preliminary & Final Major Subdivision to create 42 duplex units, 4 single-family, and one clubhouse

### **Project Description**

The applicant is seeking a Preliminary and Final Major Subdivision approval. The revised plans propose to subdivide one (1) vacant lot into forty-six (46) residential lots, one (1) clubhouse lot, and two (2) open space lots. The proposed forty-six (46) residential lots would consist of four (4) single family lots, with twenty-one (21) duplex buildings on forty-two (42) zero lot line properties. The proposed clubhouse lot would have a parking lot, playground, and storm water management facilities. The proposed open space lots would be dedicated to a Homeowners Association for storm water management. The existing irregular property totaling 382,667 square feet, or 8.785 acres in area is known as Lot 2.02 in Block 1603. The large vacant tract is mostly wooded and located on the east side of New Hampshire Avenue and south of the Kenyon Drive cul-de-sac. New Hampshire Avenue is an improved four (4) lane County Highway with a one hundred foot (100') right-of-way. Kenyon Drive is a municipal road in the industrial park with a sixty foot (60') right-of-way and a forty foot (40') pavement width. All utilities will be available to the site. Access to the proposed development will be provided by the extension of Kenyon Drive. Kenyon Drive intersects Swarthmore Avenue at a "T" intersection about a few hundred feet east of the New Hampshire Avenue traffic signal. Curb and sidewalk is being proposed along where the development abuts New Hampshire Avenue. Both curb and sidewalk are proposed within the residential development. Proposed storm water management facilities and utilities are associated with this project. The proposed drainage system consists of a conventional storm sewer collection system that collects storm water and directs runoff to multiple onsite underground recharge systems. Proposed sanitary sewer would be extended to the site from an existing system in Kenyon Drive. Potable water for the subdivision will be extended from existing mains in New Hampshire Avenue and Kenyon Drive. The proposed lots are situated within the B-6 Corporate Campus/Stadium Support Zone. Except for the south side of the existing site where future development is proposed, the surrounding area is mostly developed. We have the following comments and recommendations per testimony provided at the 6/10/14 Planning Board Meeting and comments from our initial review letter dated May 27, 2014: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. C14 - Tree Protection Management Plan. We support the granting of the requested Tree Protection Management Plan waiver for completeness purposes only. If possible, a Tree Protection Management Plan can be incorporated into the Existing Conditions Plan or Landscape Plan. However, a Tree Protection Management Plan should be a condition of

approval and required prior to any construction. The Board granted the waiver. A Tree Protection Management Plan will be required as a condition of subdivision approval, if granted.

II. Zoning 1. The site is situated within the B-6 Corporate Campus/Stadium Support Zone. In accordance with Ordinances 2013-16 and 2013-49, the following permitted use has been added. Residential uses and design standards permitted in the B-1 zoning district, except that no residential building of any type shall be permitted to front on Cedar Bridge Avenue or that portion of New Hampshire Avenue that is within three hundred fifty feet (350') from the intersection of New Hampshire Avenue and Cedar Bridge Avenue. The proposed project is more than three hundred fifty feet (350') from the intersection in question. Statements of fact.

2. Variances are being requested from providing the Minimum Lot Area for the proposed single family lots. Proposed lot areas of 5,795, 5,483, 5,500, and 5,861 square feet are being provided for Lots 2.06, 2.11, 2.14, and 2.18, respectively. Whereas seven thousand five hundred square feet (7,500 SF) is required. The revised plans propose Minimum Lot Areas of five thousand five hundred square feet (5,500 SF) for new Lots 2.06, 2.11, and 2.14. A Minimum Lot Area of 5,861 square feet is still being proposed for new Lot 2.18. The Schedule of Bulk Requirements shall be revised accordingly. The Board shall take action on the required Minimum Lot Area variances.

3. Variances are being requested from providing the Minimum Front Yard Setback for proposed corner lots. Front yard setbacks of twenty feet (20') are proposed for Lots 2.10, 2.13, 2.16, 2.47, and 2.48. A front yard setback of 23.5 feet is proposed for Lot 2.30. Whereas a front yard setback of twenty-five feet (25') is required. The Board shall take action on the requested Minimum Front Yard Setback variances.

4. Testimony should be provided as to whether any variances are required for the Clubhouse on proposed Lot 2.05. The applicant's engineer indicates that no variances are required for the clubhouse and testimony shall be provided.

5. Waivers are required for proposed lot lines which are not perpendicular or radial to the right-of-way. It should be noted that in all instances where this appears necessary the proposed lot lines are parallel to the southern property boundary. Therefore, we recommend approval of these waivers. The Board shall take action on the necessary waivers.

6. The applicant's attorney indicated that a waiver may be requested from Section 18-821 of the UDO. Testimony should be provided.

7. A partial design waiver is required for terminating the proposed sidewalk along New Hampshire Avenue short of the property line extension. Testimony is required.

8. The applicant must address the positive and negative criteria in support of the required variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area.

III. Review Comments A. General 1. A Boundary & Topographic Survey for Lot 2.02 has been submitted. The following corrections shall be provided:

- a. The existing sanitary sewer manhole with pipe size and invert shall be added to the Kenyon Drive cul-de-sac. The existing sanitary sewer manhole, pipe size, and inverts have been provided. The "to be removed" note shall be eliminated for resolution compliance submission should approval be granted.
- b. The existing drainage inlet with pipe size and invert shall be added to the Kenyon Drive cul-de-sac. The drainage inlet has been shown, but no information regarding pipe size and invert is shown. This information shall be provided with resolution compliance submission should approval be granted.
- c. The bench mark location shown on the southwest property corner shall reference NAVD 1988. The correction shall be provided with resolution compliance submission should approval be granted.

2. The plans do not indicate whether the proposed roads will be publically or privately owned and maintained. Should the roads be dedicated to the Township, we recommend the proposed stub in the

southeast section of the project be connected to the road on the adjoining residential project to the south recently approved by the Board. The applicant's engineer indicates the proposed roads will be publically owned. As requested, the proposed stub in the southeast section of the project has been connected to the road on the adjoining residential project to the south which was recently approved by the Board. 3. Off-street parking along with handicap accessibility must be addressed for the proposed clubhouse on new Lot 2.05. A total of thirteen (13) parking spaces have been proposed for the club house on the Grading and Drainage Plan, but are not shown on the Site Development Plan. Locations of the two (2) proposed handicap spaces shall be revised and placed close to the building. Revisions shall be provided with resolution compliance submission should approval be granted. 4. The applicant shall confirm that trash and recyclable collection is to be provided by the Township of Lakewood. Each unit shall have an area designated for the storage of trash and recycling containers. This matter shall also be addressed for the clubhouse. The applicant's engineer indicates that trash and recyclable collection will be provided by the Township. An access easement for the Township public work vehicles will be added to the clubhouse drive connecting Kenyon Drive and Yechiel Way. Trash pads have been shown for each unit on the Grading and Drainage Plan. 5. New road names, London Avenue, Yechiel Way, and Yaakov Drive, have been proposed for the project. However, should Yaakov Drive be connected to the adjoining subdivision, a new road name will not be necessary. The proposed subdivisions are to be connected. The extension of Newwood Hills Drive shall be correctly shown with resolution compliance submission should approval be granted. 6. The proposed lot numbers shall be approved by the Tax Assessor. The Final Plat shall be signed by the Lakewood Tax Assessor. The Lakewood Tax Assessor signature is required prior to map filing should approval be granted. 7. The requirements in 18-821 (Building Uniformity in Residential Developments) must be addressed. A minimum of eight (8) basic designs are required in every development consisting of more than twenty-five (25) houses. The applicant's attorney indicated that only four (4) basic designs may be provided and a design waiver requested. 8. All proposed storm water management has been designed within clubhouse and open space lots, drainage easements, and right-of-ways. The proposed clubhouse and open space lots, as well as the drainage easements will be owned and maintained by a Homeowners Association. It is not clear whether the proposed right-of-ways will be Township owned and maintained. Substantial sections of the proposed storm water management system will be located under roadways. Should the proposed right-of-ways be publically owned and maintained necessary design and agreements to transition between Township and Homeowners Association ownership will be required. The applicant's engineer indicates the proposed roadways shall be public. Furthermore, a meeting will be scheduled with DPW to discuss the proposed storm water management system. The revised design proposes some of the storm water management to be owned by the Township. Therefore, in accordance with the requirements in Section 18-815, a one-time storm water management fee shall be provided. The fee shall be twenty-four thousand dollars (\$24,000.00). This is based on forty-two (42) single-family attached dwellings at five hundred dollars (\$500.00) per dwelling and four (4) single-family detached dwellings at seven hundred fifty dollars (\$750.00) per dwelling. 9. Per Subsection 18-911 F (2 (a-g)) of the zero lot line ordinance, a written agreement signed by the owner of the property is required, including provisions to address items associated with the use, maintenance, and repair of common areas and facilities associated with the overall property. Said agreement must be filed as part of this application to obtain the zero lot line subdivision approval from Lakewood Township. The applicant's

attorney shall provide the agreements. B. Plan Review 1. A Vegetative Buffer Easement exists along the project's New Hampshire Avenue frontage. Improvements are proposed within this Vegetative Buffer Easement. However, vacation of this easement has not been proposed. It should be noted the Vegetated Buffer Easement on the adjoining tract to the south has been vacated. The applicant's engineer indicates that the Vegetative Buffer Easement is in the process of being vacated by the applicant's attorney. 2. Curb and sidewalk is proposed throughout the residential portion of the development. Proposed sidewalk shall be five feet (5') wide, unless pedestrian bypass areas are designed. The limits of existing and proposed curb and sidewalk along the County Highway needs to be clarified. Curb and sidewalk locations along the County Highway will be dictated by Ocean County. The limit of proposed sidewalk along the County Highway appears to terminate short of the northern property line extension. Pedestrian bypass areas are proposed at each driveway location and a construction detail has been provided. A partial design waiver is required for the proposed sidewalk along New Hampshire Avenue terminating short of the northern property line. 3. Datum and bench mark information should be clarified. Benchmark labels on the existing conditions plan and the site plan show a reference to NAVD 1983, but it should be labeled NAVD 1988. Corrections shall be provided for resolution compliance submission if approval is granted. 4. A small Sight Triangle Easement is proposed on Lot 2.41. Sight Triangle Easements to the Township of Lakewood should be proposed throughout the interior of the development. The applicant's engineer indicates that besides the small Sight Triangle Easement on proposed Lot 2.41, all sight triangles fall in the right-of-way areas. A detail of the proposed easement can be provided with resolution compliance submission should approval be granted. 5. Ten foot (10') wide Shade Tree and Utility Easements are proposed along the road frontages. Existing offsite Shade Tree and Utility Easements to the south of this project should be erased from the plans since they have yet to be created. The offsite easements to the south of this project shall be removed for resolution compliance submission should approval be granted. 6. No turnaround has been proposed at the terminus of London Avenue or Yaakov Drive. However, Yaakov Drive lines up with Newwood Hills Avenue, an approved road in the adjoining subdivision to the south. Newwood Hills Avenue has been extended through Yaakov Drive as requested. However, no turnaround has been proposed at the terminus of London Avenue. Testimony shall be provided. 7. A proposed design should be shown for the south end of Newwood Hills Avenue in case this subdivision is constructed prior to the approved project to the south. 8. Dates in the Sheet Index on the Title Sheet should be updated to show the latest revision date for the respective sheet. C. Grading 1. Grading is provided on a Grading and Drainage Plan which is Sheet 4 of 18. The design attempts to minimize the amount of retaining walls needed to tie proposed grading to neighboring properties. Walls are proposed which approach a maximum height of six feet (6'). Accordingly, fencing has been provided on top of the walls. The design needs to be coordinated with the future project by others located to the south. Statements of fact. 2. Basements are proposed for all the units throughout the development. Soil boring locations are shown on the Existing Conditions Plan as well as the Grading and Drainage Plan. The soil boring logs are provided in Appendix E of the Storm Water Management Report. The proposed boring logs will have to be checked to verify that the proposed basement floors will be two feet (2') above seasonal high water table. Statements of fact. 3. Profiles have been provided for all proposed roads. Profiles will be reviewed after resolution compliance submission should approval be granted. 4. Off road profiles are required for the proposed storm drainage easements. Off road profiles have been provided. The profiles will be reviewed

after resolution compliance submission should approval be granted. 5. A detailed review of the grading can be completed during compliance submission; if/when this subdivision is approved. Statement of fact. D. Storm Water Management 1. A proposed storm sewer collection system has been designed to collect and convey storm water runoff. The storm water from the development will be directed to eleven (11) onsite underground recharge systems, a rain garden, and individual recharge systems designed for the roof runoff from the proposed duplex units along the eastern property line. It appears an emergency outlet for the eleven (11) underground recharge systems has been designed to outlet from a proposed bubbler inlet located along in the northeast corner of the property. Statements of fact. 2. If approval is granted, a meeting with the Department of Public Works will be necessary during compliance to review proposed ownership and maintenance responsibilities. The applicant's engineer indicates that a meeting with the DPW shall be scheduled to review ownership and maintenance responsibilities. 3. Our review of the project indicates it will be classified as Major Development since more than a quarter acre of impervious surface will be added and over an acre of disturbance will take place. As a result, the project must meet water quality and water quantity reduction rate requirements. The Storm Water Management Report indicates the proposed inlets onsite shall be fitted with storm water filters to address the quality of water being recharged and released from the site. Statements of fact. 4. Soils information and permeability testing has been completed within the proposed project to confirm the seasonal high water table and permeability rate used in the routing calculations. The Storm Water Management Design and Report should be revised to provide a factor of safety of two (2) for the rate of recharge. Furthermore, our site investigation indicates runoff curve numbers for existing woods shall be classified as "fair". The curve numbers have been edited to reflect a fair condition. As indicated on the Construction Details, the trench bottoms shall be tested to have a permeability rate equal to or greater than that in the design. If the tests return a lower rate, replacement material will be used with a permeability greater than or equal to the design material. 5. Predevelopment and Post Development Drainage Area Maps have been provided for review. The Maps will be reviewed after resolution compliance submission should approval be granted. 6. The Storm Water Management Report and Design also includes hydrographs, pipe calculations, and roof recharge trench calculations. The Report and Design will be reviewed in detail after revisions to the project are made. Statements of fact. 7. Storm Water Management Operation & Maintenance Manuals have been submitted per the NJ Storm Water Rule (NJAC 7:8) and Township Code. The Manuals are for the recharge trenches and for the New Hampshire Heights subdivision as a whole. The Manuals will be reviewed in detail after the storm water management design is found to be acceptable. Statements of fact. E. Traffic 1. A Traffic Impact Analysis has been submitted for review, assessing impacts from forty-six (46) residences. 2. The Analysis examines future traffic from the development anticipated to be constructed and fully tenanted by 2024, consistent with Ocean County Engineering practices. 3. The following highlights some of the findings of the analysis: a. The Swarthmore Avenue intersection with New Hampshire Avenue will operate at levels of service "B" during the AM and PM peak hours. b. The proposed Cedar Bridge Avenue signalized intersection with Flannery Avenue will operate at levels of service "B" for the AM and PM peak hours. c. The Swarthmore Avenue intersection with Kenyon Drive will operate at a level of service "C" for the AM and PM peak hours. The westbound left-turn movements onto Kenyon Drive will operate at level of service "A" during the AM and PM peak hours. d. All driveways and intersections associated with the project will operate within acceptable traffic engineering parameters. 4. Traffic

testimony should be provided at the Public Hearing. F. Landscaping 1. Proposed shade trees have been provided along all existing and new roads. Proposed screening trees have been provided along the perimeter of three (3) sides of the project. Proposed screening has not been provided where the project abuts the neighboring residential development to the south. Proposed landscaping design has been included on Sheets 6 and 7 of 18. Statements of fact. 2. A proposed playground area behind the clubhouse is shown on the Landscape Plan. The proposed grading shall be revised such that swales are not located on the playground area. The proposed playground area has been revised and enlarged. The proposed grading shall be revised for resolution compliance submission should approval be granted. 3. The overall landscape design is subject to review and approval by the Board and should conform to recommendations from the Shade Tree Commission as practicable. The entire site will be cleared for the construction of the project. Compensatory plantings shall be addressed with the Tree Protection Management Plan. The applicant's engineer indicates that necessary compensatory plantings shall be provided. The Board should provide landscaping recommendations, if any. The revised plans conform to recommendations from the Shade Tree Commission. 4. Landscaping shall be reviewed in detail after compliance submission should subdivision approval be granted. Statement of fact. 5. The following changes are required under the main planting schedule: a. The quantity of "PSA" should be 30. b. The quantity of "PS" should be 32. c. The quantity of "RS" should be 2. d. No "HM" or "TM" shrubs are shown in the plan. 6. The following changes are required under the typical foundation planting schedule: a. The quantity of "SS" and "SS2" under the S1 heading should be 27. b. A note should be added stating that the single family residences have half the number of plants, but 2 "LS" plants. G. Lighting 1. Street lighting has been provided for the proposed residential portion of the subdivision and the future parking lot on the clubhouse site. The proposed lighting is shown on Sheets 6 and 7 of 18. Statements of fact. 2. A point to point diagram has been provided to verify the adequacy of the proposed lighting. Preliminary review indicates the proposed lighting will be conforming. Statements of fact. 3. It is anticipated that all lighting within public right-of-ways will be owned and maintained by the Township and all fixtures on individual lots will be privately owned and maintained. Confirming testimony should be provided regarding lighting ownership. The applicant's engineer indicates that testimony shall be provided. 4. Lighting shall be reviewed in detail after compliance submission should subdivision approval be granted. Statement of fact. H. Utilities 1. Public water and sewer services are being provided by the Lakewood Township Municipal Utilities Authority since the project is within their franchise area. Statement of fact. 2. Proposed sanitary sewer will be constructed to connect to an existing system offsite on Kenyon Drive. Statement of fact. 3. Proposed eight inch (8") water mains throughout the residential subdivision will connect to an existing sixteen inch (16") main in New Hampshire Avenue and an existing twelve inch (12") main in Kenyon Drive. Statement of fact. I. Signage 1. Proposed regulatory signage locations should be added. Construction details have been provided. Regulatory signage has been added to the Utility & Signage Plan. This information will be reviewed after resolution compliance submission should approval be granted. 2. All signage proposed that is not reviewed and approved as part of this application, if any, shall comply with Township ordinance. A note has been added indicating that any signage not approved will comply with the Township ordinance. J. Environmental 1. Tree Management This application shall include the submission of a Tree Management Plan. It should be noted that the Existing Conditions Plan locates trees ten inches (10") or greater in diameter within a tree plot area on the site. The plan also shows and lists

pitch pines which are sixteen inches (16") or greater in diameter. The Tree Management Plan will be reviewed after resolution compliance submission should approval be granted. 2. Phase I If existing, a Phase I Study should be provided to address potential areas of environmental concern, if any within the site. The applicant's engineer indicates that a Phase I Study was not prepared for this property. However, there are no areas of concern located on this property. K. Construction Details 1. Final review of construction details will take place after compliance submission, if/when this project is approved by the Board. Statement of fact. L. Final Plat (Major Subdivision) 1. Revisions should be made in accordance with previous comments contained in this report. Revisions shall be provided with resolution compliance submission should approval be granted. 2. The Secretary's Certification shall be edited. The Secretary's Certification shall be edited for resolution compliance submission should approval be granted. 3. Compliance with the Map Filing Law is required. Statement of fact. 4. The Final Plat will be reviewed in detail after design revisions are undertaken for the project. Statement of fact. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Developers Agreement; b. Township Tree Ordinance (as applicable); c. Lakewood Industrial Commission; d. Lakewood Fire Commissioners; e. Lakewood Township Municipal Utilities Authority (water and sewer); f. Ocean County Planning Board; g. Ocean County Soil Conservation District; and h. All other required outside agency approvals.

Mr. Magno said a minimum lot area variance is being requested for the proposed single family lots, minimum front yard setback variances are required for the proposed corner lots. The applicant needs to confirm that there are no variances involving the clubhouse. Design waivers are required for the proposed lot lines not being perpendicular or radial to the right-of-way. The Board should take action on the waivers. Testimony should be provided for the section 18-821 waiver and for terminating the proposed sidewalk along New Hampshire Avenue short of the property line extension.

Mrs. Miriam Weinstein, Esq., on behalf of the applicant, stated this is an application to create 46 lots that will include 21 duplex buildings on 42 zero lot line lots and 4 single family lots. She said the Industrial Commission had raised an issue as far as opening Kenyon Drive. They spoke to the Industrial Commission and came to an agreement that there will be a note on the plans that will state that Kenyon Drive can be closed/vacated by the Township if the Township determines that the traffic is affecting the industrial park.

Mr. Neiman would like to talk about the ingress/egress and other aspects of this application before they get to that.

Mrs. Weinstein understands. She stated that the Board did have some comments at the technical hearing which they have took into consideration and have subsequently revised the plans to show those changes.

Mr. Brian Flannery, P.E., P.P. was sworn in. He marked three exhibits. A-1 is a concept sketch showing the same number of units requiring no variances using townhouses instead of duplexes, which are permitted in this zone. Exhibit A-2 is a plan that has been revised per the Board's comments at the tech meeting to accommodate an additional recreational area. Exhibit A-3 is a sketch of the additional recreational area provided. They accommodated the additional

recreational area by eliminating the cul-de-sac on the most westerly road and have provided an easement through the shul/recreation lot so that it provided better circulation and parking. There are four single family homes where the geometry doesn't work out very well. The side setback is 20 ft instead of 25 ft along London Avenue. These are classic C-2 variances where the benefits outweigh the detriments. He said if you compare the two plans, clearly the plan they propose for this development is a better plan. It has the same number of units, impervious coverage, parking. It is just a nicer plan. This development will be connected to the recently approved development to the south so there will be two access points. It is his opinion that this provides the best access to the project.

Mr. Neiman asked if Kenyon Drive does get closed off, where the egress would be.

Mr. Flannery said the egress would come out from the development to the south that contains the Quick Check.

Mr. Neiman asked if this is part of the Industrial Park.

Mr. Flannery said no. It is in the B-6 zone which is not part of the Industrial Park.

Mr. Flannery stated that no variances are being requested for the clubhouse. The waiver for the lot lines makes for a better design. Due to the nature of the development, they are asking for relief of the conformity of the buildings. They will have at least four different designs. They will satisfy all other comments during compliance.

Mr. Banas asked about parking.

Mr. Flannery said each unit has a driveway to fit four parking spaces.

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

Mr. Magno asked about connecting London Avenue to New Hampshire Avenue. He assumes the County does not want that done as it would be too close to the project to the south.

Mr. Flannery said they decided not to connect it for those reasons.

Mr. Magno asked about a turnaround for that stub street.

Mr. Flannery said there is only one unit there so they would rather not.

Mr. Magno said that would be DPW's call. He asked that the sidewalk along New Hampshire Avenue be addressed as they are stopping it short of the property line.

Mr. Flannery said it is for grade reasons. It is a sidewalk that leads to nowhere and they wouldn't want anyone walking there anyway.

Mr. Franklin does not understand why the applicant needs so many variances on such a large site. Ordinances are in place for a reason.

Mr. Flannery agreed to provide the eight different types of units as opposed to the four that are proposed.

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

- 2. SD 1947** (Variance Requested)  
Applicant: Warren Avenue LLC  
Location: 419 Warren Avenue  
Block 768 Lot 74  
Preliminary & Final Major Subdivision to create 6 fee simple duplex units

### **Project Description**

The applicant is seeking a Preliminary and Final Major Subdivision approval. The applicant proposes the subdivision of an existing lot to create six (6) proposed lots for three (3) duplex structures that would be developed as zero lot line properties. The existing lot known as Lot 74 in Block 768 is proposed to be subdivided into proposed Lots 74.01 – 74.06 on the Major Subdivision Plan. The 150' X 200', thirty thousand square foot (30,000 SF) property contains an existing church and a small cemetery. The plans state that all existing structures are to be removed. The land is very flat and generally slopes from north to south. The site is situated in the central portion of the Township on the northwest corner of Warren Avenue and Fern Street, both of which are paved municipal roads. The existing right-of-way width of Fern Street is fifty feet (50') and the pavement is in good condition. The existing right-of-way width of Warren Avenue is sixty feet (60') and the pavement is in fair condition. Fern Street has existing curb in good condition, but no sidewalk in front of the site. Warren Avenue is without curb and sidewalk in front of the site. The proposed duplex unit on new Lots 74.01 and 74.02 would front Fern Street. The proposed duplex units on the combinations of new Lots 74.03/74.04 and 74.05/74.06 would front Warren Avenue. Both roadways abutting the site would provide fifteen foot (15') half pavement widths. Curb and sidewalk are proposed as part of the site improvements. The plans indicate the new lots are to be serviced by public water and sewer. There are existing water and sewer lines located in Warren Avenue and Fern Street. Gas is available to the site since an existing gas main runs under the east side of Warren Avenue. Overhead electric is available from the west side of Warren Avenue. The development proposes four (4) off-street parking spaces for each unit. The architectural plans specify five (5) bedrooms units with finished basements. The subject site is located within the R-7.5 Single-Family Residential Zone District. Therefore, zero lot line duplex housing is a permitted use in the zone district with ten thousand square foot (10,000 SF) minimum lot areas for duplex structures. The site is situated within a predominantly residential area. We have the following comments and recommendations per testimony provided at the 6/24/14 Planning Board Meeting and comments from our initial review letter dated June 2, 2014: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. B2 - Topography within 200 feet thereof 2. B4 - Contours of the area within 200 feet of the site boundaries. 3. B10 - Man-made features within 200 feet thereof. 4. C13 - Environmental Impact

Statement. We have reviewed the requested waivers from the Land Development Checklist and offer the following comments for the Board's consideration: We can support the granting of the requested B-Site Features waivers, since enough topographic information has been provided to support the necessary designs. The Environmental Impact Statement waiver request is reasonable given the developed nature of the site. The Board approved the submission waivers.

II. Zoning 1. The site is situated within the R-7.5 Single-Family Residential Zone District. As stated previously, Two-Family Housing, with a minimum lot area of ten thousand square feet (10,000 SF) for two-family structures is listed as a permitted use. Zero lot line subdivisions for duplexes are permitted in the Zone. Statements of fact. 2. A variance is requested for Minimum Front Yard Setback on proposed Lot 74.06. An eighteen foot (18') front yard setback is proposed, where a twenty-five foot (25') front yard setback is required. The proposed duplex unit on the combination of new Lots 74.05/74.06, faces Warren Avenue with in excess of a forty foot (40') front yard setback. The proposed configuration creates a corner property for new Lot 74.06. Therefore, proposed Lot 74.06 also has frontage on Fern Street, from which the setback variance is requested. The proposed design minimizes the side yard setback of new Lot 74.05 and leaves the eighteen foot (18') front yard setback (new Lot 74.06) on the opposite side of the duplex unit. The Board shall take action on the required front yard setback variance. 3. 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. III. Review Comments A. General 1. The survey map must be updated to indicate Boundary and Topographic Survey as referenced in the General Notes. Datum and bench mark information shall also be included on a revised survey map. Some of the existing improvements have been removed since the date of the survey. However, a utility pole near the corner of Lots 41 and 74 should be properly located for design purposes. No survey map has been submitted and will be required with resolution compliance submission should approval be granted. 2. Off-street parking: According to the plans provided, the applicant is proposing four (4) off-street parking spaces per unit which is enough to be in compliance with the RSIS standards for the five (5) bedroom units with finished basements shown on the architectural plans. Up to six (6) bedrooms per unit with a basement will be permitted for this project to also comply with parking ordinance 2010-62. Statements of fact. 3. The General Notes indicate that trash and recyclable collection is to be provided by the Township of Lakewood. Each unit shall have an area designated for the storage of trash and recycling containers. Trash enclosures have been added to the plans. 4. The applicant's professionals indicate the proposed lot numbers have been assigned by the Tax Assessor. The Final Plat shall be signed by the Lakewood Tax Assessor. The Lakewood Tax Assessor signature is required prior to map filing should approval be granted. 5. Per Subsection 18-911 F (2 (a-g)) of the zero lot line ordinance, a written agreement signed by the owner of the property is required, including provisions to address items associated with the use, maintenance, and repair of common areas and facilities associated with the overall property. Said agreement must be filed as part of this application to obtain the zero lot line subdivision approval from Lakewood Township. The agreement must be provided with resolution compliance submission should approval be granted. B. Plan Review 1. The Zoning Data must be edited. Zoning Data has been revised. Only the proposed coverage for the combination of new Lots 74.05/74.06 still needs to be revised. However, the duplex numbering on the plan must be corrected. This information can be provided with resolution compliance submission should approval be

granted. 2. The proposed areas for Lots 74.03 and 74.04 shall both be corrected to five thousand square feet (5,000 SF). The proposed area for Lot 74.05 shall be corrected to 4,266.67 square feet. The proposed area for Lot 74.06 shall be corrected to 5,733.33 square feet. In this manner the combination of all proposed zero lot line properties will total ten thousand square feet (10,000 SF), which is conforming. Furthermore, the total of all proposed lot areas will equal thirty thousand square feet (30,000 SF), the initial project area. Proposed lot areas were revised. Only the acreage for proposed Lot 74.06 must be revised to 0.132 acres, which can be completed for resolution compliance submission, if approval is granted. 3. A proposed curb ramp is required at the intersection of Fern Street and Warren Avenue. A curb ramp has been added. The proposed sidewalk at the intersection should be radial to provide the proper landing. The revisions can be made for resolution compliance submission should approval be granted. 4. Utility pole relocations may be required. The utility pole at the corner has been shown to be relocated. Other utility poles are conflicting with proposed sidewalk and driveways. These poles must be dealt with for resolution compliance submission should approval be granted. C. Grading 1. Proposed curb and gutter grades have been designed along Warren Avenue and Fern Street. Our review of the proposed grading indicates there is inadequate slope. Steeper slopes are required along with proposed drainage. Proposed site grading cannot be evaluated without these revised designs along the adjoining roads. The slope from the street corner to the drain is only 0.25%. The slope is too slight for adequate draining. Unless a steeper gutter can be designed, additional drainage must be added. The correction must be made for compliance if approval is granted. 2. Road profiles would be beneficial with any proposed drainage design. The gutter slope of Warren Avenue is less than 0.2%. Therefore some type of drainage is required. At a minimum, a gutter profile is necessary. This can be provided for resolution compliance if approval is granted. 3. Basements are proposed for all units. Seasonal high water table information must be provided to substantiate a minimum two foot (2') separation to the proposed basement floors. Seasonal high water table information must be provided for resolution compliance submission if approval is granted. 4. A detailed review of the grading can be completed during compliance submission; if/when this subdivision is approved. Statement of fact. D. Storm Water Management 1. Storm water management calculations must be provided to determine whether the project qualifies as major development. The applicant's engineer indicates the development actually decreases impervious coverage. Confirming calculations must be provided with resolution compliance submission should approval be granted. 2. Runoff calculations from another project have been incorrectly provided on the Grading & Utility Plan. Should recharge be designed for storm water management, soils information must be provided within the proposed project to confirm the seasonal high water table. In addition, permeability testing would be required for use in the recharge calculations. Incorrect calculations have been removed from the plans. Recharge systems will be provided with plot plan submissions, if necessary. 3. A Storm Water Management Report and Design can be reviewed in detail with a revised submission of the project. Final storm water management design can be provided with resolution compliance submission should approval be granted. E. Landscaping 1. Ten (10) Willow Oak shade trees have been proposed within the shade tree and utility easement. Thirty (30) shrubs have been proposed for foundation plantings. Statements of fact. 2. The overall landscape design is subject to review and approval by the Board and should conform to recommendations from the Shade Tree Commission as practicable. Statement of fact. 3. Landscaping shall be reviewed in detail after compliance submission should subdivision approval be granted. Statement of fact.

F. Lighting 1. Proposed street lighting has not been provided since no new roads are proposed. The project fronts existing streets which only require construction of curb and sidewalk. Statement of fact. G. Utilities 1. Proposed potable water connections must be corrected. There are existing potable water mains on the south side of Fern Street and the west side of Warren Avenue to service the proposed duplex units. Remaining corrections can be made along Warren Avenue with resolution compliance submission should approval be granted. H. Signage 1. All signage proposed that is not reviewed and approved as part of this application, if any, shall comply with Township ordinance. Statement of fact. I. Environmental 1. Tree Management A Tree Protection Management Plan in accordance with the current ordinance has been submitted. The Tree Management Plan shall be reviewed in detail after compliance submission should subdivision approval be granted. Statement of fact. J. Construction Details 1. Final review of construction details will take place after compliance submission, if/when this project is approved by the Board. Statement of fact. K. Final Plat (Major Subdivision) 1. The Final Plat shall be corrected in accordance with the previous applicable plan review comments. Minimal corrections remain which can be provided with resolution compliance submission should approval be granted. 2. The Surveyor's Certification has not been signed since the monuments have not been set. Statement of fact. 3. Coordinates shall be provided on at least three (3) outbound corners. The applicant's professional indicate coordinates will be added for resolution compliance submission should approval be granted. 4. Compliance with the Map Filing Law is required. Statement of fact. 5. The Final Plat will be reviewed in detail after design revisions are undertaken for the project. Statement of fact. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Developers Agreement at the discretion of the Township; b. Township Tree Ordinance; c. Ocean County Planning Board; d. Ocean County Soil Conservation District; and e. All other required outside agency approvals. New Jersey American Water Company will be responsible for constructing potable water and sanitary sewer facilities.

Mr. Magno said a variance is required for front yard setback on the corner property.

Mr. Adam Pfeffer, Esq. represented the applicant.

Mr. Glenn Lines, P.E., P.P. was sworn in. They are subdividing one lot into six zero lot line lots. Four of the units will front on Warren Avenue, two on Fern Street and the corner unit will be on Fern and Warren. Because of the width of the property, an 18 ft side yard setback variance will be required on Fern Street. No driveways will be on the Fern street side. There was a similar project that was approved by the Board across the street. Four parking spaces are provided for each unit.

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

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

- 3. SP 2072AA** (No Variance Requested)  
Applicant: David Sebbag  
Location: 402 & 444 Hope Chapel Road

Block 2                      Lot 109 & 112  
Change of Use/Site Plan Exemption from residence to congregate housing

**Project Description**

The applicant and owner for the project is David Seebag, 444 Hope Chapel Road, Lakewood, NJ 08701. The applicant is seeking Site Plan exemption/Change of Use approval for conversion of a 9,000 sf +/- single-family residence to a 19-bed congregate housing facility. The existing site is located on the north side of Hope Chapel Avenue, opposite of its intersection with Miller Road. Another 1-story single-family dwelling previously located on Lot 112 was removed. As part of the Change of Use approval, existing site access is being increased by utilizing the existing paved driveway nearest to the Miller Road intersection and one-way in, and adding a new two-way paved access near the southern corner of the property. Existing paving is being retrofitted within the property to provide nineteen (19) off-street parking spaces. The majority of the property (including the existing dwelling structure to be retrofitted) is located in the R-40 single-family residential zone. A small portion of the site, near the southern corner is located in the R-15 single-family residential zone. Sidewalk and curbing do not exist, nor are proposed along the property frontage. Surrounding uses are predominantly single-family residential in nature. I. Zoning 1. The property is located in the R-40 and R-15 single-family residential zones. Congregate care homes are conditionally-permitted uses in both zones, subject to meeting the requirements of Section 18-1004 of the UDO. The applicant's professionals will provide supporting testimony documenting compliance at the forthcoming public hearing. 2. Per review of the Site Plan and the zone requirements, the retrofitted congregate care facility meets the bulk requirements of both (R-40, R-15) existing zones, II. Review Comments 1. Testimony should be provided by the applicant for the Board regarding the proposed change of use, including the maximum number of number of employees and visitors anticipated at the facility at any one time. We note that 19 off-street parking spaces are proposed, in excess of the fifteen (15) spaces required by the UDO for a 19-bed facility (as stipulated in UDO Section 18-1004 A(4). 2. No information is provided regarding proposed solid waste and recyclables storage and pickup, including when, where and by whom (DPW or private). DPW approval would be necessary if public pickup is proposed. 3. Both accesses to the site are from the Hope Chapel Road frontage, and will therefore require Ocean County approval. 4. A design waiver appears necessary for off-street parking proposed near the westerly property line, abutting Lot 15. Said waiver can be eliminated by increasing the height of the proposed vinyl fence from 4 feet to five (5) feet or greater. Per communications with the applicant's professionals, the applicant is agreeable to increasing the fence height. 5. Summary drainage calculations should be provided, documenting the increase in storm water runoff (if any) to confirm the adequacy of proposed storm water management for the converted use (as depicted on Sheet 3 of the Change of Use plans). This could be performed during compliance review, if/when Board approval is granted. 6. Proposed landscaping is depicted on Sheet 4 of the Change of Use plans, including Red Maples along the Hope Chapel Road frontage, Green Ash trees around the parking areas, and shrubs and foundation plantings around the building. Landscaping should be provided to the satisfaction of the Board. 7. Testimony should be provided as to whether any buffer or screening is proposed. We note that a retaining wall and a 4' high (solid) vinyl fence are proposed between off-street parking spaces and the westerly property line (abutting Lot 15). 8. Lighting is not proposed with the change of use. A design waiver appears necessary. The applicant should provide lighting necessary to support the change of use, and/or as

required by the Board. Lighting can be reviewed further during compliance, if/when Board approval is granted. 9. As indicated previously, minimal additional site improvements are proposed with the use conversion. Our office will review proposed construction details during compliance if/when approval is granted. 10. We recommend that all existing paving to be re-used as part of the change of use plan be evaluated during constructed and repaired (or resurfaced) as necessary. A note to this effect should be added to the Change of Use Plans. 11. If approved by the Board, the proposed building improvements are still subject to applicable Township reviews (building code, fire, etc). Utility improvements as proposed are still subject to applicable outside agency approvals (including but not limited to Lakewood Building Department, Ocean County Planning Board and Ocean County Soil Conservation District). 12. If approved, we will review the proposed construction and restoration details during compliance. Bonding and financial guarantees will be required for necessary site improvements.

Mr. Follman stepped down.

Mrs. Miriam Weinstein, Esq., on behalf of the applicant, stated they are seeking a change of use/site plan exemption to convert an existing residence to a 19 bed congregate care facility to serve as a convalescent home for women after they give birth. She read the definition of congregate care facility into record.

Mr. Brian Flannery, P.E., P.P. was sworn in. This is a conditionally permitted use. The conditions are a minimum of 2 acres where they have 3.4 acres, the minimum of 100 ft width where they have 479 ft, the minimum setback of all property lines of 50 ft where they have 52.8 ft, the off-street parking requirements is 14 where they provide 19 spaces, they do have some parking within 5 ft but they are going to be putting in various plantings and a fence.

Mr. Neiman is concerned with the site triangle.

Mr. Flannery said it is a County Road and they do have concerns. They must satisfy them.

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

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

- 4. SP 2067** (No Variance Requested)  
Applicant: Yeshiva Gedolah of South Jersey, Inc.  
Location: North side of Cross Street  
Block 457, Lots 2, 4, & 6; Block 458, Lots 1-6  
Block 466, Lots 1-3, 7, 10, & 11; Block 467, Lots 1, 2, 5, & 6  
Block 468, Lot 1; Block 469, Lots 1, 5-7

Preliminary and Final Major Site Plan for a proposed school campus, consisting of 3 story school, 3 multi-family campus housing buildings, 5 townhouses, a mikvah, and a gym

### **Project Description**

The applicant is seeking Preliminary and Final Site Plan approval under the Township's "Campus Ordinance" for the construction of a campus facility on the 13.35 acre property, including the following elements:

- A four (4) story, 48,449 square foot school building (including basement) within existing Block 467 (as depicted on plans incorrectly labeled as "Proposed new commercial building"). The first floor would contain school facilities, while the second and third floors are proposed to contain dormitory units and supporting facilities (147 beds per the site plans). The proposed basement will be finished per the revised architectural plans, including a 4,801 sf Shul, kitchen, dining room, three (3) offices and utility rooms.
- A 75' x 60' "Future Gymnasium" as depicted on Block 467.
- Five (5) proposed single-family townhomes on Block 467 (as depicted on plans).
- A 1,200 square foot, one story Mikvah proposed on slab in the northwest corner of Block 468.
- Three (3) four-story apartment buildings within Blocks 457, 458, 466 and 469 as depicted on the site plans and as illustrated on architectural plans labeled "Proposed Four Story Apartment Building Complex". Per the unit count referenced on Sheet Z-1 of these plans, each building would contain 72 three-bedroom apartments and 16 two-bedroom apartments (88 apartments per building, 264 total apartments).
- Various parking facilities as depicted for the School Building and Future Gymnasium (Block 467), Mikvah (Block 468), and Apartment Buildings.
- Various storm water management facilities throughout the site, including but not limited to above ground retention basins on the apartment building and school building parcels, and various recharge and collection piping/trench systems throughout the site.
- Proposed road improvements as depicted on the site plans, including construction of new cart ways and sidewalks within Lewin Avenue (between Cross Street and Beaver Street), Nassau Street (between Lewin Avenue and Columbus Avenue), Rachel Avenue (between Cross Street and Nassau Street), and Columbus Avenue (between Nassau Street and Beaver Street).
- Proposed vacations of portions of Rachel Avenue, Nussbaum Avenue, and Amsterdam Avenue as depicted on the site plans (for development of the apartment buildings and amenities). In addition to providing more detailed design information as requested per our initial review letter, the following additional elements are incorporated into the current design:
- A fairly-extensive sidewalk and pedestrian access system(s) for the proposed apartment buildings, grounds (including courtyards) and parking facilities proposed north of Nassau Street.
- Playground facilities as depicted proposed in the courtyards for all three (3) apartment buildings.
- Sidewalks provided for the school, townhouses, (future) gymnasium and mikvah facilities.
- A detailed Landscaping Plan (Site Plan Sheet 10) for the entire campus facility.

As noted on the site plans, the proposed school would be located at the front of the parcel, which would be served by several parking areas along a "U-shaped" access along the property's Rachel Avenue frontage. Parking is provided for the dormitory units as well (towards the rear of the site). Parking for the townhouse units is accessible from the proposed Nassau Street. Parking areas for the apartment units are located in a "U-shaped" layout around the three buildings and are accessible from the proposed Beaver Street, Lewin Avenue, Nassau Street, or Columbus Avenue. The proposed project is located on the northeast side of Cross Street. Cross Street is a paved County Highway with variable cart way and ROW widths as depicted on the site plans, survey, and tax maps. Sidewalk and curbing do not exist along the property frontage. Per the site plans, potable water service and sanitary sewer service are proposed from an existing water main within Cross Street. As depicted on the survey, the property contains a one-story dwelling, gravel access drives, a garage, two sheds, and a concrete driveway. The remainder of the property is predominantly wooded. Properties surrounding the site appear to be predominantly low-density residential. We offer the following comments per review of

the revised submission and applicable remaining comments from our initial review letter dated June 4, 2014: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. B2 - Topography within 200 feet thereof. 2. B4 - Contours of the area within 200 feet of the site boundaries. 3. B10 - Man-made features within 200 feet thereof. 4. C13 - Environmental Impact Statement. The Survey and Site Plan show enough topography to prepare the design. Waivers were granted at the workshop hearing. A waiver has been requested from the submission of an Environmental Impact Statement. Per review of available data (including NJDEP GIS mapping of the area), the undeveloped portion property appears to consist of wooded uplands with no wetlands or other environmental 'critical' areas. Waiver was granted at the workshop hearing. II. Zoning 1. The parcels are located in the R-20/12 Residential District. Fact. 2. Per the UDO, a Planned Educational Campus (at the time this application was deemed complete) was defined as follows: An educational campus of an institution of higher education that offers a regular educational program that is substantially-equivalent to that of an accredited institution and that contains housing and accessory uses proportionate to the educational facilities intended for faculty and students who will attend or staff the institution's educational facilities and that is adjoining to or within five hundred (500) feet of faculty and student housing so as to create a unified campus setting. The land and all structures including dwelling units shall be owned by the educational institution or a wholly-owned educational entity. The occupancy of the residential uses in the facility should be limited to students, faculty, or staff of the educational institution, by persons directly associated with the educational institution, and or by their immediate families. The applicant's professionals must be prepared to provide testimony to demonstrate compliance with this project's compliance with the Township's 'Campus Ordinance'. 3. Per review of the Site Plan and the bulk requirements of the campus ordinance, no bulk variances are being requested, nor appear necessary for the proposed project. 4. Since the entire development will be bordered by public right of ways, no perimeter buffer requirements apply. 5. A design waiver is required from providing lighting (at this time). If granted by the Board (for purpose of public hearing), detailed lighting designs for the school, townhomes, apartments, mikvah, parking areas, and streets will be required during compliance review, if/when Board approval is granted. III. Review Comments A. Site Plan/Circulation/Parking 1. Proposed buildings are not labeled on the currently-submitted version of the site plans. We recommend that the applicant's professionals provide a rendering (and/or 11"x17" copies of the Site Plan (Sheet 3) with all proposed buildings labeled) to assist the Board with review of the application at Public Hearing. 2. Testimony should be provided as to whether phasing of this project is contemplated. If so, improvements will have to be constructed as necessary to support each respective phase. Fact. 3. As indicated on the site plans, access to the proposed campus will be provided via constructing portions of Rachel Avenue and Lewin Avenue, extending from the north side of Cross Street. Fact. 4. Access to the proposed school building will be provided from two (2) access points along Rachel Avenue, leading to a 24' foot wide access aisle within the proposed school parking lot. The applicant's professionals must provide testimony that the proposed circulation is adequate for the largest vehicles to service this parcel. Design revisions may be necessary for access of Township or emergency vehicles. Final circulation design may be addressed during compliance (if approval is granted). 5. Access to the Mikvah facility and parking lot will be provided via a 24' wide access drive extending from Lewin Avenue. Fact. 6. Access to the proposed townhomes will be provided via driveways extended from Nassau Street. Fact. 7. As depicted on the Overall Site Plan (Site Plan Sheet 3), multiple 24-foot wide

paved access are proposed to the parking facilities proposed to serve the apartment buildings, including accesses along Lewin Avenue, Nassau Street and Columbus Avenue. The applicant's professionals must provide testimony that the proposed circulation is adequate for the largest vehicles to service this parcel. Design revisions may be necessary for access of Township or emergency vehicles. Final circulation design may be addressed during compliance (if approval is granted). 8. As noted on the site plans, the applicant's engineer estimates at least (288) off-street parking spaces necessary per UDO requirements for the school, Mikvah, school, townhomes, future and gymnasium and apartment units. As depicted, over 500 off-street spaces are proposed. As such, proposed off-street parking appears to exceed Campus Ordinance and School off-street parking requirements. Fact. 9. No handicap accessible spaces are identified on the current design concept. Spaces must be identified on revised plans for the Board's consideration. Handicapped spaces have been provided on the revised plans at the various building facilities. 10. Testimony should be provided by the applicant's professionals as to the maximum number of students and teachers/staff anticipated at the site. Fact. 11. As stated previously, playground facilities as depicted proposed in the courtyards for all three (3) apartment buildings. We recommend that the applicant's professionals provide renderings of a "typical" proposed facility for the Board's review at the Public Hearing. Final design of playground facilities could be performed during compliance (if/when Board approval is granted). 12. Road widening tapers are not currently depicted for the proposed entrance/exits. Said areas would be designed during compliance review, if/when approval is granted. Fact. 13. Sight triangles must be provided for both proposed access driveways. Site triangles are provided on the revised plans. 14. No interior sidewalks or pedestrian access ways are identified on the current site plans for any of the proposed buildings. Said information must be provided on revised plans for the Board's consideration prior to the public hearing. Interior sidewalks and pathways are identified on the revised plans (Site Plan Sheets 3-6) in between buildings and adjacent to parking areas. Pedestrian circulation as proposed is generally well-prepared. The final design would be completed during compliance review, if/when Board approval is granted. 15. No information is provided regarding trash/recyclable storage areas and/or pickup. Said information must be provided on revised site plans for the Board's consideration. Trash enclosures are provided on the revised Site Plans. If DPW pickup is proposed, final design plans will require DPW review and approval during compliance review (if approval is granted). 16. Coordination between the final site plans and final architectural plans will be required for the proposed school and apartment/dormitory buildings. Fact (to be performed during compliance review, if approval is granted). 17. All necessary signage should be completed on the site plan, such handicap signage and directional signage. Fact (during compliance review, if approval is granted). 18. Any proposed sidewalk along the site frontage shall be five feet (5') wide, unless pedestrian bypass areas are designed. Fact. Traffic signage has been added to the plan, and will be reviewed in detail during compliance (if approval is granted). 19. Proposed shade tree/utility easements will have to be recorded (if approval is granted). Fact. 20. Proposed (public) road designs for Lewin Avenue, Rachel Avenue, Nassau Street, and Columbus Avenue must meet all applicable Township standards, and will be reviewed in detail during compliance (if approval is granted). The applicant should be aware that the proposed "hammerheads" shown at termini for Lewin Avenue and Columbus Avenue may require replacement by RSIS-compliant cul-de-sac bulbs. Fact (during compliance review, if approval is granted). 21. If Board approval is granted, Township vacations of portions of Rachel Avenue, Nussbaum Avenue, and Amsterdam Avenue will be necessary as a condition of approval. Fact. B. Architectural 1. As

indicated previously, the first floor would contain school facilities, while the second and third floors are proposed to contain dormitory units and supporting facilities (147 beds per the site plans). Fact. 2. Architectural plans have been provided for the proposed school. The set includes floor plans and a building elevation. The proposed building includes three (3) floors and a finished basement. The proposed basement will be finished per the revised architectural plans, including a 4,801 sf Shul, kitchen, dining room, three (3) offices and utility rooms. 3. The proposed school building height must be identified on the architectural drawings. We note that as scaled, the building height will be less than the 65 foot height allowed in the Campus Ordinance for student dormitory structures on common property. Fact. 4. Architectural plans have been provided for the proposed apartment buildings. The set includes floor plans and building elevations. The proposed building includes four (4) floors. Fact. 5. Additional architectural drawings should be provided for the (smaller) apartment building proposed in the northeast corner of the site. 6. Architectural plans have been provided for the proposed Mikvah, and appear satisfactory for public hearing purposes. Fact. 7. Seasonal high water table information is required to substantiate the proposed basement floor elevation for the proposed school. Fact. 8. We recommend that the location of proposed HVAC equipment be shown for all buildings. Said equipment should be adequately screened. Fact. C. Grading 1. Per review of the current grading design (Site Plan Sheets 6-9); the design concept is feasible as proposed. As requested in our initial review, additional grading information is provided in the revised design, including but not limited to building elevations, contours and elevations for proposed buildings, parking areas, roads, pedestrian accessways and drainage facilities. Although additional information is necessary to finalize the design, the revised grading design is significantly-improved vs. the initial submission. 2. If/when Board approval is granted, detailed grading design information will be required during compliance, including but not limited to the following: a. Additional proposed elevations for pedestrian circulation and the handicap parking spaces to ensure ADA/PROWAG slope compliance. b. Additional proposed elevations provided at control points, such as building landings, curb corners, and curb returns. c. Additional spot elevations will be needed in parking areas to complete the design. d. Elevations must be provided for all inlets, pipe inverts and collection points associated with the various storm water management facilities. 3. Final (public) road designs will be reviewed by Township Engineering during compliance review. Fact. D. Storm Water Management 1. The storm water design is depicted on Site Plan Sheets 7-10. As indicated previously, various storm water management facilities are designed throughout the site, including but not limited to above ground retention basins on the apartment building and school building parcels, and various recharge and collection piping/trench systems throughout the site. Fact. 2. The proposed project is large enough to qualify as major development and must meet the requirements of the New Jersey Department of Environmental Protection Storm Water Management Rules (NJAC 7:8). Per review of the schematic design, it is feasible as proposed (pending receipt of additional grading information). Fact. 3. Seasonal high water table information is required to justify the proposed depth of the storm water recharge basins and trenches. The results of Soil Logs should be provided to indicate that a two foot (2') separation will be maintained from the seasonal high water table elevations to the bottoms of the recharge beds (during compliance, if approved). Fact. 4. The Drainage Calculations should indicate permeability rates to be used for the proposed recharge systems. Permeability testing results must be provided to justify the design (during compliance, if approved). Fact. 5. Roof leader systems should be provided for the proposed buildings (during compliance, if approved). Fact. 6. Predevelopment and Post

Development Drainage Area Maps were provided for the review of the design. Fact. 7. A Storm Water Management Facilities Maintenance Plan(s) must be provided, one for privately maintained systems and one for systems (if any) proposed to be maintained by the Township. This plan(s) can be provided during compliance review if/when Board approval is granted. Fact. Stormwater facilities proposed to be maintained by the Township will require DPW review as a condition of approval (if granted). 8. A detailed review of the overall design will be performed during compliance review, if/when Board approval is granted. Fact. E. Landscaping and Lighting 1. As indicated previously, a lighting design has not been provided at this time. If amenable to the Board, we have no objection to a detailed lighting design being deferred until compliance review (if/when forthcoming). 2. The landscaping design is provided on Site Plan Sheet 10. As indicated previously, the landscaping design has been improved vs. the initial submission, including: i. Street trees along all roadway frontages. ii. Ornamental trees around all parking areas, around portions of all buildings, between the apartments and within the associated courtyards. iii. Foundations plantings are provided for each building. 3. Additional landscaping (if any) should be provided to the satisfaction of the Planning Board and/or Shade Tree Commission. Fact. 4. A detailed review of the landscape design will be performed during compliance review (if Board approval is granted). Fact. F. Utilities 1. The Utility Plan (Site Plan Sheet 10) shows proposed water and sewer extensions services proposed from existing systems within Cross Street, extending into the site. Fact. 2. If amenable to the Board, utility designs can be completed during compliance (if approval is granted), and per applicable requirements of New Jersey American and Water (NJAW). Fact. 3. Fire hydrants (if proposed) should be indicated on the plans (or as directed by the Township Fire Official). Again, this information could be provided during compliance review (if approval is granted). Fact. G. Traffic 1. Traffic information should be provided for the Board's consideration. At a minimum, a summary traffic generation report should be provided prior to the Public Hearing to quantify potential traffic generation from the school and apartments using industry standards (e.g., ITE manual trip generation rates), and potential traffic impacts (if any). Testimony from a qualified traffic consultant may be advisable at the forthcoming public hearing. Fact. 2. Testimony should be provided as to whether significant pedestrian traffic (from offsite) is anticipated for the school. Fact. H. Signage 1. No signage information is provided. A full signage package for free-standing and building-mounted signs identified on the site plans (requiring relief by the Board) must be provided for review and approval as part of the site plan application. Fact. 2. All signage proposed that is not reviewed and approved as part of this site plan application, if any, shall comply with Township ordinance. Fact. I. Environmental 1. To assess the site for environmental concerns, our office performed a limited natural resources search of the property and surroundings using NJ Department of Environmental Protection (NJDEP) Geographic Information Mapping (GIS) system data, including review of aerial photography and various environmental constraints data assembled and published by the NJDEP. Data layers were reviewed to evaluate potential environmental issues associated with development of this property. No known issues exist per NJDEP-GIS mapping. Fact. 2. Testimony should be provided on any known areas of environmental concern that exist within the property. 3. Much of the existing property is wooded. A Tree Protection Management Plan (Site Plan Sheet 13) has been provided, as well as existing tree survey provided on the submitted Outbound and Topographic Survey. Fact. 4. Compliance with the Township's Tree Protection ordinance will be addressed as a condition of Board approval (if granted). Fact. J. Construction Details 1. All proposed construction details must comply with applicable Township and/or applicable standards unless

specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete. A detailed review of construction details will occur during compliance review; if/when this application is approved. Fact. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Developers Agreement at the discretion of the Township; b. NJAW (water and sewer service); c. Lakewood Township (public roadway, lighting and drainage improvements); d. Lakewood Township (road vacations of Rachel Avenue, Nussbaum Avenue, and Amsterdam Avenue); e. Township Tree Ordinance (as applicable); f. Ocean County Planning Board; g. Ocean County Soil Conservation District; and h. All other required outside agency approvals.

Mr. Magno said there are no bulk variances requested. The entire project is bordered by public right-of-way so the buffer situation does not come to play. Testimony needs to be provided to prove that this application complies with the campus ordinance. Lighting has not been designed at this time so a design waiver is required. It is understood that lighting is required and will be provided during compliance.

Mrs. Miriam Weinstein, Esq., on behalf of the applicant, stated they are here tonight for approval of a planned educational campus. She read the definition into record. This is a post high school facility so they meet the definition of an institution of higher learning. Educational programs are being offered that are substantially equivalent to that offered to Beth Medrash Govoha which is an accredited institution. Facilities provided are a dormitory for the boys when they first arrive at the Yeshiva as unmarried young men. Subsequently, when they get married, they are providing apartments for the use of the student, his wife and children as well as townhouse style homes for the faculty members. None of these units can be or will be sold but all will be owned by the Yeshiva. The school facility, dormitory and apartments are all within unified campus style settings as required by the ordinance. The school will have up to a maximum of 150 students in the dormitories and up to a maximum of 265 married students. The application is fully conforming and no variances are required. However, as the Board is aware, the project is across the street and down the road from a senior development, The Enclave. In an effort to be proactive and settle any differences, the applicant met extensively with Mr. Kokes, who is being represented by Harvey York, Esq., as well as some of the residents in the Enclave.

Mr. Harvey York, Esq., on behalf of the Kokes Organization, stated that they understand that this is a conforming applicant. The applicant has met with them and understand certain changes are to be made and they agree to those changes. The reason for the Kokes Organization being here is they have some interest in some property in the neighborhood. The elimination of any access to Cross Street as well as the installation of a buffer was discussed. Again, they understand this application is a permitted use.

Mr. Brian Flannery, P.E., P.P. was sworn in. The items that were agreed upon with the Kokes organization and neighbors does not change the school, apartments or overall site. The neighbors wanted a plan that had no access to Cross Street. They prefer that the access went out to Massachusetts Avenue. Therefore, Nassau Street and Beaver Street will be extended for about half a mile so there is adequate access for the amount of traffic.

Mrs. Weinstein stated they are going to shift the school building back so it is away from Cross Street.

Mr. Flannery said originally Rachel Avenue was the primary access coming off of Cross Street. A cul-de-sac will be provided on Rachel Avenue and a minimum 75 ft width buffer along Cross Street and Lewin Avenue will not be constructed at all. The entrance for the mikvah will come off Nassau Street. The parking will be in the front and the building will be moved so that from Cross Street you will see a buffer. The traffic impact on Cross Street will be eliminated. A gymnasium was originally shown as free standing, but in order to move the school back and provide that minimum 75 ft buffer along cross, they will be eliminating the gymnasium.

Mr. Neiman showed concern that there will be no gym.

Mr. Flannery said if any properties become available in the rear, then a gym may be incorporated.

Mr. Neiman wants to discuss the traffic circulation within the campus.

Mr. Flannery said in most cases, vehicles will be coming off of Nassau Street, down the cul-de-sac to the school building. The apartments will be close enough that it will be mostly be foot traffic. The buses would have a long stacking area along Beaver Street and go out Nassau Street.

Mr. Neiman asked about any recreation areas.

Mr. Flannery said the recreation area is in between each of the buildings. It is enclosed and there would be gates on the end. It will be safe and secure for the children. The apartments come out into that courtyard.

Mr. Banas asked what the height of the dorms are.

Mr. Flannery said the apartments are four stories and would be roughly 50 ft high. The ordinance permits 65 ft.

Mr. Abe Auerbach was sworn in. The height of the building including the roof will be approximately 50 ft. The buffer along Cross Street will be 75 ft. They will keep whatever is existing there intact.

Mr. Sussman asked about the need for so many townhouses.

Mrs. Weinstein said there are currently 100 students. They are in tiny rented quarters currently and have had to turn students away as there is no room to grow.

Mr. Franklin said parking is shown within the buffer area.

Mr. Flannery said these plans are not updated. They met with neighbors after the submission was submitted. As a condition of approval, the plans would be changed so the parking and Yeshiva would be slid back away from the buffer.

Mr. Sussman does not know if it is possible to still fit the gym but he believes it is a necessity in an educational campus like this.

Mr. Flannery said they would make an effort during the resolution compliance process to include the gymnasium.

Mr. Neiman asked what the green area is next to the gymnasium.

Mr. Flannery said that is property owned by another party. They are not sure who owns it. If the Yeshiva is able to acquire that land, then they could fit the gymnasium.

Mrs. Weinstein stated that they are actively trying to find the owner of that property.

Mr. Neiman opened to the public.

Ms. Noreen Gill, 192 Coventry Drive, was sworn in. She said according to the Smart Growth Plan, the buffer width should 100 ft. She would like to know the length of the buffer.

Mr. Larry Simons, 7 Schoolhouse Court, was sworn in. He read certain pages of the Smart Growth Plan into record. He also believes the buffer should be 100 ft. He asked about the accreditation of the school.

Mr. Carl Fink, Enclave Boulevard, was sworn in. He asked if it is feasible for the Planning Board to request to the Township Committee to build a new road from the campus to Prospect Street as an added access.

Mr. Flannery said Prospect is to the north and they could extend any of the paper streets.

Mr. Fink said it would be excellent for the traffic flow.

Mr. Flannery said the two streets that they are improving will help alleviate traffic for this campus. The street that Carl is suggesting is more of a regional thing and would help everybody in the area. The County has also suggested improving one of the roads as well. It would be a benefit to the entire triangle.

Ms. Loretta Crumb, 42 ? Road, was sworn in. She asked what sort of taxes are to be paid by the students/residence of this campus.

Mr. Jackson understands the question but that is a larger policy decision than is the jurisdiction of the Planning Board. Discussion of those types of issues would be an unfair prejudice to the applicant because it is an improper consideration.

Ms. Crumb believes this is unique because the students lives with their families. She believes this is a great burden on the Township.

Mr. Bill Hobday, Schoolhouse Lane, was sworn in. He asked how many stories the buildings are.

Mr. Flannery said it is a three story school and the apartments are four stories.

Mr. Hobday asked if there will be basements that can be used as apartments. He asked if there will be septic or public sewer/water.

Mr. Frederick Robison, 79 Eagle Ridge Circle, was sworn in. He also brought up the tax situation and the loss the Township will incur. He is happy to hear that the access is no longer off of Cross Street. He asked that the Board consider extending of one of the paper streets off of Prospect Street. He understands that duplexes were approved on another application and a portion of that road is already going to be built. He asked why there are so many additional parking spaces. He asked if there are additional plans for this campus that are not included in this application.

Joe Violante, 65 Sunrise Court, was sworn in. He appreciates all the efforts the applicant has made towards the neighbors. He does not believe this fits in as an educational campus.

Mr. Harvey York stated they like what they have done to the plan. The only question is if the applicant can provide closer to 100 ft. He understands they may not be able to do that for the whole length of the buffer but it may be possible in some areas.

Mr. Neiman closed to the public. He asked Mr. Flannery to explain the 100 ft vs 75 ft buffer.

Mr. Flannery said the Smart Growth Plan has the buffer requirement as 100 ft. They would provide a minimum of 75 ft. They can, in certain spots, expand that buffer.

Mr. Neiman asked about the access from Prospect Street.

Mr. Flannery said that would be an unreasonable burden. This project conformed as submitted.

Mr. Neiman does not mean to put the burden on this applicant. He wants to know in general of this area would benefit if that paper street was extended to Prospect Street.

Mr. Flannery said it would. This applicant is connecting to Massachusetts Avenue and that will certainly alleviate traffic. If another street extended to Prospect Street it would provide an inter-circulation that would benefit that whole area and all the people on the collector roads as well.

Mr. Neiman suggested that some sort of impact fee be put in place for any developers coming in this area to help construct that road. A suggestion could be made to the Township Planner.

Mr. Flannery believes that is an excellent idea.

Mr. Neiman said the school building will be four stories including the basement. The apartments will be four stories.

Mr. Flannery said there will be no apartments in the basements.

Mrs. Weinstein said the basements will be used for storage only. No tenants will be allowed.

Mr. Neiman asked about public sewer/water.

Mr. Flannery said this project is within the NJAW service area. That is an approval they need to get after this is approved. This project will not be built unless they are able to get NJAW service. No septic systems will be installed.

Mr. Neiman asked why there are 513 parking spaces.

Mr. Flannery said usually the Board is looking for additional parking spaces. They have done that here. He confirmed that there are currently no other proposed plans outside of this campus.

Mr. Jackson said he will look into the issue of payments in lieu of taxes for a development with the Township Attorney.

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

**7. PUBLIC PORTION**

**8. APPROVAL OF BILLS**

**9. ADJOURNMENT**

The meeting was hereby adjourned. All were in favor.

Respectfully submitted  
Sarah L. Forsyth  
Planning Board Recording Secretary