

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

Chairman Yechiel Herzl called the meeting to order at 6:00 p.m. with the Pledge of Allegiance and 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. Garfield, Mr. Franklin, Mr. Sabel, Mr. Flancbaum, Mr. Herzl

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

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

## **4. MEMORIALIZATION OF RESOLUTIONS**

### **1. SD 2173 Shulem Illowitz**

431, 493, & 501 Joe Parker Road Block 189.04, Lots 188-190  
Second Extension of a Minor Subdivision to create four lots

A motion was made and seconded to approve the resolution.

### **2. SD 2299 Jonathan Rubin**

319, 323, 327 Ocean Ave Block 246, Lots 40, 41, 42.01, & 67  
Extension of a Minor Subdivision to create seven lots

A motion was made and seconded to approve the resolution.

### **3. SP 2285 JAYG Enterprises, LLC**

1875 Swarthmore Ave Block 1609, Lot 11  
Preliminary and Final Major Site Plan for an additional warehouse building

A motion was made and seconded to approve the resolution.

### **4. SD 2337 Chaim Tzvi Hershkowitz**

Towers Street Block 855.03, Lot 37  
Minor Subdivision to create two lots

A motion was made and seconded to approve the resolution.

**5. SP 2300AA Oakandvine LLC**

Turin Avenue Block 1043, Lot 5.02  
Site Plan Exemption to permit modular buildings for a synagogue

A motion was made and seconded to approve the resolution.

**6. SD 2007 Times Square Holdings, LLC**

1054 & 1066 River Avenue Block 431, Lots 13 & 14  
Clarifying Resolution for variances previously granted to Preliminary and Final Major Subdivision

A motion was made and seconded to approve the resolution.

**7. SP 2069 Pinebelt Enterprises, Inc.**

1400-1480 Ocean Avenue Block 669, Lots 10, 23, & 91  
Amended Resolution approving landscaping changes to a previously approved Major Site Plan

A motion was made and seconded to approve the resolution.

**8. SD 2146 Mordechai Eichorn**

1301 Central Avenue Block 12.04, Lot 48  
Abandonment of previously approved Minor Subdivision

A motion was made and seconded to approve the resolution.

**5. PUBLIC HEARING**

**1. SP 2293 Knesseth Bais Yaakov of Lakewood**

James Street Block 338, Lot 1  
Minor Subdivision/Preliminary and Final Major Site Plan for a synagogue

*Review letters prepared by Remington & Vernick Engineers dated July 25, 2018 were entered as exhibits.*

Mr. Vogt said submission waivers are requested for topography, contours and man-made features within 200 ft as well as an environmental impact statement. The B-Site waivers are supported for submission purposes. Their review indicates freshwater wetlands are located to the north and west of the proposed site, which could impact the design. Addressing existing wetlands can be made a condition of approval.

Ms. Miriam Weinstein, Esq. said there is also a minor subdivision associated with this application but it has the same application number. She suggested starting with the subdivision which is fully conforming.

Mr. Vogt confirmed there are no variances associated with the subdivision application. Design waivers for the minor subdivision include improving Edmonds Avenue along lot 1.02 including curb, sidewalk, street trees and a shade tree/utility easement as well as from providing sidewalk, street trees and a shade tree/utility easement along Grantwood Avenue.

Mr. Joe Kociuba, P.E., P.P. was sworn. The applicant is proposing to create new lot 1.01 to place the synagogue at the corner of James Street and Edmonds Avenue. No new improvements are being proposed for lot 1.02 at this time. They are simply carving off that 19,500 sf lot for the synagogue.

Mr. Herzl asked if Edmonds Avenue will be improved along lot 1.01.

Mr. Kociuba confirmed.

Mr. Herzl said technically they need a waiver from improving Edmonds Avenue along 1.02.

Mr. Vogt said that is correct.

Mr. Kociuba said lot 1.02 will remain vacant and they are not proposing any improvements at this time. The County will not allow access off of James Street so it will be located on Edmonds Avenue. There are wetlands further north of the property which they would request a temporary waiver from providing an LOI. Information will be provided regarding offsite wetlands and there was an LOI already issued for the entire lot indicating there are no wetlands on the portion of the property being developed but that permit has since expired.

Mr. Herzl said there are wetlands on Edmonds Avenue.

Ms. Weinstein confirmed and that is the main reason it is not being extended.

Mr. Kociuba said Block 337 Lot 1 is owned by the Township and is the outer limits of the Crystal Lake Preserve. Grantwood Avenue would provide full access to Lot 1.02. There is currently a temporary cul-de-sac easement which would remain at this time. There is the ability to extend this road in the future but it is not part of their application.

Mr. Flancbaum questioned whether there are wetlands on Edmonds Avenue as there was testimony the wetlands were offsite, therefore that road can be improved.

Mr. Kociuba said Edmonds continues past this property which contain wetlands.

Mr. Flancbaum said Edmunds can be improved along proposed lot 1.02.

Mr. Kociuba confirmed.

Mr. Flancbaum said a condition of approval should be that Edmonds Avenue shall be improved when lot 1.02 is developed.

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

Mr. Vogt said for the site plan, variances are requested including minimum front yard setback, side yard setback and minimum rear yard setback for lot 1.01. Relief is required for the number of off-street parking spaces. The latest revised plans propose 16 off-street parking spaces whereas 20 are required. However, the plans indicate that 9 on-street parking spaces are available on Edmonds Avenue. Relief is also necessary from buffer requirements. The revised plans propose to improve Edmonds Avenue with a pavement width of 32 ft along the entire frontage of new lot 1.01. However, the proposed design must be revised to provide a turnaround.

Mr. Kociuba said they will be requesting a waiver from providing that.

Mr. Jackson said the board should realize that they are effectively turning Edmonds Avenue into a parking lot as those spaces back right up to the property line.

Ms. Weinstein said that was the case at the technical hearing but it was since changed.

Mr. Vogt said design waivers are also required from providing sidewalk and shade trees along James Street and Edmonds Avenue.

Ms. Weinstein said this application is for a minor subdivision to create lot 1.01 as discussed and for site plan approval to construct a brand new two-story synagogue on the newly created lot. No variances are required for the minor subdivision. The site is located off of James Street and Edmonds Avenue and is adjacent to the new development known as The Preserve. This area has been recently developed with many new homes and more to be built in the near future with virtually no shul in the area, hence, there is a dire need for such. The owner of adjacent lot 3 was unable to attend tonight but she did speak with him earlier today. He had concerns about the side yard setback which is proposed to be 5 ft from his property. Therefore, they agreed to shift the building over 3 ft to reduce the variance for that side yard setback to 8 ft as opposed to the 5 ft as the plans propose.

Mr. Kociuba said the minimum front yard setback requested is 12 ft. (*difficult to hear*)

Mr. Flancbaum said this is a large piece of property. He questioned why variances are even being requested.

Ms. Weinstein said the other lot does not belong to this applicant and the owner refused to sell it.

Mr. Franklin questioned why they can't turn the building.

Mr. Kociuba said if they do that then it would reduce the parking even further.

Ms. Weinstein said there are 20 parking spaces required for the 1,990 sf sanctuary. There are 16 on-site parking spaces with an additional 9 parking spaces along both sides of Edmonds Avenue. The only other property with frontage on Edmonds Avenue is Block 357 Lot 1 which is owned by the Township and is located within the Crystal Lake Preserve so it is highly unlikely that anything will ever be built on that lot. It sounds terrible to request a 12 ft front yard setback but if you put it into perspective, it really isn't that terrible as that lot will never be developed. She would ask that, as a condition of approval, if and when lot 1.02 is developed, at that point of time, the balance of Edmonds Avenue would have to be paved.

Mr. Flancbaum said the board is struggling with the fact that this is such a large piece of property and they are requesting multiple variances for the synagogue lot. Not only side, front and rear yard setback variances but also parking variances.

Ms. Weinstein understands but the owner refused to sell this applicant anymore land.

Mr. Kociuba argued that this is a better planning alternative which what was previously proposed as they were backing out onto a Township road. Variances are being requested for minimum front yard setback, 12 ft is proposed whereas 30 ft is required. A minimum side yard setback variance of 8 ft is proposed whereas 10 ft is required and a

minimum rear yard setback variance of 10 ft is proposed whereas 20 ft is required. He referenced sections in the Master Plan and MLUL to justify the variances requested. (*difficult to hear*)

Mr. Jackson asked about the basement.

Ms. Weinstein said it would be used for Shabbos use only.

Mr. Herzl suggested that Edmonds Avenue be improved along the entire project frontage which would provide for additional on-street parking and additionally wouldn't limit the shul to be used on Shabbos or holidays only.

Ms. Weinstein said the applicant would agree to improve the entirety of Edmonds Avenue if they are able to use the shul during weekdays as well.

Mr. Kociuba said they would probably gain an additional 20 parking spaces.

Mr. Sabel asked how many parking spaces would be required.

Mr. Kociuba does not know exactly.

Ms. Weinstein said the hall in the basement is approximately 2,400 sf.

Mr. Herzl said the hall is most likely going to be used during the week anyway so they may as well improve the entire road to provide as much parking as possible.

Mr. Franklin argued there won't be any available parking along the street once lot 1.02 gets developed.

Mr. Jackson questioned how many residential units can fit on the remaining properties.

Mr. Kociuba said if no variances are being requested, three.

Ms. Weinstein said they will have driveways that will accommodate 4 parking spaces per unit. The applicant is contemplating removing the basin and moving all of the drainage underground which would be a much greater expense but they may be able to get more parking.

Mr. Kociuba said the basin is located at the front of lot 1.01. He would have to take a closer look but they should be able to get maybe one more parking space as it is within the sight triangle area.

Mr. Herzl questioned why sidewalks are not being provided along James Street.

Mr. Kociuba said they could provide sidewalks but the reason they are requesting that waiver is there is no development due to the Crystal Lake Preserve.

Mr. Herzl said sidewalks shall be provided.

Mr. Sabel asked how many parking spaces are required for the Simcha hall.

Mr. Kociuba believes it would be 13 spaces for the Simcha hall and 20 spaces for the sanctuary for a total of 33 spaces.

Mr. Herzl asked about garbage pickup.

Mr. Kociuba said refuse will be private pickup. An enclosure would have to be provided in order to get public pick up. Many synagogues use roll out cans.

Mr. Jackson questioned where the cans would be stored.

Mr. Kociuba said at the rear or front. They can provide an enclosure for the cans. The layout does not provide for a very large enclosure for a dumpster.

Mr. Franklin isn't sure cans will be sufficient with the Simcha hall.

Mr. Kociuba said they could eliminate a parking space to provide a dumpster enclosure. They were trying to maximum the parking but they are in excess of what is needed so they can certainly eliminate a space.

Mr. Jackson questioned why they don't shift the lot size a bit so they can fit a dumpster.

Ms. Weinstein said the developer won't sell anymore land.

Mr. Jackson said then the alternative is you have a site without a dumpster, without enough parking and all of these issues.

Ms. Weinstein said they would agree to put a dumpster on the site but unfortunately they are constrained here because they can't get the developer to sell more land.

Mr. Vogt said if that is the case then they may be putting too much synagogue on this property.

Mr. Franklin agrees.

Mr. Herzl suggested to try and reach out to the developer again or meet with DPW and come back with a plan that works.

Ms. Weinstein asked that the application be carried.

Mr. Jackson recommends that the applicant revise their plans and come back in response to the board's concerns.

A motion was made and seconded to carry the application to the October 9, 2018.

**2. SD 2334 David Herzog**

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

Due to the lack of a quorum, this application was carried to the September 20, 2018 meeting.

**3. SD 2338 Clearview Equities, LLC**

529, 537, 547 Ocean Ave, 20 Linden Ave, 518 & 520 Bergen Ave  
Block 189.02, Lots 156-158, 173.01, 174.01, 174.02  
Preliminary and Final Major Subdivision to create twelve lots

*A review letter prepared by Remington & Vernick Engineers dated July 31, 2018 was entered as an exhibit.*

Mr. Vogt said this is a conforming application. Submission waivers are requested for topography, contours and man-made features within 200 ft, an environmental impact statement and architectural drawings. The B-Site feature waivers are supported since enough topography has been provided for design. They assume an environmental impact statement has not been provided because of the developed nature of the site. We note that five different type of footprints of duplex dwellings are proposed.

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

Mr. Vogt said no design waivers are being sought.

Mr. Adam Pfeffer, Esq. said this is an application for 6 duplexes for a total of 12 units. It is a conforming subdivision, there is existing curbing and sidewalk. Some of the curb and sidewalk are in disrepair and they would agree to repair or replace any if needed.

Mr. Joe Kociuba, P.E., P.P. was sworn. He said there will be 4 parking spaces per unit.

Mr. Herzl asked about garbage pickup.

Mr. Kociuba said there will be roll out cans.

Mr. Pfeffer asked if there are any items in the engineer's report which cannot be met.

Mr. Kociuba said the only comment is concerning the sight triangle easement dedicated to the State. The State does not like to see sight triangle easements so they would request waiver from same.

Mr. Vogt asked that the applicant work with the NJDOT and address sight distance per applicable DOT standards.

Mr. Kociuba agreed.

Mr. Vogt said it could be dedicated to Lakewood Township.

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

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

**4. SD 2288 Locust Holdings, LLC**

Locust Street Block 1086, Lot 6-15, 29, & 30  
Preliminary and Final Major Subdivision to create twenty-nine lots

Due to the lack of a quorum, this application was carried to the September 4, 2018 meeting.

**6. APPROVAL OF MINUTES**

**7. APPROVAL OF BILLS**

**8. ADJOURNMENT**

The meeting was hereby adjourned. All were in favor.

Respectfully submitted  
Sarah L. Forsyth  
Planning Board Recording Secretary