

1. CERTIFICATION OF COMPLIANCE

Chairman Neiman called the meeting to order at 6:00 p.m. with the Pledge of Allegiance and read the Certification of Compliance with the NJ Open Public Meetings Act:

“The time, date and location of this meeting was published in the *Asbury Park Press* and posted on the bulletin board in the office of the Township of Lakewood. Advance written Notice has been filed with the Township Clerk for purpose of public inspection and, a copy of this Agenda has been mailed, faxed or delivered to the following newspapers: *The Asbury Park Press*, and *The Tri-Town News* at least 48 hours in advance. This meeting meets all the criteria of the Open Public Meetings Act.”

2. ROLL CALL

Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert, Mr. Percal

Mayor Menashe Miller: The Township has had a monumental loss of a very special man, a close friend, a colleague, Kevin Kielt. His seat is glaringly open tonight as he recently passed away. Kevin, aside being an employee here with the town and an employee with Remington & Vernick, Kevin has been a friend of all of us sitting here. An integral part of the Planning Board family. Kevin was sick for many years yet he always had a smile on his face, always walked around as if he was the richest man in the world. I told Kevin’s family at his wake, Kevin had two biological children but he had thousands of children, the students of this town who have been the beneficiaries of all the schools and institutions that have been approved at this Board for education and for other not-for-profit uses. Those students are his children. Kevin with his typical “mercy” or the sayings that he had were always with a smile and always excited. The Township Committee has decided to rename a street in Lakewood in his honor. We do not have a date yet when we are going to do it; we are just waiting for the family. We will come up with a date that we are going to do it at Township Committee meeting. I’d like to make sure this Board is available as well. This Board was his family and this Board will be an integral part of the presentation of the street naming ceremony. At this time I ask us all to rise and give a moment of silence to Kevin’s legacy and memory.

Mr. Neiman: I have known Kevin for 14 years and like you said, in the 14 years that I have been on the Board, you always hear people complaining I can say never once did anyone have anything negative to say about Kevin. They knew if that they went to the counter and they got approval to be heard on the Board, fine. If not, they knew that they really have to fix something. I can tell you countless stories of differences between the developer and the neighbors and Kevin was able to work it out with them that when they came to the Board, they both felt that they won. It was a special quality that Kevin had.

Mayor Miller: The best deal is anytime two people walk away from the deal, both feeling they got the better end of the deal, and that’s what Kevin was able to achieve and the town owes him and his memory and legacy a deep debt of gratitude.

3. SWEARING IN OF PROFESSIONALS

Mr. Vogt was sworn in.

4. MEMORIALIZATION OF RESOLUTIONS

1. **SD 1836** (Variance Requested)
Applicant: Homes For All, Inc.
Location: Vine Avenue, south of Oak Street
Block 1146 Lot 1
Block 1147 Lot 1
Block 1154 Lot 1
Block 1155 Lot 1
Block 1156 Lot 1

Maple Tree Village – Preliminary & Final Major Subdivision to create 71 residential single family dwellings & duplex affordable housing

Mr. Vogt stated that this resolution will be tabled to the June 26, 2012 meeting.

2. **SP 1985** (No Variance Requested)
Applicant: Bais Tova, Inc.
Location: Oak Street, east of Vine Avenue
Block 792 Lot 1
Block 795 Lot 1.01

Preliminary & Final Major Site Plan for proposed new girls high school & gymnasium addition to existing Bais Tova school

A motion was made by Mr. Follman, seconded by Mr. Rennert to approve.

Affirmative: Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert, Mr. Rennert, Mr. Percal

5. PLAN REVIEW ITEMS

1. **SP 1986AA** (Variance Requested)
Applicant: Congregation Shaarei Tvunah
Location: Spruce Street, between River Avenue & Sharon Court
Block 778.06 Lot 58
Administrative Change of Use Site Plan from residential to residential/synagogue

Project Description

The applicant is seeking Site Plan exemption/Change of Use approval for conversion of a single-family residential dwelling into a Rabbi's residence, and construction of a modular, 1 story 27.5' by 66' synagogue behind the existing residence, near the center of the property. As noted on the Change of use plan, minimal site improvements are proposed to support the requested

Change of Use, including sidewalk to the synagogue building and two (2) off-street parking spaces for the future Rabbi's residence. The site is located in the north side of Spruce Street, approximately 400 feet east of its intersection with Route 9. The property is rectangular in shape, is 21,250 sf in area and surrounded primarily by single-family residential structures. I. Zoning 1. The property is located in the R-10 (Single Family Residential) Zone. Synagogues are a permitted use in the zone, subject to the requirements of Section 18-905 of the UDO. 2. Per review of the Site Plan and the zone requirements, the proposed synagogue and sidewalk improvements comply with the Bulk requirements of the R-10 zone. The bulk requirements table notes existing non-conforming setbacks for the existing property and dwelling to remain, including: a. Existing Lot Width (65 feet provided, 75 feet required); b. Side Yard setback (5.1 feet provided, 10 feet required); and c. Aggregate Side Yard setback (16.6 ft provided, 25 ft required). 3. No new bulk variances appear necessary for the change of use request. II. Review Comments 1. Per review of the architectural plans, the synagogue will include a 475 sf net floor area sanctuary (with a 32 occupant capacity) and a 669 sf net floor area library with a (14 occupant capacity). These two areas are depicted as being separated by a wall with a door in-between. No kitchen or catering facilities are depicted. 2. As strictly interpreted, no additional parking is necessary per UDO requirements (18-905A.1) for the proposed sanctuary since the floor area is below the 800 sf net floor area threshold. No parking requirements are identified with the UDO for libraries contained within places of worship. 3. Based upon the application and the architectural plans as prepared, no dedicated off-street parking is required per UDO requirements provided that the proposed library space is not used as sanctuary space. Testimony must be provided by the applicant and/or professionals that the proposed library will not be utilized as a sanctuary, otherwise additional off-street parking is necessary per UDO requirements. 4. Two (2) new 9'x18' parking spaces are proposed in support of the existing dwelling to be used as a Rabbi's residence. Testimony should be provided regarding the existing dwellings (i.e., number of bedrooms, etc.) to confirm the adequacy of the proposed number of spaces. 5. Per UDO Section 18-905B, a 20-foot perimeter buffer is required for disturbed areas adjacent to residential uses or zoning. The proposed synagogue and sidewalk are both within this buffer. Testimony should be provided as to what landscaping (if any) is proposed. Landscaping shall be provided to the satisfaction of the Board. 6. As depicted on the Change of Use site plan, trash will be disposed in robocans stored behind the residence that will be put curbside for collection by the Township DPW. 7. Per plan Note #18, building mounted security lighting is proposed. 8. We recommend that dry wells and roof leaders be provided to manage runoff from the proposed synagogue building. 9. Construction details must be for all proposed site improvements in accordance with Township standards. 10. Information and/or testimony should be provided to confirm that existing utilities serving the site are adequate for the proposed synagogue use. 11. Any information necessary to document compliance with Section 18-906, "Public and Private Schools" of the UDO. 12. If the site plan waiver is approved, we recommend that the applicant's engineer work with our office in developing a mutually acceptable design including but not limited to proposed parking and sidewalk areas, landscape/buffer (if required), dry wells and other appurtenances necessary for the proposed use.

Mr. Vogt noted that there are only existing non-conforming setbacks including lot width, side yard setback and aggregate side yard setback. No new bulk variances appear necessary for the change of use request.

Mr. Samuel Brown, Esq. on behalf of the applicant stated that this site plan requires minimal site improvements. There are no new bulk variances necessary and there are only minor comments to address.

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

Mr. Neiman asked about parking.

Mr. Brown stated that this site is meant to be used for weekends on Shabbat where most of the folks would be walking.

Mr. Lines stated that they do fall below the requirements for parking based on the ordinance. The existing house is being retained for the rabbi which has existing setbacks and are similar to others on the street. With regard to the engineer's review letter, they have no kitchen, no catering, it is a one-story modular building with no habitable basement. There are two parking spaces for the rabbi's needs. A waiver is being requested from any buffer requirements. The library is not going to be utilized as a sanctuary. The existing utilities are sufficient to provide whatever services are required for the proposed synagogue.

Mr. Neiman asked about proposed landscaping.

Mr. Lines stated they have not proposed anything. There is an existing tree and a few bushes in front of the house.

Mr. Brown stated that there is mostly foot traffic in this area. If the Board would like to see landscaping, the applicant would of course comply.

Mr. Neiman opened the microphone to the public.

Ms. Marie Jiminaro, 37 Sherwood Drive, was sworn in. She stated that she lived at on Sherwood Drive since 1965. The street is a dead end street. The street traffic is terrible.

The Board expressed that the synagogue is not on Sherwood Drive, it is on Spruce Street.

Ms. Gerri Balwinz, Governor's Road, was sworn in. She believes that this should be under public hearing items.

Mr. Schmuckler asked if there is an issue in the future, will they put fencing along the property.

Mr. Lines stated that there is some fencing along the east side and he will be back next month for a subdivision on that side as well.

A motion was made by Mr. Schmuckler, seconded by Mr. Percal.

Affirmative: Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert, Mr. Rennert, Mr. Percal

2. **SP 1987** (Variance Requested)
Applicant: 100 Syracuse Court, LLC
Location: Syracuse Court, east of New Hampshire Avenue
Block 1600 Lot 8
Preliminary & Final Major Site Plan to add a one-story addition to existing warehouse

Project Description

The applicant is seeking Preliminary and Final Major Site Plan approval to add a twenty thousand four hundred square foot (20,400 SF) one-story warehouse addition to the existing twenty-one thousand square foot (21,000 SF) one-story masonry warehouse building within the Lakewood Industrial Park. The existing facility is located at 100 Syracuse Court. According to the site plan, the thirteen (13) existing off-street parking spaces will be expanded to fifty-seven (57) proposed off-street parking spaces. Two (2) of the proposed spaces will be handicapped, both being van accessible. Based on the parking requirements of one (1) space per employee on maximum shift plus ten (10) spaces for executives, this would allow for a total maximum shift of forty-seven (47) employees. Proposed parking spaces will be a minimum of 9' X 18'. Access to the site will be provided by an existing driveway from Syracuse Court. The tract will consist of 3.68 acres in area once a Minor Subdivision associated with Application #SD 1850 is filed. The site is mostly developed with the exception of a wooded area on the west side of the property. The property slopes gently downwards from north to south. No freshwater wetlands or state open waters exist on-site or within three hundred feet (300') of the tract. The site has double frontage. The northeast side of the site fronts Syracuse Court while the west side fronts New Hampshire Avenue, a County Road. Access to the site is from Syracuse Court since the Existing Conditions Plan shows a fifty foot (50') wide existing Vegetative Buffer Easement along the New Hampshire Avenue frontage. This Vegetative Buffer Easement will to be reduced to forty-five feet (45') because of a proposed right-of-way dedication of five feet (5') to Ocean County. The adjoining roadways are improved. Municipally supplied water and sewer services are already serving the site. Surrounding lands are all improved with large commercial and industrial land uses. The site is located in the M-1 Industrial Zone. Warehouses are a permitted use in the zone. I. Zoning 1. The site is situated within the M-1, Industrial Zone. Per Section 18-903M.1.c., of the UDO, under "permitted uses" in the M-1 zone cites warehouses. 2. Per review of the site plans and application, the following variances appear to be required: • Minimum Rear Setback – A 17.3 foot rear setback is proposed, whereas a thirty foot (30') rear setback is required, proposed condition. • Minimum Side Setback – The warehouse addition encroaches upon a proposed side setback line. However, the proposed extent of the variance has not been indicated. 3. Per review of the site plans and application, the following design waivers appear to be required: • Providing concrete curb and sidewalk along the project frontage. There is existing curb, but no existing sidewalk along Syracuse Court. There is no existing curb and sidewalk along New Hampshire Avenue, a County Road. No additional curb and sidewalk is proposed across either of the site frontages. • Providing shade trees and a shade tree and utility easement along the Syracuse Court project frontage. There is a Vegetative Buffer Easement across the New Hampshire Avenue frontage. II. Review Comments Per review of the current design plans, the application is generally well prepared. We offer the following comments and recommendations: A. Site Plan/Circulation/Parking 1. Per Section 18-903M.6.b., of the UDO, for industrial buildings having twenty thousand square feet (20,000 SF) to fifty thousand square feet (50,000 SF) of floor area shall provide one (1) parking space for each employee on the

maximum work shift, plus ten (10) spaces for executives. As noted on the site plans, the number of proposed parking spaces will allow for a maximum shift of forty-seven (47) employees. 2. Two (2) handicapped parking spaces, both spaces being van accessible are proposed. A third handicapped parking space is required per ADA requirements since the number of proposed off-street parking spaces exceeds fifty (50). 3. Testimony should be provided on loading/unloading for the site. 4. A 9' X 18' solid waste enclosure on a 12' X 20' pad is proposed at the far side of the parking area across from the building. The refuse area is enclosed, and screening has been provided. The waste receptacle area has been designed in accordance with Section 18-809E., of the UDO. 5. Some corrections are required to the proposed setback lines. 6. Survey data should be provided for the Vegetative Buffer Easement and existing ten foot (10') Utility Easement. 7. An infiltration basin is proposed on the south side of the site. The proposed basin is shallow, having a depth of three and a half feet (3-1/2'). The basin will not be fenced and has no vehicular access. Two (2) small recharge areas are proposed along the north and west sides of the building addition. 8. No sight triangles associated with the site access have been indicated, and may not be necessary because of the configuration of Syracuse Court. 9. The General Notes and Development Table require corrections. The applicant's engineer should contact our office to review potential changes. 10. Generally, the various plan sheets require overwrite corrections. B. Architectural 1. Basic architectural floor plans and elevations were submitted for review. Per review of the submitted plans, the building will be twenty-six feet (26') high, far less than the sixty-five foot (65') allowable height. 2. The plans show the addition will only house warehouse space. Review of the utility plans indicates that restrooms will be proposed. Testimony should be provided on the proposed floor area usage. 3. The rear elevation shows a door which is not on the floor plan. The door is not indicated on the site plan. 4. The applicant's professionals should provide testimony regarding the proposed building facade, and treatments. We recommend that renderings be provided for the Board's review and use prior to the public hearing, at a minimum. 5. Testimony should be provided as to whether any roof-mounted HVAC equipment is proposed. If so, said equipment should be adequately screened. Two (2) proposed air conditioning units at ground level are shown on the site plans which have vegetative screening. C. Grading 1. A detailed grading plan is provided on Sheet 4, and is generally well-prepared. A modular block retaining wall is proposed west of the proposed addition in order to preserve a tree save area on the west side of the site. 2. The site is generally well graded and slopes from north to south. Some proposed contours are missing from the proposed loading dock area for the addition and need to be added to the plans. 3. An infiltration basin is proposed on the southerly portion of the proposed project site. The basin will be less than four feet (4') deep, have a flat sand bottom, and have 4:1 side slopes. 4. Two small recharge areas are proposed on the north and west sides of the proposed building addition. An under drain for these proposed recharge areas connects to an existing twelve inch corrugated metal pipe (12" CMP) behind the north side of the existing building. 5. A review of final grading revisions will be performed during compliance if/when approval is granted. D. Storm Water Management 1. The site has been designed to incorporate the use of two (2) small proposed recharge areas and a small proposed infiltration basin. All runoff from new paved surfaces will sheet flow through a proposed curb cut and be conveyed to the proposed infiltration basin through a rip rap swale. 2. A minimum two foot (2') vertical separation between the proposed bottom of the sand layers and the seasonal high water table has been provided. The proposed basin and recharge areas provide a six inch (6") thick proposed sand layer. 3. Some of the proposed roof leaders on the site plans need to connect to the drainage system. 4. The proposed recharge area located on the north side of the addition will collect roof runoff. It incorporates a depression to receive

runoff from the downspouts on the north half of the building. Any excess runoff will be directed to an existing storm inlet located in the lawn area adjacent to Syracuse Court. 5. A small recharge area along the westerly side of the building addition is proposed. This depression will collect runoff from a portion of the wooded area to remain and some lawn area. The flood elevation of this recharge area will overtop the limits of the section provided, revisions are necessary. 6. The flood elevation of the proposed small infiltration basin will back up into the parking lot. The bottom of the proposed basin can be lowered to rectify the problem. 7. A storm water maintenance manual has not been provided in accordance with NJ Stormwater Rule (NJAC 7:8) and Township standards. It is our understanding this document will not be prepared until after the initial CAFRA review. E. Landscaping 1. A landscape plan has been provided for the project, and is generally well-prepared. Proposed landscape planting for the site consists of four (4) Swamp White Oak, four (4) Green Mountain Sugar Maples, fifteen (15) Japanese Pieris, fifteen (15) Morning Light Miscanthuses, and ten (10) Emerald Green Arborvitae. 2. The locations of the Emerald Green Arborvitae around the trash enclosure need to be adjusted. 3. The applicant has not provided a six foot (6') shade tree and utility easement along the property frontage, and sight triangle easements for the existing site access driveway. If not proposed, design waivers will be necessary. 4. Revisions are required to the Planting Details, and can be addressed during compliance review if/when approval is granted. F. Lighting 1. Per review of the Lighting and Landscape Plan, six (6) building mounted lights are proposed with the addition. 2. Additional lighting appears necessary in portions of the site, and can be addressed during compliance review if/when approval is granted. A point to point diagram will be required. G. Utilities 1. Public water and sewer services will be provided by the Lakewood Township Municipal Utilities Authority. 2. Electric service is available from Jersey Central Power & Light. Gas service is available from New Jersey Natural Gas Company. 3. Testimony should be provided regarding proposed fire protection measures. H. Signage 1. No proposed free-standing or wall mounted signage has been provided on the site plans. 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. Site Summary Per review of the site plans, aerial photography, and a site inspection of the property, the tract is mostly developed with the exception of a wooded area on the west side of the property. The property slopes gently downwards from north to south. No freshwater wetlands or state open waters exist on-site or within three hundred feet (300') of the tract. To assess the site for environmental concerns, a natural resources search of the property and surroundings was completed 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. No environmentally-sensitive areas exist per available mapping. Testimony should be provided by the applicant's professionals as to whether there are any known areas of environmental concern (i.e. fuel tanks, fuel spills, etc.) that exist within the property. 2. Tree Management Plan The project must comply with the new Township Ordinance Chapter XIX, Protection of Trees. The locations of the larger seventeen (17) trees are shown on the Existing Conditions Plan. J. Construction Details 1. Construction details are provided on Sheets 9 and 10 of the plans. 2. 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. 3. No pilasters are shown for the decorative block walls on the Double Trash Enclosure Detail. 4. Unless sidewalk is required along Syracuse Court, the Location of Curb Ramp for Crossing Parallel and Perpendicular to Highway shall be eliminated. Only Curb Ramp Type 7 will be required for the site as currently proposed. 5. The base course pavement should be thicker on

the On-Site Pavement Section. 6. A depressed curb detail is required. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance (as applicable); b. Lakewood Industrial Commission c. Lakewood Fire Commissioners; d. Lakewood Township Municipal Utilities Authority (water and sewer); e. Ocean County Planning Board; f. Ocean County Soil Conservation District; g. NJDEP CAFRA Individual Permit; and h. All other required outside agency approvals.

Mr. Jackson believes this should be a courtesy review. He will look into it further.

A motion was made by Mr. Follman, seconded by Mr. Percal to move the application to the July 10, 2012 meeting as a public hearing item.

Affirmative: Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert, Mr. Rennert, Mr. Percal

- 3. SD 1850** (No Variance Requested)
Applicant: Lakewood Township MUA
Location: Syracuse Court, east of New Hampshire Avenue
Block 1600 Lots 8 & 14
Minor Subdivision to realign two existing lots

Project Description

This application is for the re-alignment of property lines to provide additional area to the Lakewood Township Municipal Utilities Authority for construction of a new well. Existing Lots 8 and 14 in Block 1600 would be reconfigured as designated on the subdivision plan. The site is situated in the eastern portion of the Township in the Lakewood Industrial Park. It is southeast of the New Hampshire Avenue and Cedar Bridge Avenue intersection and spans between New Hampshire Avenue and Syracuse Court. Syracuse Court is an improved municipal road with a sixty foot (60') right-of-way and a forty foot (40') pavement width. New Hampshire Avenue is a County Road with an existing variable width right-of-way and a fifty foot (50') pavement width. Right-of-way dedication is proposed along New Hampshire Avenue. Curb exists only along the Syracuse Court frontage and no sidewalk exists along either frontage. The total tract area is 3.96 acres. Existing Lot 8 owned by 100 Syracuse Court, LLC, consists of 3.73 acres in area, and is mostly developed as a warehouse site with the exception of a wooded area on the west side of the property. Existing Lot 14 owned by the Lakewood Township Municipal Utilities Authority, consists of ten thousand square feet (10,000 SF) or 0.23 acres, and is developed with a pump house. The properties generally slope gently downwards from north to south. No freshwater wetlands or state open waters exist on-site or within three hundred feet (300') of the tract. Existing Lot 8 has double frontage. The northeast side of existing Lot 8 fronts Syracuse Court while the west side fronts New Hampshire Avenue, a County Road. Existing Lot 14 only has frontage on New Hampshire Avenue. Access to existing Lot 8 is from Syracuse Court since the Survey shows a fifty foot (50') wide existing Vegetative Buffer Easement along the New Hampshire Avenue frontage. Surrounding lands are all improved with large commercial and industrial land uses. Existing Lot 14 is proposed to be reconfigured into new 60' X 175' Lot 14 consisting of ten thousand five hundred square feet (10,500 SF) or 0.24 acres. As a result, existing Lot 8 is proposed to be reconfigured into new Lot 8 consisting of 3.68 acres. The site is

located in the M-1 Industrial Zone. Public utility uses are a permitted use in the zone. Warehouses are also a permitted use in the zone. I. Zoning 1. The site is situated within the M-1, Industrial Zone. Per Section 18-903M.1.c., of the UDO, under "permitted uses" in the M-1 zone cites warehouses. Per Section 18-903M.1.h., of the UDO, under "permitted uses" in the M-1 zone cites public utility uses. 2. Per review of the site plans and application, the following variances appear to be required: • Minimum Lot Area – three (3) acres required, 0.24 acres provided for new Lot 14, proposed condition. It should be noted the lot area of existing Lot 14 was only 0.23 acres. • Minimum Lot Width – three hundred feet (300') required, one hundred seventy-five feet (175') provided for new Lot 14, proposed condition. It should be noted the lot width of existing Lot 14 was only one hundred feet (100'). • Minimum Front Setback – fifty feet (50') required with approval of the Lakewood Industrial Commission, 41.7 feet provided for new Lot 14, proposed condition. It should be noted that the existing pump house was in conformance with the minimum front setback prior to the proposed right-of-way dedication to the County. • Minimum Rear Setback – thirty feet (30') required, 5.3 feet provided for new Lot 14, proposed condition. 3. Per review of the site plans and application, the following design waivers appear to be required: • Providing concrete curb and sidewalk along the project frontage. There is existing curb, but no existing sidewalk along Syracuse Court. There is no existing curb and sidewalk along New Hampshire Avenue, a County Road. No additional curb and sidewalk is proposed across either of the site frontages. • Providing shade trees and a shade tree and utility easement along the new Lot 8 Syracuse Court project frontage and the new Lot 14 New Hampshire Avenue project frontage. There is a Vegetative Buffer Easement across the New Hampshire Avenue frontage of new Lot 8. II. Review Comments 1. The M-1 Zone Requirements table requires corrections. The applicant's professionals should contact our office to review the provided information. 2. A ten foot (10') wide right-of-way dedication to Ocean County is proposed across the frontage of existing Lot 14 which will bring the half right-of-way width of New Hampshire Avenue in front of proposed Lot 14 to thirty-five feet (35'). In addition, a five foot (5') wide road widening easement to Ocean County is proposed across the frontage of proposed Lot 14. 3. A five foot (5') wide right-of-way dedication to Ocean County is proposed across the frontage of proposed Lot 8 which will bring the half right-of-way width of New Hampshire Avenue in front of proposed Lot 8 to forty feet (40'). As a result, the existing fifty foot (50') wide vegetative buffer easement will be reduced to forty-five feet (45'). Furthermore, the existing vegetative buffer easement which would be within new Lot 14 is proposed to be abandoned. 4. Off-street parking requirements do not appear applicable to this minor subdivision application. Confirming testimony should be provided. 5. The proposed acreage for new Lot 14 should be corrected to 0.24 acres. 6. The proposed new lot lines will leave existing improvements such as the dry well and bituminous pavement encroaching onto new Lot 8. Either the proposed new lot lines should be revised or the existing improvements altered. 7. A future well location is depicted. Accordingly, a fifty foot (50') radius well protection easement dedicated to the LTMUA is proposed on new Lot 8. The proposed survey data for the easement shall be completed. 8. Except for the future well location, no new site improvements are proposed. Some of the existing fence for existing Lot 14 is shown to be removed, but no new fencing is proposed. 9. The Minor Subdivision Plan shows new lot numbers were assigned by the tax assessor's office on 4/12/2012. If approved, the map shall be signed by the tax assessor. 10. Landscaping should be provided to the satisfaction of the Board, and should conform to recommendations (if any) from the Township Shade Tree Commission as practicable. Existing trees with a diameter of at least ten inches (10") have been located on the Survey. This development, if approved must comply with the Township Tree Ordinance. Only one (1) existing tree with a diameter of twelve inches (12") will be impacted by this minor

subdivision. 11. Testimony should be provided on proposed site grading and storm water management. No proposed grading is indicated on the plan. 12. Compliance with the Map Filing Law is required. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance (as applicable); b. Ocean County Planning Board; and c. All other required outside agency approvals.

Mr. Doyle on behalf of the applicant stated that this is a subdivision to realign the lot lines between the present MUA property and the property that is owned by 100 Syracuse Court, LLC. They will comply with all the comments in the engineer's report.

Mr. Jackson believes this should be a courtesy review. He will look into it further.

A motion was made by Mr. Follman, seconded by Mr. Percal to move the application to the July 10, 2012 meeting as a public hearing item.

Affirmative: Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert, Mr. Rennert, Mr. Percal

- 4. SD 1851** (No Variance Requested)
Applicant: Cedarbridge Development, LLC
Location: New Hampshire Avenue
Block 961.01 Lot 2.01
Minor Subdivision to create two lots

Project Description

The applicant seeks minor subdivision approval to subdivide existing Lots 1.02 and 2.01 in Block 961.01, into two (2) new lots shown as proposed Lots 2.05 and 2.06 in Block 961.01 on the subdivision plan. The applicant is Cedarbridge Development, LLC, of 641 Fifth Street, Lakewood, New Jersey 08701. The owner of the existing lots is Lakewood Township. The 9.813 acre site is situated in the central portion of the Township on the south side of the Boulevard of the Americas and the west side of New Hampshire Avenue. A corner property, Lot 1.03, owned by the Lakewood Township Municipal Utilities Authority is not part of the site. The adjoining roads are improved. The plan shows the Boulevard of the Americas has an existing variable right-of-way width. New Hampshire Avenue is a County Road with an existing right-of-way width of ninety feet (90'). No additional right-of-way dedications are proposed for this minor subdivision. A construction project has recently been completed along New Hampshire Avenue and the right-of-way shown on the minor subdivision plan is consistent with the County Plans. Proposed Lot 2.05 would become a 4.465 acre property with frontage on the Boulevard of the Americas. Proposed Lot 2.06 would become a 5.348 acre tract with frontage on the Boulevard of the Americas and New Hampshire Avenue. An existing sixty foot (60') wide access and utility easement from the Boulevard of the Americas will split the proposed property line between new Lots 2.05 and 2.06. An existing twenty foot (20') wide sanitary sewer easement traverses proposed Lot 2.05. An existing twenty foot (20') wide gas pipeline easement and an existing twenty foot (20') wide drainage easement runs through portions of proposed Lot 2.06. The lots are situated within the DA-1 Cedarbridge Redevelopment Area. No variances are required to

create this subdivision. We have the following comments and recommendations: I. Zoning 1. The parcels are located in the DA-1 Cedarbridge Redevelopment Area. Per communications with the applicant's professionals, the proposed uses will be office and warehouse/storage in nature. 2. Per communications with the applicant's professionals, waivers were granted with the original major subdivision including sidewalks and shade tree and utility easements. Review of the previously filed (Van Note Harvey) Major Subdivision Plats appear to corroborate the applicant's position that necessary waivers for sidewalk, shade tree and utility easements were previously granted. II. Review Comments 1. Per communications with the applicant's professionals, there are no new site plan improvements proposed as part of the current minor subdivision application. 2. The Minor Subdivision title box should include Lot 1.02. 3. Dedications and areas should be added to all easements and restrictions. 4. Survey data should be completed for the existing drainage easement. These data could be supplied during compliance if approval is granted. 5. Under "Parking Requirements" it appears the calculation $40,000 \text{ SF} \times 4/1,000 = 160$ is not relevant to this plan. 6. The proposed building setback lines should be eliminated from the existing access and utility easement. 7. Proposed parking setback lines are shown on the new lots. The proposed parking setback line should be eliminated from the existing access and utility easement. 8. A bench mark shall be provided for the vertical datum. The vertical datum is NGVD 29 since the aerial topography is from 1987. 9. The filed Major Subdivision Plat which created Lots 2.01 through 2.03 proposes easements which are indicated on the Minor Subdivision Plat submitted. 10. A County Road Improvement project for New Hampshire Avenue has recently been completed. 11. The proposed lot and block numbers must be approved by the tax assessor's office. 12. No shade tree and utility easements are proposed along the property frontages on the Minor Subdivision Plat. 14. Compliance with the Map Filing Law is required. 15. Development for proposed lots 2.01-2.03 will require future site plan applications for development. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Ocean County Planning Board; and b. All other required outside agency approvals.

Mr. Rennert stepped down.

Mr. Abraham Penzer stated that he had the privilege of knowing Kevin for almost 36 years. He was my friend by Donald Smith Associates and I helped him get the job here, he was my friend. He got in earlier than anybody else here. If we didn't speak five times a day, we spoke ten times a day. Kevin was there, he would solve problems. Forgot about the developers, the little kids, he was there.

Mr. Abraham Penzer, Esq. on behalf of the applicant stated that the Township of Lakewood entered into an agreement with Cedarbridge Development to develop the property to make offices, warehouses, etc. A customer is going to build an office building. They will comply with everything in the engineer's report. He asked to be put on the June 26th agenda.

A motion was made by Mr. Banas, seconded by Mr. Schmuckler to move the application to the June 26, 2012 meeting.

Affirmative: Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Percal

5. **SD 1849** (No Variance Requested)
Applicant: Saul Mizrahi
Location: Jay Street, west of Warren Avenue
Block 768 Lot 41.01
Minor Subdivision to create two lots

Project Description

The applicant proposes to subdivide the existing 100' X 150' tract into two (2) equal separate lots. Existing Lot 41.01 in Block 768, containing fifteen thousand square feet (15,000 SF), would be subdivided into proposed Lots 41.01 and 41.02 as designated on the subdivision plan. The property contains an existing dwelling which would be removed. Public water and sewer is available. The site is situated in the central portion of the Township on the south side of Jay Street, west of its intersection with Warren Avenue. There is a multi-family development on the opposite side of the street to the north. The area to the south is predominantly single-family residential. Vacant lands are immediately to the east and west with freshwater wetlands off-site to the west. Jay Street is a paved dead end road in fair condition. Curb and sidewalk does not exist along the property frontage, but is proposed. Potable water exists on the north side of the street, sanitary sewer exists in the center of the street, and gas exists on the south side of the street. The existing fifteen thousand square foot (15,000 SF) property which would be subdivided into seven thousand five hundred square foot (7,500 SF) lots falls within the R-7.5 Single Family Residential Zone. No variances are requested to create this subdivision. We have the following comments and recommendations: I. Zoning 1. The property is located within the R-7.5 Single-Family Residential Zone District. Single-family detached dwellings are a permitted use in the zone. 2. No variances have been requested or appear to be required for this subdivision. II. Review Comments 1. A Survey Plan with Topography has been submitted for review. The survey must be revised to add a datum and bench mark, all existing improvements, and existing spot elevations on Jay Street. 2. The Survey Certification on the Minor Subdivision Plan indicates the survey date to be 5-2-2012. This date must be corrected. 3. The wrong party appears listed in the Notary's Certification of the owner. 4. The applicant listed on the Application is not consistent with the applicant listed in the General Notes of the Minor Subdivision Plan. 5. The General Notes of the Minor Subdivision Plan indicate vertical elevations are based on an assumed datum. The bench mark shown on the Improvement Plan must be provided on the Minor Subdivision Plan. 6. The Proposed Use in General Note #9 shall be revised to "two single family residential dwellings". 7. Stray layers from the Improvement Plan shall be turned off on the Minor Subdivision Plan. 8. The Minor Subdivision Plan should be labeled as sheet 1 of 2. 9. The NJ R.S.I.S. requires 2.5 off-street parking spaces for unspecified number of bedroom single-family dwellings. The zoning schedule indicates that four (4) off-street parking spaces are required and will be provided for the proposed future dwellings. The applicant should provide testimony detailing the number of bedrooms proposed for the future dwellings. Parking must be provided to the satisfaction of the Board. 10. Testimony should be provided whether basements will be proposed for the future dwellings on proposed Lots 41.01 and 41.02. The Notes on the Improvement Plan state that if basements are proposed, a minimum of four (4) off-street parking spaces would be required to comply with the Township Parking Ordinance. 11. If basements are proposed, seasonal high water table information will be required. The Notes on the Improvement Plan indicate seasonal high water table information will be provided with plot plan submissions. 12. The Minor Subdivision Plan shows new lot numbers were assigned by the tax assessor's office on May 16, 2012. If approved, the map shall be signed by the tax assessor. 13. General Note #14 on the Improvement Plan should be

eliminated since it may not be true. 14. The Improvement Plan includes a note that new lots are to be serviced by public water and sewer. The project will be serviced by New Jersey American Water Company since it is located within their franchise area. 15. Six foot (6') wide shade tree and utility easements dedicated to the Township are proposed along the property frontages of new Lots 41.01 and 41.02. The proposed easement areas are shown on an individual lot basis. 16. Three (3) October Glory Maple street trees are proposed along the property frontage of Lots 41.01 and 41.02. Landscaping should be provided to the satisfaction of the Board, and should conform to recommendations (if any) from the Township Shade Tree Commission as practicable. Our site investigation indicates there are many existing trees on-site. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review for proposed Lots 41.01 and 41.02. 17. The applicant proposes to construct curb, sidewalk, and driveway aprons along the property frontage of new Lots 41.01 and 41.02. We recommend the proposed sidewalk be five feet (5') wide and setback two feet (2') behind the back of proposed curb. 18. The Improvement Plan shall be revised to provide proposed grading for the new curb and pavement widening. 19. Testimony is required on the disposition of storm water from the development of proposed Lots 41.01 and 41.02. The property slopes westward toward undeveloped land. The Notes on the Improvement Plan state that storm water management shall be provided when plot plans are submitted. 20. Testimony should be provided on proposed site grading. No proposed grading is indicated on the plan. The Notes on the Improvement Plan indicate that proposed grading will be included on the plot plan submittals. 21. Due to no construction proposed at this time, the Board may wish to require the cost of improvements to be bonded or placed in escrow to avoid replacing them in the future. 22. Proposed monuments are required for the existing outbound corners. 23. Compliance with the Map Filing Law is required. 24. A Pavement Trench Repair Construction Detail shall be added to the Improvement Plan. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance (as applicable); b. Ocean County Planning Board; c. Ocean County Soil Conservation District; and d. All other required outside agency approvals. New Jersey American Water Company will be responsible for water and sewer service.

Mr. Lines stated that they are proposing a two lot minor subdivision with two single family homes. Curb and sidewalk will be provided. Terry suggested they provide 5' wide sidewalk where 4' is required but they are at the end of the street and no one will be building another house after us.

Mr. Mizrahi stated that as of now there are no proposed basement units. If they do decide to have basements, there will be one in each house.

A motion was made by Mr. Rennert, seconded by Mr. Follman to move the application to the July 24, 2012 meeting.

Affirmative: Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert, Mr. Percal

6. CORRESPONDENCE

1. SD 1708 & SD 1709

Applicant: S&H Builders
Location: Hope Chapel Road & Clearstream Road
Block 2.01 Lots 24 & 25

Applicant requests administrative approval to revise previously approved minor subdivision

Description

The applicant is requesting to eliminate all access from Hope Chapel Road by proposing an access and utility easement through the rear of proposed Lots 25.01-25.04 and through proposed Lot 24.02. A common twenty foot (20') wide asphalt driveway is proposed to access Clear Stream Road and service five (5) proposed lots. Each proposed lot will contain a separate parking area capable of providing a minimum of four (4) off-street parking spaces. In addition, a storm water collection and infiltration system is proposed to account for the increase in runoff from new impervious surface. A combination of proposed retaining wall and curb has been designed on the north side of the common driveway to prevent runoff from spilling onto adjoining properties. The plans submitted for review do not address ownership and maintenance responsibilities of the proposed improvements among the five (5) proposed lots. Furthermore, since variances were required for the original subdivision approvals, we find the proposed revisions significant enough that formal Amended Minor Subdivision Applications should be submitted. It is our opinion that the proposed changes have impact on the initial approvals granted by the Board.

Mr. Vogt stated that they have recommended the applicant come back to the Board and submit a full subdivision application.

Mr. Doyle stated that the applicant will be meeting with the neighbors and discuss this further. They will submit an amended application and give proper notice to the neighbors.

Mr. Neiman agrees that they should revisit the whole application.

7. PUBLIC PORTION

8. APPROVAL OF MINUTES

9. APPROVAL OF BILLS

A motion was made and seconded to approve.

Affirmative: Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert, Mr. Percal

10. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Sarah L. Forsyth
Planning Board Recording Secretary