

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

3. SWEARING IN OF PROFESSIONALS

Mr. Vogt was sworn in.

4. MEMORIALIZATION OF RESOLUTIONS

- 1. SP 2034AA** (Variance Requested)
Applicant: Me’Ohr Hatalmud, Inc
Location: Chestnut St & Caldwell Avenue
Block 1097 Lot 2
Amended Change of Use/Site Plan Exemption from single-family residence to boys’ high school; Chestnut Street pull-off no longer proposed

A motion was made by Mr. Follman, seconded by Mr. Herzl to approve.
Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman
Abstain: Mr. Rennert

- 2. SD 1948** (No Variance Requested)
Applicant: Yeshiva Shvilay Hatalmud, Inc.
Location: 961 East County Line Road and Kennedy Boulevard East
Block 174.04 Lot 57
Preliminary & Final Major Subdivision to create 5 lots

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

- 3. SP 2065** (Variance Requested)
Applicant: Yeshiva Shvilay Hatalmud, Inc.
Location: 961 East County Line Road
Block 174.04 Lot 57
Preliminary & Final Major Site Plan for addition to existing school and a new dormitory building

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

- 4. SD 1892** (No Variance Requested)
Applicant: Yeshiva Yesodei Hatorah
Location: Bellinger St, South Bell Ave, South Lafayette Ave, Read Pl
Block 804 Lots 1 & 2
Block 823 Lot 1
Block 830 Lots 40 & 41
Amended Resolution - Site Plan for 41 rental townhouses and associated site improvements

A motion was made by Mr. Follman, seconded by Mr. Herzl to approve.
Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman
Abstain: Mr. Rennert

5. PLAN REVIEW ITEMS

- 1. SD 1964** (Variance Requested)
Applicant: Arlington Heights, LLC
Location: John Street & Lincoln Street
Block 769 Lots 18, 19, 19.01, 19.02, 19.06, & 19.07
Minor Subdivision to create 9 lots

Project Description

The applicant seeks approval to subdivide six (6) existing lots into four (4) duplex lots and five (5) single family lots. The site, consisting of existing Lots 18, 19, 19.01, 19.02, 19.06, and 19.07 in Block 769 would be subdivided into proposed Lots 18.01 and 19.08 through 19.15. The duplexes will be on proposed Lots 19.12 through 19.15 as designated on the subdivision plan. The existing lots are vacant and wooded. The existing tract consists of six (6) adjacent lots with frontages along John Street, Melville Avenue, and Lincoln Street. Melville Avenue was vacated by Ordinance No. 2014-29. Proposed Lots 19.10 and 19.11 contain land from vacated Melville Avenue. The site is located in the central portion of the Township. The existing lots are located on the southern side of John Street and northern side of Lincoln Street, east of Arlington Avenue. John Street is an improved municipal road with a sixty-six foot (66') wide right-of-way. Lincoln Street is an improved municipal road with a right-of-way of varying width at the frontage of the property. The site generally slopes toward the east. No improvements have been proposed with this subdivision application. The proposed lots are situated within the R-7.5 Single-Family Residential Zone. Unless vacant, the surrounding land uses are generally residential. We have the following comments and recommendations: I. Zoning 1. The parcels are located in the R-7.5 Single-Family Residential Zone District. Single-family detached housing is a permitted use under R-7.5 Zoning requirements. Two-family housing and duplexes are permitted provided that newly created lots have a minimum lot size of ten thousand square feet (10,000 SF) and have a minimum lot width of sixty feet (60'). Zero lot line subdivisions for duplexes are permitted in the zone. 2. A Minimum Lot Area variance is required for proposed Lot 19.11. Minimum Lot Area for a Single Family Residence is seven thousand five hundred square feet (7,500 SF), whereas seven thousand two hundred fifty square feet (7,250 SF) is proposed. 3. A Minimum Lot Width variance is required for proposed Lot 19.11. Minimum Lot Width for a Single Family Residence is fifty feet (50'), whereas forty-five feet (45') is proposed. 4. Variances are required for Minimum Side Yard Setback. Minimum Side Yard Setback for a Single Family Residence or a Duplex is seven feet (7'), whereas five feet (5') is proposed for new Lot 19.11, and six feet (6') is proposed for new Lots 18.01, 19.08, 19.09, 19.10, 19.13, and 19.15. 5. Variances are required for Minimum Aggregate Side Yard Setback. Minimum Aggregate Side Yard Setback for a Single Family Residence is fifteen feet (15'),

whereas ten feet (10') is proposed for new Lot 19.11, and twelve feet (12') is proposed for new Lots 18.01, 19.08, 19.09, and 19.10. 6. A waiver is required for the 25' X 25' road widening easement proposed for new Lot 19.11, instead of a right-of-way dedication. It should be noted that a right-of-way dedication would increase the severity of the variances proposed for new Lot 19.11. However, the proposed easement is for an existing stub on Melville Avenue which would no longer be required since the street has been vacated. Testimony should be provided on the proposed design. 7. Waivers are required for proposed lot lines which are not perpendicular to the right-of-way. However, we recommend approval of these waivers since John Street is skewed with respect to the rest of the Block. 8. The applicant must address the positive and negative criteria in support of the required 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. II. Review Comments 1. Existing utilities in the right-of-ways should be updated on the survey. 2. A revision date must be added to the Minor Subdivision for this resubmission requesting additional variances. 3. Under the Schedule of Bulk Requirements proposed Lot 19.11 should have asterisks to indicate the variances required. The Minimum Lot Width for proposed Lot 19.11 should be corrected to forty-five feet (45'). The Minimum Side Yard Setback shall be corrected to five feet (5') and the Minimum Aggregate Side Yard Setback corrected to ten feet (10'). 4. The Schedule of Bulk Requirements should be revised for the Duplexes. The required minimum lot width is thirty feet (30') for zero lot line duplex units. The required minimum side yard setbacks should be zero feet (0') and seven feet (7'). Minimum combined side yard setbacks are not applicable. The provided information should be revised accordingly. 5. The Schedule of Bulk Requirements indicates that four (4) off-street parking spaces will be required and provided per dwelling unit. Off-street parking should be provided to the satisfaction of the Board and comply with Ordinance 2010-62. 6. General Note #7 should be "Applicant/Owner" and include Lot 19. 7. Zone Boundary Lines should be clarified on the plan. Properties on the west side of Arlington Avenue, north of Lincoln Street are in the R-M Zone. 8. The right-of-way for Lincoln Street should be clarified on the survey and the improvement plan. 9. New lot numbers should be assigned by the Tax Assessor. The map shall be signed by the Tax Assessor should approval be granted. 10. The existing shed on proposed Lot 19.15 must be labeled "to be removed". 11. The rear lot line on proposed Lot 19.15 should be revised to 32.50 feet. 12. A 3.15 foot dimension should be added to the proposed portion of the rear lot line of new Lot 19.14 which is parallel to the front lot line. 13. A twenty foot (20') dimension should be added to the front lot line of new Lot 19.11 which is not part of the land from vacated Melville Avenue. 14. A six foot (6') wide shade tree easement exists along the Lincoln and John Street frontages. The proposed easement areas should be provided on an individual lot basis. The easement will need to be revised on proposed Lot 19.11. 15. No street trees are proposed within the shade tree easements for the project and are required unless a waiver is granted. 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. Assuming street trees will be proposed, the revised plans must be submitted to the Shade Tree Commission for review. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan Review for the proposed lots. Most of the site is wooded with large trees. 16. Improvement Plans which include road widening, curb, and sidewalk must be provided for John Street. 17. Concrete sidewalk is required along the frontage of Lincoln Street unless a waiver is granted by the Board. 18. Proposed concrete sidewalk should be designed to a width of five feet (5') unless pedestrian passing lanes are added. 19. Should basements or recharge systems be proposed for the future dwellings, seasonal high water table information will be required. 20. Grading and storm water management designs should be provided when an Improvement Plan is submitted. 21. The proposed project will increase impervious area by more than a quarter acre and disturbance will exceed an acre. Therefore, the project shall be designed for Major Development. 22. Water and sewer service is to be provided by New Jersey American Water Company since the project is within their franchise area. 23. The Plan and Legend shall be clarified to indicate the monuments found, monuments set, and monuments to be set for this project. The

monument locations are inconsistent between the plan and the easement to be vacated. 24. 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. 25. Compliance with the Map Filing Law is required. 26. The Improvement Plan to be provided must include proposed profiles, grading, drainage, and construction details in accordance with any conditions of approval imposed by the Board. 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.

Mr. Vogt stated that variances are being requested for lot area, lot width, side yard setback and aggregate side yard setback.

Mr. Sean Gertner, Esq., on behalf of the applicant. He said they recognize there were issues with the notice and they will be re-noticing for this application.

Mr. Brian Flannery, P.E., P.P. said it is the single family lot that is adjoining the Township open space where they are asking for the variances. The other lots will accommodate duplexes. Testimony will be provided at the public hearing.

A motion was made by Mr. Follman, seconded by Mr. Herzl to advance the application to the October 21, 2014 meeting. Notice will be provided.

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

- 2. **SD 1965** (Variance Requested)
Applicant: Arlington Heights, LLC
Location: Arlington Avenue
Block 769 Lots 19.03, 19.04, & 19.05
Minor Subdivision to create 9 lots

The applicant requested this application be carried to the October 7, 2014 meeting. No further notices.

- 3. **SD 1966** (Variance Requested)
Applicant: Yehuda Ehrman
Location: Lanes Mill Road
Block 189.16 Lot 50.01 & 50.02
Minor Subdivision to create 3 lots

Project Description

The applicant seeks minor subdivision approval for the subdivision of two (2) existing residential lots into three (3) residential lots. The project involves an existing 48,163 square foot (1.1 acre) property comprised of two (2) lots known as Lots 50.01 and 50.02 in Block 189.16. The proposed properties are designated as new Lots 50.03 through 50.05 on the subdivision plan. The overall tract contains an existing two-story dwelling and an existing barn. The subdivision plan indicates all existing structures would be removed. The two-story dwelling is currently serviced by a septic system, potable well, and oil tank, all of which are to be abandoned or removed. Overhead electric exists on the southwest side of Lanes Mill Road and also serves the dwelling. Sidewalk and curbing do not exist along the frontage, but end at the edge of the neighboring property to the northwest. The site is situated in the northeastern portion of the Township on the southwest side of Lanes Mill Road, across from Cindy Court. Lanes Mill Road is an improved County Road with a variable width right-of-way. The half right-of-way width in front of the site is thirty-three feet (33'), which was created by a previous minor subdivision. No curb or

sidewalk is in front of the property, but will be proposed along with a minor road widening which would increase the half pavement width to twenty feet (20'). The property gently slopes towards Lanes Mill Road and the rear of the site is wooded. Proposed Lots 50.03 through 50.05 would become residential properties. The properties would each be roughly sixteen thousand square feet (16,000 SF). Lot area and lot width variances would be required to create this subdivision. The surrounding lots are primarily residential. The lots are situated within the R-20 Single Family Residential Zone. We have the following comments and recommendations: I. Zoning 1. The parcels are located in the R-20 Single-Family Residential Zone District. Single family dwellings are permitted. 2. Lot area variances are required for proposed Lots 50.03, 50.04, and 50.05. Lot areas of roughly sixteen thousand square feet (16,000 SF) are proposed for the new lots. Lot areas of twenty thousand square feet (20,000 SF) are required. 3. Lot width variances are required for all proposed lots. A lot width of sixty feet (60') is proposed for new Lots 50.03 and 50.04 and a width of 81.1 feet is proposed for new Lot 50.05. One hundred foot (100') lot widths are required. 4. 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. II. Review Comments 1. We have reviewed the Outbound & Topographic Survey Plan provided. Existing fencing crosses property lines. Encroachments must be addressed by the Minor Subdivision. 2. Vertical Datum is assumed. The benchmark shown on the Survey should be indicated on the Minor Subdivision Plan. 3. The General Notes indicate that horizontal datum and coordinates are from Filed Map # J-3639. 4. General Note #7 shall be corrected to indicate water and sewer service to be provided by Lakewood Township Municipal Utilities Authority since the project is located within their franchise area. 5. The General Notes indicate that proposed curb, sidewalk, and shade trees are to be installed. Accordingly, an Improvement Plan will be required. 6. The General Notes indicate that all existing improvements are to be removed. 7. Off-street parking must be addressed. 8. Zones and a Zone Boundary Line must be added. The Zone Boundary Line runs along Lanes Mill Road. The opposite side of the highway is an R-15 Zone. 9. The Minor Subdivision Plan shows new lot numbers were assigned by the tax assessor's office. If approved, the map shall be signed by the tax assessor. 10. A six foot (6') wide shade tree and utility easement dedicated to the Township exists along the property frontage. Proposed easement areas for the new individual lots have been provided. 11. An Improvement Plan shall include proposed street trees. 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. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan Review for the proposed lots. The rear areas of the proposed lots are wooded. 12. If basements are proposed for the future dwellings, seasonal high water table information will be required. 13. Testimony is required on the disposition of storm water from the development. The project may qualify as major development. At a minimum, dry wells may be required for storm water management and shall be provided when plot plans are submitted. 14. Testimony is required on site grading from the development. The Improvement Plan shall include proposed grading to insure coordination among the new lots on the proposed project, especially since the site has little relief. 15. 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. 16. Compliance with the Map Filing Law is required. 17. An Improvement Plan must include grading drainage, and construction details as required. This Improvement Plan may be provided for resolution compliance if approval is given. III. Regulatory Agency Approval 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. A revised submission should be provided addressing the above-referenced comments, including a point-by-point summary letter of revisions.

Mrs. Miriam Weinstein, Esq., on behalf of the applicant, requested that this application be heard as both a tech and public item tonight. The applicant had previously submitted an application to the Zoning Board for a use variance. The neighbors all came out and objected. They met with the neighbors and then considered alternate routes including duplexes but the neighbors were still not in favor. At that point, they met with the neighbors and suggested they do three single family homes which would need some variances. The neighbors were in favor of that plan. The application has dragged on for many months and she would like to get this heard in full tonight.

Variations are requested for lot area and lot width.

Mr. Neiman said people know at the Planning Board that there is both a tech meeting and a public meeting. He feels uncomfortable being that some people thought this was only a tech meeting and would not be able to speak tonight.

Mrs. Weinstein understands.

Mr. Brian Flannery, P.E., P.P. said the application is for a three lot subdivision on County Line Road. The reason they went to the Zoning Board is because residential development on County Line is rather difficult. A highlighted version of the tax map was submitted as exhibit A-1. The minor subdivision was submitted as A-2. To the north of the subject application is the R-15 zone and they are proposing 16,000 sf lots so they are consistent with the development on the north side. The applicant has tried to develop this property unsuccessfully because nobody really wants to build a house on County Line Road. Further testimony will be provided at the public hearing.

A motion was made by Mr. Follman, seconded by Mr. Herzl to advance the application to the October 21, 2014 meeting.

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

- 4. SD 1967** (No Variance Requested)
Applicant: Accurate Builders
Location: Amsterdam Ave, Blanche Street, and Nussbaum Ave
Block 445 Lot 155
Preliminary and Final Major Subdivision to create 8 lots (4 duplex buildings)

Applicant did not provide adequate public notice. This application will not be heard. The applicant will be re-noticing for the September 23, 2014 meeting.

- 5. SD 1970** (Variance Requested)
Applicant: Yisroel Oelbaum
Location: Linden & Bergen Avenues
Block 189.02 Lot 13
Minor Subdivision to create two lots

Project Description

The applicant seeks minor subdivision approval for the subdivision of one (1) existing residential lot into two (2) residential lots for two (2) single family dwellings. The project involves an existing fifteen thousand square foot (15,000 SF), 0.344 acre property known as Lot 155 in Block 189.02. The proposed properties are designated as new Lots 155.01 and 155.02 on the subdivision plan. Existing Lot 155 is a rectangular corner parcel containing a one-story dwelling and a shed. Two (2) single family residences are proposed for new Lots 155.01 and 155.02. Public water and sewer is available. Curb in poor

condition exists along the Bergen Avenue frontage, but sidewalk does not. Curb and sidewalk, both in poor condition exist along the Linden Avenue frontage of the property. The site is situated in the northern portion of the Township on the northwest corner of Linden Avenue and Bergen Avenue. Both streets are improved Township Roads in poor condition. Linden Avenue and Bergen Avenue have varying right-of-way widths, and pavement widths of thirty feet (30'). However, the half right-of-way widths along the frontages of the site are only twenty feet (20'). Therefore, five foot (5') dedications are required. Proposed Lots 155.01 and 155.02 would become single family properties, with main frontage on Bergen Avenue. Each proposed 75' X 100' property would have an area of seven thousand five hundred feet (7,500 SF), exclusive of any dedications. The site slopes gently southward toward Bergen Avenue. Large individual trees are existing onsite and have been located on the survey. Sanitary sewer exists under the centerline of Bergen Avenue. Potable water is available. Overhead electric exists on the south side of Bergen Avenue and the west side of Linden Avenue. The surrounding lots are predominately residential uses. The lots are situated within the R-10 Single Family Residential Zone. Variances are required for this proposed subdivision. We have the following comments and recommendations: I. Zoning 1. The parcel is located in the R-10 Single-Family Residential Zone District. Single family detached housing is permitted. 2. Five foot (5') wide right-of-way dedications are required along both road frontages. Instead of a dedication, a five foot (5') wide road widening easement has been proposed along Bergen Avenue. Right-of-way dedication has not been addressed along Linden Avenue. If waivers are granted from right-of-way dedications, road widening easements will be required. It should be noted that any right-of-way dedications would increase the number and magnitude of the variances already being requested. 3. A Minimum Lot Area variance is required for proposed Lots 155.01 and 155.02. A lot area of seven thousand five hundred square feet (7,500 SF) is proposed. A ten thousand square feet (10,000 SF) lot area is required. 4. A Minimum Front Yard Setback variance is required for proposed Lot 155.02. A front yard setback of twenty-five feet (25') is proposed to Linden Avenue. A thirty foot (30') front yard setback is required. 5. A Minimum Combined Side Yard Setback variance is required for proposed Lot 155.01. A combined side yard setback of twenty feet (20') is proposed. A twenty- five foot (25') combined side yard setback is required. 6. The applicant must address the positive and negative criteria in support of any 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. II. Review Comments 1. An Outbound and Topographic Survey has been submitted. The following must be addressed: a. Unlabeled monument symbols are shown. b. A centerline shall be added to Linden Avenue.c. A mailbox and signs are missing. 2. A proposed monument shall be shown at the northwest corner of new Lot 155.01. 3. Zones and Zone Boundary Lines shall be added to the Map. 4. Road centerlines and right-of-way dimensions shall be added to the Map. 5. The 55' X 40.9' proposed unit size should be added to new Lot 155.01. 6. A proposed ten foot (10') side yard offset shall be added to new Lot 155.02. 7. A Sight Triangle Easement to Lakewood Township is proposed at the intersection of Bergen Avenue and Linden Avenue. A basis for the proposed easement dimensions shall be provided since the legs are not equal. 8. Six foot (6') wide shade tree and utility easements dedicated to the Township are proposed along the property frontages of new Lots 155.01 and 155.02. Proposed easement dimensions shall be completed on new Lot 155.02. The proposed easement areas are shown on an individual lot basis. 9. The approval box shall be revised to reference the Planning Board. 10. General Note #3 indicates that the vertical and horizontal datum is assumed. The benchmark shown on the Survey and Improvement Plan shall be shown on the Minor Subdivision plan. 11. The future status of the existing improvements (assumed to be removed) shall be addressed on the plans and in the General Notes. 12. General Note #7 shall be revised to "requirements of R-10 zone for single family residences". 13. The Requirements indicate that a minimum of four (4) off-street parking spaces per dwelling unit will be required, and a minimum of four (4) off-street parking spaces per dwelling unit will be provided on proposed Lots 155.01 and 155.02. Testimony should be provided regarding the proposed number of bedrooms, if known. 14. If known, testimony should be provided on whether basements will be

proposed for new Lots 155.01 and 155.02, since off-street parking could be impacted. If basements are proposed, seasonal high water table information will be required. Off-street parking shall be provided to the satisfaction of the Board. 15. The Minor Subdivision Plan shows new lot numbers were assigned by the tax assessor's office. If approved, the map shall be signed by the tax assessor. 16. General Note #10 on the Improvement Plan references a different project and should be corrected to reflect the information given on the plan. 17. General Note #14 on the Improvement Plan requires editing. 18. A plan note indicates the construction of sidewalk along the frontage of Bergen Avenue. However, the existing sidewalk along Linden Avenue is in poor condition and obstructed by a utility pole and fire hydrant. Therefore, we recommend that new five foot (5') wide sidewalk be constructed along both project frontages. A curb ramp is required at the intersection. 19. The existing curb is in poor condition. We recommend replacement of the curb along the entire property frontage of new Lots 155.01 and 155.02. Gutter reconstruction will be required with the curb replacement for grading and drainage purposes. The proposed gutter reconstruction will need to extend slightly west of the site so as not to create a low point in front of the adjoining property. 20. Public water and sewer is available to the project site. The project will be serviced by New Jersey American Water Company, since the site is within their franchise area. 21. Should proposed road reconstruction and utility connections disturb more than twenty percent (20%) of the road length along a site frontage, an overlay would be required. 22. The Improvement Plan proposes four (4) "Red Maple" street trees. The locations of the proposed shade trees are shown on the Improvement Plan. Landscaping should be provided to the satisfaction of the Board, and should conform to recommendations from the Township Shade Tree Commission as practicable. The Shade Tree Commission recommended the addition of foundation plantings. 23. Our site investigation noted several mature trees exist on the property and they have been properly located on the survey. Compensatory plantings should be provided in accordance with the Township Code (if applicable). Additionally, protective measures around mature trees to remain (e.g., snow fencing or tree wells at drip lines) should be provided. If this subdivision is approved, final plot plans for proposed Lots 155.01 and 155.02 submitted for Township review should include tree protective measures to save mature vegetation where practicable. 24. Testimony is required on the disposition of storm water from the development. The project is too small to qualify as major development. The Improvement Plan indicates runoff from the northerly half of the proposed roof areas shall be piped into dry wells. Furthermore, proposed dry wells will be sized for storm water management and shall be provided when plot plans are submitted. 25. The proposed grading indicated on the Improvement Plan will need to be adjusted after the curb replacement is designed. The proposed grading scheme is directing runoff towards the surrounding streets and away from adjoining properties. The large trees requiring removal shall be indicated. 26. 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. 27. Compliance with the Map Filing Law is required. 28. Construction details should be revised on the Improvement Plan in accordance with the conditions of any approvals. 29. Final construction details will be reviewed during compliance should subdivision approval be granted. 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.

Mr. Vogt stated that variances are requested for minimum lot area, front yard setback and aggregate side yard setback.

Mr. John Doyle, Esq., on behalf of the applicant, stated this is an oversized lot for the zone. They seek to subdivide it into two single family lots, both of which would be slightly undersized. They could put a duplex there but they would like to keep with the neighborhood as the homes are mostly single family detached homes. A Percal map will be provided at the meeting as well as any testimony to justify the variances.

A motion was made by Mr. Follman, seconded by Mr. Herzl to advance the application to the October 21, 2014 meeting.

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

- 6. SD 1971** (Variance Requested)
Applicant: Naftoli Eisen
Location: Ashley Avenue
Block 774.04 Lot 14.04
Minor Subdivision to create two lots

Project Description

The applicant proposes to subdivide Lot 14.04 in Block 774.04, which was created by Filed Map K3913, into two (2) new lots. Existing Lot 14.04 is vacant. The applicant proposes to subdivide the existing tract, Lot 14.04 in Block 774.04, into two (2) separate lots, designated as new Lots 14.05 and 14.06 on the subdivision plan. Proposed Lot 14.05 would become a 10,762 square foot irregular lot which would have limited frontage on Ashley Avenue, a partially improved street. Proposed Lot 14.06 would become an 11,116 square foot irregular lot without street frontage. Public water is available from the terminus of Ashley Avenue and public sewer is available from an existing manhole in Ashley Avenue on the north side of Wynatt Street. The site is situated in the central portion of the Township, south of the terminus of Ashley Avenue. The surrounding area is predominantly residential. The northeast corner of the tract has limited frontage (half the right-of-way width) on the terminus of Ashley Avenue. Ashley Avenue is a partially improved municipal road that has an existing right-of-way width of fifty feet (50'). A dead end stub of Ashley Avenue, south of Wynatt Street almost extends to the site. Potable water exists under the sidewalk on the west side of the stub. There is a new trench for an underground gas line in the west side of the pavement. Overhead electric exists within the east side of the right-of-way. The closest sanitary sewer manhole was observed on Ashley Avenue, north of Wynatt Street. Most of the existing 0.502 acre property falls within a valley. There are many small trees on the site. The tract is located in the R-10 Single Family Residential Zone. Variances are requested to create this subdivision. We have the following comments and recommendations: I. Zoning 1. The property is located within the R-10 Single-Family Residential Zone District. Single-family detached dwellings are a permitted use in the zone. 2. All lots must have frontage on an improved street. Therefore, a variance is required for proposed Lot 14.06. Proposed Lot 14.05 will have limited frontage, half right-of-way width, on the terminus of Ashley Avenue, which is a partially improved street. The street condition appears to meet the requirements of a "Public Street" as defined per Subsection 18-200 B of the Lakewood UDO. Twenty-five foot (25') wide access easements are proposed for new Lots 14.05 and 14.06. 3. The following variances are being requested for proposed Lots 14.05 and 14.06: • Minimum Lot Width - 61.50 feet for new Lot 14.05 and 63.52 feet for new Lot 14.06, seventy-five feet (75') required - proposed condition. • Minimum Side Yard Setback – five feet (5') proposed, ten feet (10') required – proposed condition. • Minimum Aggregate Side Yard Setback – ten feet (10') proposed, twenty-five feet (25') required – proposed condition. 4. 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. II. Review Comments 1. Environmental Constraints Mapping indicates the possibility of freshwater wetlands on this site. Per communications with the applicant's professionals, the applicant agrees to provide wetlands assessment by a qualified professional as a condition of approval, if/when granted. 2. The applicant must demonstrate that the proposed Lots 14.05 and 14.06 can be serviceable by emergency and public vehicles such as garbage trucks. 3. The General Notes indicate that four (4) off-street parking spaces are to be provided for each future dwelling. Proposed dwellings are not shown for new Lots 14.05 and 14.06. The applicant should provide testimony detailing

the number of bedrooms for the proposed dwellings on new Lots 14.05 and 14.06, to have the off-street parking requirements on the record. Off-street parking must be provided to the satisfaction of the Board. 4. Testimony should be provided as to whether basements will be proposed for the future dwellings on the proposed lots. If basements are proposed, seasonal high water table information will be required. 5. Twenty-five foot (25') wide access easements are proposed on the portions of new Lots 14.05 and 14.06 where Ashley Avenue was vacated. The plan does not show the dedicated party. Furthermore, the proposed area of the access easement on new Lot 14.05 shall be corrected to 1,537.50 square feet. The Planning Board Attorney should review the Access Easement Notes. 6. The twenty foot (20') setback lines shall be corrected to "rear" setback lines. 7. The General Notes shall correct the existing use to "vacant". 8. The General Notes indicate that coordinates are in an assumed datum. However, the coordinates shown on the plan appear to be State Plane. 9. Vertical datum should be addressed, including a vertical bench mark. 10. General Note #7 states that all existing structures within the subdivision are to be removed. However, the Survey shows no existing structures. 11. The owner/applicant listed in the General Notes is not the same as the owner/applicant listed on the Application. 12. The subdivision is located within the franchise area of New Jersey American Water Company. The plan indicates that public water and sewer are to be provided. 13. Many corrections are required to the Schedule of Bulk Requirements. 14. The Surveyor's Certification lists the wrong survey date. 15. The date in the Secretary's Certification must be changed to 2015. 16. Our site investigation indicates there are many existing small trees on the property. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review for proposed Lots 14.05 and 14.06. 17. An Improvement Plan with construction details shall be provided during compliance review, if/when granted. 18. Existing topography and proposed grades will be required for the improvements connecting to Ashley Avenue. 19. Testimony is required on grading and the disposition of storm water from the development of the proposed lots. 20. Proposed lot numbers must be assigned by the tax assessor's office. 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. 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; c. Ocean County Soil Conservation District; d. New Jersey Department of Environmental Protection; and e. All other required outside agency approvals.

Mr. Vogt stated variances are required for minimum lot width, side yard setback and aggregate side yard setback as well as all lots having frontage on an unimproved street.

Mr. Brian Flannery, P.E., P.P. Pointed out that the street condition does meet requirements of a "public Street" as per the UDO. Relief will be sought for that.

Mr. Neiman asked what happened to the street.

Mr. Flannery said the street was vacated years ago. He feels that in the future, the owner on the other side of the lot will come in and ask for that side so the 50 ft right-of-way will be intact. Testimony will be provided at the public hearing.

A motion was made by Mr. Herzl, seconded by Mr. Follman to advance the application the October 21, 2014 meeting.

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

7. **SD 1972** (No Variance Requested)
Applicant: Sabrina Mermelstein
Location: Hope Chapel & Tori Drive
Block 2 Lot 22 & 135
Minor Subdivision to realign lot line

Project Description

The applicant seeks minor subdivision approval for the adjustment of property lines on two (2) existing lots, to form two (2) new lots. In this manner, the existing use of two (2) single family residential lots will remain the same. The project involves two (2) existing lots known as Lots 22 and 135 in Block 2. The proposed properties are designated as new Lots 22.01 and 135.01 on the subdivision plan. Existing Lot 22 which fronts Hope Chapel Road contains a one and a half story dwelling and a garage. Existing Lot 135, which fronts on Tori Drive, contains a two and a half story single family dwelling. It appears the dwelling on existing Lot 135 will remain and would be located on proposed Lot 135.01. The plan indicates that all structures on existing Lot 22 will be removed, and proposed Lot 22.01 would be for a new single family dwelling. Public water and sewer is not available. Curb and sidewalk exist across most of the frontage of both properties, and would be extended to the edge of both lots. The site is situated in the northwest portion of the Township on the northwest corner of Hope Chapel Road and Tori Drive. Hope Chapel Road is an improved County Highway with pavement in good condition. It has a variable width right-of-way and a three foot (3') dedication is being proposed in front of the site to bring the half right-of-way width to thirty-three feet (33'). Curb and sidewalk in good condition exists in front of most of the site, and would be extended to the property boundary. Tori Drive is an improved Township Road with pavement in good condition. The right-of-way width is the proper fifty feet (50'). Curb and sidewalk in fair condition exist along the roadway. The existing curbing is concrete between Tori Drive's intersection with Hope Chapel Road and Pamela Drive. The existing curbing is granite block further to the north. Apparently, proposed Lot 22.01 would become an irregular corner lot with an area of 48,223.68 square feet for a future single family residential dwelling. Proposed Lot 135.01 would become an irregular lot for the existing dwelling on old Lot 135, with frontage on Tori Drive and an area of 41,822.03 square feet. The lots are situated within the R-40 Single Family Residential Zone. We have the following comments and recommendations: I. Zoning 1. The parcel is located in the R-40 Single-Family Residential Zone District. Single Family Detached Housing is a permitted use in the zone. 2. Per review of the Subdivision Map and the zone requirements, it is not clear whether the following variances are being requested: • Minimum Front Yard Setback - The Zoning Data indicates proposed Lot 22.01 to have an existing front yard setback of less than fifty feet (50'). A fifty foot (50') front yard setback is required. However, the General Notes indicate structures on Lot 22 to be removed. An explanation is required. • Minimum Rear Yard Setback - The Zoning Data indicates proposed Lot 22.01 to have a twenty-four foot (24') rear yard setback and proposed Lot 135.01 to have a 22.12 foot rear yard setback. A thirty foot (30') rear yard setback is required. However, the map shows a rear yard setback for proposed Lot 135.01 far in excess of thirty feet (30') and only shows a rear yard setback line for proposed Lot 22.01. • Minimum Side Yard Setback - The Zoning Data indicates proposed Lot 22.01 to have an 11.50 foot side yard setback. A fifteen foot (15') side yard setback is required. However, the map only shows a side yard setback line for proposed Lot 22.01. • Maximum Building Coverage – The Zoning Data indicates that proposed Lot 22.01 would exceed the twenty-five percent (25%) maximum building coverage. 3. The applicant must address the positive and negative criteria in support of any requested 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. II. Review Comments 1. An Outbound and Topographic Survey Plan has been submitted. The following corrections should be made: a. Lot areas shall be provided. b. The Tree Preservation Area and Conservation Easement shown on Lot 135 shall be properly labeled, including bearings, distances, and an area. c. The existing woods line should be shown; large

trees have not been located. d. The concrete area shown on the east side of the dwelling on Lot 22 is covered by part of the structure. e. Some of the existing fence on Lot 22 has been improperly located. f. The stop sign should be labeled and face toward Tori Drive. g. The mailbox should be labeled or added to the Legend. h. Concrete and granite block curb should be differentiated. i. The Description should be edited. j. Horizontal datum should be provided. 2. Many corrections are required to the Zoning Data, including the following: a. The Minimum Lot Width for proposed Lot 22.01 should be measured along the Hope Chapel Road frontage. b. The Minimum Aggregate Side Yard for proposed Lot 135.01 should be 124.7 feet, while proposed Lot 22.01 would not have an aggregate side yard setback since it would become a corner lot. c. Accessory Building is included in the Data, but no accessory structures are indicated. 3. The Zoning Data indicates that four (4) off-street parking spaces will be required and provided for each unit. The existing dwelling to remain on proposed Lot 135.01 has enough room in the driveway and garage for at least four (4) vehicles. A minimum of four (4) off-street parking spaces for a dwelling unit with a basement is to be provided. Testimony should be provided for off-street parking on proposed Lot 22.01. Off-street parking should be provided to the satisfaction of the Board and comply with the ordinance. 4. The Surveyor's Certification on the Minor Subdivision Plan has not been signed since the monuments have not been set. 5. The Notary Public Certification for the Meisels shall be revised because of the dual ownership. 6. An existing Sight Triangle Easement at the intersection of Tori Drive and Hope Chapel Road is being extinguished, while a new Sight Triangle Easement to the County is being proposed. 7. The Minor Subdivision Plan should be Sheet 1 of 2. 8. Coordinates shall be provided on at least three (3) outbound corners. 9. Zones and Zone Boundary Lines shall be added. 10. A monument to be set should be added to the angle point in the rear line of proposed Lot 135.01. A monument to be set is not needed in the existing driveway of proposed Lot 135.01. 11. The Tree Preservation Area and Conservation Easement shall be completed on proposed Lots 22.01 and 135.01. Capped pins should be provided at all Easement angle points and intersections with property lines. 12. Clarification should be provided on which existing structures on new Lot 22.01 will be removed. 13. The fifty foot (50') front setback line on proposed Lot 22.01 should be shown from the right-of-way line, not the easement line. 14. The easement behind the dedication on Hope Chapel Road shall be completed and labeled proposed six foot (6') shade tree and utility easement. New proposed areas should be provided for the existing shade tree and utility easement along the Tori Drive frontage. 15. General Note # 9 indicates that estimated seasonal high ground water elevation is greater than ten feet (10') as determined by Lines Engineering. Confirming documentation shall be provided. 16. General Notes # 10 and 12 are repetitive. 17. The plans show full faced curb is being proposed on Hope Chapel Road presumably because the existing driveway is being eliminated. The plans also show a new depressed curb and driveway apron along Tori Drive for proposed Lot 22.01. 18. The existing stop sign facing Tori Drive shall be properly shown and labeled. 19. The Minor Subdivision Plan shows new lot numbers were assigned by the tax assessor's office. If approved, the map shall be signed by the tax assessor. 20. The existing Topographic information must be shown on the Improvement Plan. 21. The Improvement Plan and a Tree List proposes eight (8) "October Glory Maple" street trees. The locations of the proposed shade trees are shown on the Improvement Plan. Subdivision 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. The Shade Tree Commission has approved the project. 22. Our site investigation noted the majority of the site to be wooded. Many mature trees exist on the property and need to be located. Compensatory plantings should be provided in accordance with the Township Code. Additionally, protective measures around mature trees to remain (e.g., snow fencing or tree wells at drip lines) should be provided. If this subdivision is approved, a final plot plan for proposed Lot 22.01 submitted for Township review should include tree protective measures to save mature vegetation where practicable. 23. The Improvement Plan shall be revised to provide proposed grades for the top of curb and gutter being extended on Hope Chapel Road. 24. Testimony is required on the disposition of storm water from proposed Lot 22.01. Runoff will collect in an existing depression on proposed Lot 22.01. 25. Testimony should be provided on proposed site grading. No proposed grading is indicated on

the Improvement Plan since the existing topography is not shown. Proposed grading shall be designed. 26. Public water and sewer is not available to the site. An existing potable well and individual septic system are shown for proposed Lot 135.01. 27. 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. 28. Compliance with the Map Filing Law is required. 29. Construction details should be revised on the Improvement Plan in accordance with the conditions of any approvals. 30. Final construction details will be reviewed during compliance should subdivision approval be granted. 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 Board of Health (well and septic); d. Ocean County Soil Conservation District; and e. All other required outside agency approvals.

Mr. Vogt said there is a potential for variances. Testimony needs to be provided as to whether or not the applicant is requesting these variances.

Mr. Glenn Lines, P.E., P.P.s that they are going to be removing all existing structures on lot 22.01 so there will not be any variances. He requested that this application be heard in full as there are no variances. They are just moving a property line 20 ft to give the corner lot a little more frontage on Tori Drive and keep the lot areas the same.

Mr. Follman says he lives in the area and the current structure is an eyesore. He has no objections to hearing this tonight.

Mrs. Morris stated the applicant had not noticed as there are no variances being requested so none of the public is expecting a public hearing at a later date.

Mr. Glenn Lines, P.E., P.P. was sworn in. He affirmed to his previous statements.

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

A motion was made by Mr. Herzl, seconded by Mr. Banas to approve.
Affirmative: Mr. Herzl, Banas, Mr. Neiman, Mr. Rennert, Mr. Sussman
Abstain: Mr. Follman

- 8. SP 2082 (No Variance Requested)**
Applicant: JRK Properties LLC
Location: Oberlin Avenue
Block 1609 Lot 6
Minor Site Plan for parking lot addition
Applicant is requesting plan review and public hearing in one meeting.

Project Description

As referenced in the application form and illustrated on the site plans, the applicant seeks minor site plan approval to install an additional twenty-six (26) off-street parking spaces to support operations at the existing 39,768 sf commercial building located at 1825 Swarthmore Avenue. The facility is located on the northeast side of Swarthmore Avenue, within 100 feet of its intersection with North Oberlin Avenue. The expanded parking will be accessed by the existing two-way paved access drive extending from the southwest corner of the site. Per the parking analysis provided on the Site Plans, sixty-three (63) off-street spaces are required per UDO requirements. Forty-nine spaces exist at present. The proposed off-street parkijg will result in a total of seventy-five (75) spaces, exceeding UDO requirements for the

facility. The tract consists of 3.07 acres in area, and is mostly-developed. Swathmore Avenue has a right-of-way (ROW) width of 60 feet, and a 40-foot cartway along the property frontage (with curbing, no sidewalk). Surrounding properties are improved with commercial and industrial land uses, consistent with the zone (M-1 Industrial Zone).

I. Zoning 1. The site is situated within the M-1, Industrial Zone. The existing uses (sales display, commercial) are permitted. 2. No bulk variance relief appears necessary for the parking lot expansion. However, relief is necessary with respect to the 25-foot perimeter buffer required per UDO subsection 18-803a, where the expanded parking will be within 1-2 feet of the westerly property line. 3. Per review of the site plans and application, the following design waivers appear necessary:

- Eleven (11) of the new spaces, designated employee-only will be gravel (i.e., not paved).
- Providing sidewalk along the site frontage (none existing, nor proposed).
- Providing a shade tree and utility easement along the site frontage (none existing nor proposed).
- Providing shade trees along the site frontage (none existing nor proposed).

II. Review Comments

A. Site Plan/Circulation/Parking

1. The applicant's professionals should provide testimony at the public hearing regarding the proposed project scope, and whether an expansion of existing operations is proposed. 2. As illustrated on the site plans, five (5) new paved spaces (including two handicap accessible spaces) are proposed near the southwest corner of the building. As indicated previously, eleven (11) additional (employee-only) gravel spaces are also proposed. Finally, nine (9) new paved spaces are proposed in the northwest portion of the site. 3. Since the employee spaces will be stacked as proposed, we recommend signage to identify these spaces as employee-only. 4. Confirming testimony should be provided that no change regarding types of delivery vehicles entering or exiting the site is proposed at this time. Assuming this to be true, existing site circulation will be adversely impacted by the proposed parking lot improvements. 5. The site plans depict an existing trash enclosure located in the northwest corner of the site (which is not being impacted by the proposed parking lot improvements). 6. Restriping of existing paved spaces to 9'x20' size is proposed to achieve the total number of off-street spaces (75). We recommend that a note be added to the plans, indicating that existing paving in need of repair shall be repaired to the satisfaction of the Township Inspections department during construction. 7. We recommend that the applicant consider recessed curbing or a similar reinforcement of the proposed new paved spaces in the northwest portion of the site.

B. Grading

1. A grading design is provided on Sheet 2. Per review of the proposed grading plan, the design concept is feasible and well-prepared. 2. Additional spot elevations are required for the proposed 6-foot wide sidewalk and handicap accessible ramp proposed near the five (5) new paved spaces at the southwest corner of the building. 3. Final grading will be addressed during compliance review, if/when approval is granted.

C. Storm Water Management

1. Summary drainage calculations should be provided, documenting the amount of new paving proposed (and associated impacts, if any). It appears that the proposed project is not classified as major development as defined in NJAC 7:8. 2. A final review of storm water management measures will be performed during compliance review, if/when approval is granted.

D. Landscaping

1. As noted on Sheet 2 of the site plans, the applicant is proposing to replace three (3) trees being removed with three (3) new red maples. 2. Additional landscaping (if desired) should be provided to the satisfaction of the Board. 3. Perimeter buffering (fencing, evergreen, other) should be provided along the new limit of parking near the westerly property line (if desired by the Board). 4. A final review of the landscape design can take place during compliance should amended site plan approval be granted.

E. Lighting

1. Lighting design information (existing and proposed) is provided on Sheet 2 of the site plans. As noted, an existing pole-mounted fixture will be provided in the vicinity of new parking in the northwest corner of the property. 2. Unless the five new paved spaces (including handicap accessible) will not be used after mid-afternoon, we recommend wall mounted lighting be considered for illumination of this area. 3. Final review of the lighting design can take place during compliance should amended site plan approval be granted.

F. Signage

1. No new signage (other than parking or directional) appears proposed. 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.

G. Environmental

1. Environmental Impacts 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. No environmentally-sensitive areas exist per available mapping except for the potential presence of freshwater wetlands near the northwest corner of the property. The applicant will have to review site conditions in this area to determine if an NJDEP transition area waiver is necessary. This can be addressed during compliance (if/when Board approval is granted). H. Construction Details 1. Construction details are provided on Sheet 2 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. At a minimum, the sidewalk detail must be revised. 3. Final review of construction details can take place during compliance should amended site plan approval be granted. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Lakewood Township Industrial Commission; 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; and f. All other required outside agency approvals.

Mr. John Doyle, Esq., on behalf of the applicant, stated that all they are doing is adding parking. They will be fixing an existing variance condition by adding that parking. The building is not being changed.

Mr. Neiman has no issue with this application being heard in full tonight.

Ms. Jennifer Schwanker, P.E. was sworn in. She affirmed what Mr. Doyle has previously stated. They are adding 9 spaces in the northwest portion and 11 gravel spaces for employee parking on the western border and 5 spaces in the front including 2 handicap accessible spaces. This will not affect the drainage. They are adding an additional light to an existing pole to accommodate the area to the northwest. They agree to all the comments in the engineer's review letter.

Mr. Vogt stated there are no variances associated with this application but relief will be necessary with respect to the 25 ft perimeter buffer.

Mr. Doyle stated that the parking spaces shown along the left line will move within the 25 ft perimeter buffer area.

Ms. Schwanker said the adjacent lot is an existing industrial building and has a parking area in the back so they will just be trimming the existing vegetative buffer that exists.

Mr. Vogt stated there are several design waivers requesting including gravel parking. He asked if that will be employee only.

Mr. Doyle said they would mark the gravel parking as employee parking only.

Mr. Neiman asked why it's not being paved.

Mr. Doyle said it's up to the Board but there may be some potential drainage and other concerns if they pave it.

Mr. Vogt said since it will be for employee only, it would be a private, not a public improvement. It would be up to the Board though. Other waivers include no sidewalk along frontage, providing shade tree and utility easements. They are ok with the concept but there is one comment under lighting which needs to be addressed. There appears to be insufficient lighting for the 5 new paved spaces.

Mr. Doyle said they would comply with any lighting they would need during compliance.

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

A motion was made by Mr. Banas, seconded by Mr. Herzl to approve.

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

- 9. SP 2083** (No Variance Requested)
Applicant: Component Hardware Group
Location: Lehigh Avenue
Block 1606 Lot 5
Minor Site Plan for parking lot addition
Applicant is requesting plan review and public hearing in one meeting.

Project Description

As referenced in the application form and illustrated on the site plans, the applicant seeks minor site plan approval to install an additional forty-six (46) off-street parking spaces to support operations at the existing 73,605 sf commercial building located at 1890 Swarthmore Avenue. The facility is located on the south side of Swarthmore Avenue, within the Lakewood Industrial Park. The expanded parking will be accessed by modifying the existing easterly access to the site, expanding the existing parking lot north of the building to provide nine (9) additional spaces, and install a new parking lot that will provide an additional thirty-seven (37) spaces. Per the parking analysis provided on the Site Plans, sixty-three (74) off-street spaces are required per UDO requirements. Forty-nine spaces exist at present. The proposed off-street parking will result in a total of one hundred and thirty-four (134) spaces, exceeding UDO requirements for the facility. The tract is 7.89 acres in area, and is mostly-developed. Swarthmore Avenue has a right-of-way (ROW) width of 60 feet, and a 40-foot cartway along the property frontage (with curbing, no sidewalk). Surrounding properties are improved with commercial and industrial land uses, consistent with the zone (M-1 Industrial Zone). I. Submission Waivers The following submission waivers appear necessary for the application: 1. B1 – Site Topography (partial waiver). 2. B3 – Site Contours (partial waiver). Adequate topographic information is provided to evaluate the proposed parking lot improvements. Therefore, we support these waivers. II. Zoning 1. The site is situated within the M-1, Industrial Zone. The existing use (warehouse) is permitted. 2. No bulk variance relief appears necessary for the parking lot expansion. Additionally, all new work is proposed in the eastern portion of the site, where an existing perimeter buffer in excess of 25 feet will be maintained. 3. Per review of the site plans and application, the following design waivers appear necessary: • Providing sidewalk along the site frontage (none existing, nor proposed). • Providing a shade tree and utility easement along the site frontage (none existing nor proposed). • Providing shade trees along the site frontage (none existing nor proposed). III. Review Comments A. Site Plan/Circulation/Parking 1. The applicant’s professionals should provide testimony at the public hearing regarding the proposed project scope, and whether an expansion of existing operations is proposed. 2. Per review of the proposed parking and the reconfigured easterly access drive, the proposed circulation appears adequate, provided that large vehicles enter and exit from the westerly site access. However, we recommend that stop signs and stop bars be provided to better manage movements in the new and expanded parking areas at the following locations: a. Exiting the expanded parking area in front of the building, heading east towards the reconfigured easterly access drive. b. Exiting the new parking area, near the nine most northerly spaces, heading west towards the reconfigured easterly access drive. 3. Confirming testimony should be provided that no change regarding types of delivery vehicles entering or exiting the site is proposed at this time. Assuming this to be true, existing site circulation will be not be adversely impacted by the proposed parking lot improvements. 4. No existing or proposed trash enclosures are identified on the site plans. Testimony should be provided

regarding trash and recyclables handling and storage. B. Grading 1. A grading design is provided on Sheet 2. Per review of the proposed grading plan, the design concept is feasible and well-prepared. 2. Additional spot elevations are required for the proposed 6-foot wide sidewalk and handicap accessible ramp proposed near the northeast corner of the building. 3. The Site Plans and survey depict existing 15" diameter storm water piping and a manhole along the easterly edge of the new parking area (no easements shown). Testimony should be provided as to who owns this system (i.e., applicant, LIC, other). Additionally, the manhole will have to be modified, including resetting the lid and casting to conform with the proposed grading of the parking area. This issue can be resolved during compliance, if/when Board approval is granted. 4. Final grading will be addressed during compliance review, if/when approval is granted. C. Storm Water Management 1. Summary drainage calculations should be provided, documenting the amount of new paving proposed (and associated impacts, if any). If more than 0.25 acres of net new impervious coverage is proposed, storm water management for the new improvements will have to be designed in accordance with the NJ Storm water Rule (NJAC 7:8). 2. A final review of storm water management measures will be performed during compliance review, if/when approval is granted. D. Landscaping 1. No new landscaping is proposed per review of the current plans. 2. Additional landscaping (if desired) should be provided to the satisfaction of the Board. E. Lighting 1. Lighting design information (proposed) is provided on Sheet 2 of the site plans. As noted, Two (2) pole-mounted fixtures are proposed in the new parking lot. Based in depicted light intensities, proposed lighting appears adequate for the new parking lot. 2. No information is provided regarding existing lighting, specifically where the existing parking lot is being expanded to provide nine (9) additional spaces. Testimony should be provided confirming that existing lighting is adequate in this area, or additional lighting should be considered for illumination of this area. 3. Final review of the lighting design can take place during compliance should amended site plan approval be granted. F. Signage 1. No new signage (other than parking or directional) appears proposed 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. G. Environmental 1. Environmental Impacts 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. No environmentally-sensitive areas exist on or adjacent to this site per NJDEP mapping. H. Construction Details 1. Construction details are provided on Sheet 2 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. At a minimum, the sidewalk and light pole footing details must be revised. 3. Final review of construction details can take place during compliance should amended site plan approval be granted. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Lakewood Township Industrial Commission; b. Developers Agreement at the discretion of the Township; c. Ocean County Planning Board; d. Ocean County Soil Conservation District; and e. All other required outside agency approvals.

Mr. John Doyle, Esq., on behalf of the applicant, stated that this is similar to SP 2083 as it is in the industrial park and they are only adding additional parking. The increase is based upon the significant amount of employees. The existing parking is beyond what is required but it is less than what they need. No variances are being requested. They are not asking for a waiver from gravel parking or buffer perimeter on this application.

Mr. Vogt stated there are two submission waivers for site topography and contours. They have no issues granting these waivers. There are no variances but design waivers are being requested from sidewalk along frontage, shade tree and utility easements.

Ms. Jennifer Schwanker, P.E. was sworn in. She said they are able to address all the comments in the engineer's review letter. There are existing dumpsters located on the right side of the property. She said the manhole structure will be raised to meet the proposed grade in the parking and the pipe does come from the existing basin in the back.

Mr. Vogt asked if there is an easement.

Mr. Doyle asked the manager and he told him that it is owned by the applicant.

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

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

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

- 10. SP 2085** (Variance Requested)
Applicant: 236 4 Street Limited Liability
Location: Fourth Street
Block 119 Lot 12.01
Preliminary & Final Major Site Plan to construct a 3 story mixed-use building (retail and offices)

Project Description

The applicant is seeking Preliminary and Final Site Plan for a new three story retail store and office building to be constructed on an existing parking lot. The 47' X 60' site is two thousand eight hundred twenty square feet (2820 SF) in area. The plans and application indicate a new building with a basement, retail use on the first floor and second floor mezzanine, and offices on the third floor is proposed. The proposed building is located on the south side of Fourth Street, east of the intersection with Clifton Avenue. Curb and sidewalk exist along Fourth Street. The application indicates the applicant is proposing six thousand five hundred square feet (6,500 SF) of space which does not include the basement. The site is developed with an existing parking lot and utilities are available to the project. The surrounding lands and roadways are all improved with commercial development. The site is located in the B-2 Central Business Zone. Retail and office facilities are permitted uses in this zone. I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. C - Engineering Plans. 2. C13 - Environmental Impact Statement. 3. C14 - Tree Protection Management Plan. 4. C15 - Landscaping. 5. C17 - Drainage Design and Calculations. No engineering plans were submitted. We cannot support this waiver request. Engineering plans are needed to ensure compliance with accessibility, grading, utilities, and possibly other improvements. We recommend engineering plans be required prior to scheduling the application for a public hearing. A waiver has been requested from submitting an Environmental Impact Statement. We can support this request due to the previous site development. A waiver has been requested from submitting a Tree Protection Management Plan. We can support this request since there are no significant trees onsite. A waiver has been requested from submitting a Landscape Plan. Depending upon the final size of the proposed building, the request is reasonable. At most, only foundation plantings may be considered. No drainage design has been provided. This is acceptable since virtually no impervious area would be added to the project site. II. Zoning 1. The parcel is located in the B-2 Central Business Zone. Retail and offices are permitted uses in the Zone. 2. A Rear Yard Setback variance is required. A rear yard setback of five feet (5') is proposed for the first floor of the building. Since the building will be cantilevered, a rear yard setback of zero feet (0') is proposed for the upper floors. Whereas ten feet (10') is required. 3. A seven foot (7') side yard setback with an aggregate of fifteen feet (15') is required. The ordinance indicates a side yard setback is not required between two (2) business uses. While a business use is located on the west side of the project, a municipal parking lot

is located on the east side of the property. No side yard setbacks are proposed as the building intends to encompass the entire lot width. Therefore, a side yard setback variance is required for the proposed zero foot (0') side yard setback on the east side of the project. It should be noted the proposed building would extend to the existing back of curb in the municipal parking lot. 4. All non-residential uses in the B-2 zone are exempt from off-street parking requirements. 5. The applicant must address the positive and negative criteria in support of any variances that may be required. 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. Site Plan/Circulation/Parking 1. A Plan of Survey has been provided. The following revisions are required: a. Topography shall be added. b. Lot areas shall be provided. c. The corner pins set shall be added. 2. Zones and Zone Boundary Lines shall be added to the plans. 3. No loading or delivery areas are proposed. Testimony is required regarding future site operations, particularly deliveries for the retail use. 4. Testimony is required addressing trash and recycling collection. No trash enclosure area is shown. 5. The site plan indicates a proposed two-story building, while the architectural plans indicate a three-story building. 6. Proposed building access must be addressed. A proposed door shown on the Left Side Elevation will conflict with the municipal parking lot. Sidewalk shall be extended to the main access. 7. No shade tree and utility easement exists or has been proposed since the building front yard setback will be on the right-of-way line. B. Architectural 1. Architectural plans have been provided for the proposed building. The set includes some preliminary floor plans and building elevations. The proposed building includes three (3) floors and a basement. The first two (2) floors will be used for retail and the third will be used for office space. 2. The height of the proposed building will be thirty-four feet, four inches (34'-4"), which is less than the maximum of sixty-five feet (65') allowed. The Project Data shall be corrected accordingly. 3. The proposed upper floors cantilever by five feet (5'). However, the proposed building widths conflict among the floors from forty-five feet (45') to forty-seven feet (47'). 4. Testimony should be provided on handicap accessibility. Testimony is required on the specific uses for the proposed individual floors. 5. Confirmation shall be provided that HVAC equipment will be roof mounted since there appears to be no available onsite ground area. Said equipment shall be adequately screened. 6. Proposed utility connections shall be provided. 7. Testimony should be provided regarding the facades and treatments of the proposed new building. We recommend that color renderings be provided for the Board's review and use prior to the public hearing. C. Grading 1. No proposed grading plan has been provided. Proposed elevations, including finished floor, are required to complete the project design. 2. Final proposed grading will be reviewed after resolution compliance submission should approval be granted. D. Storm Water Management 1. No storm water management system has been shown or designed for the site. The property is virtually impervious and small, being less than three thousand square feet (3,000 SF). Testimony should be provided on the existing storm water management conditions. E. Landscaping 1. No landscaping has been provided for the project. Unless the proposed building is reduced in size, there is no land available for landscaping. 2. Final landscaping design (if any) is subject to Board approval and should conform to recommendations from the Township Shade Tree Commission as practicable. F. Lighting 1. No proposed lighting is depicted on the plans. Testimony on site lighting should be provided. G. Utilities 1. Water and sewer connections will be required from New Jersey American Water Company since the project is within their franchise area. H. Signage 1. The site plan proposes no freestanding signage. The architectural plans indicate a proposed wall sign on the front of the building. No dimensions or details have been provided to confirm that the sign complies with the ordinance requirements. 2. All signage proposed that is not reviewed and approved as part of this site plan application, if any, shall comply with Township ordinance. I. Environmental 1. No Environmental Impact Statement (EIS) was prepared for this project since it is a developed site and the tract is less than three thousand square feet (3,000 SF) in area. 2. To assess the site for environmental concerns, our office performed a limited natural resources search of the property and surroundings using New Jersey 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 environmentally-sensitive areas exist per available mapping. 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 after compliance submission; if/when this application is approved. 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. New Jersey American Water Company (water and sewer service);c. Ocean County Planning Board; and d. All other required outside agency approvals.

Mr. Vogt stated there is a variance for rear yard setback. Waivers are being requested for engineering plans, EIS, tree protection management, landscaping as well as drainage and design calculations. The waivers are supported. The applicant will be submitting engineering plans before the public hearing.

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

Mr. Gerald Klein, Esq., on behalf of the applicant, stated they are proposed a three story building. The first two floors would be retail and the third floor would be office use. This is a municipal lot that is currently in the process of being sold. They are asking for a rear yard setback of 5 ft. The building will be cantilevered so a 0 ft setback is being requested for the upper floors. They have a similar situation for the side yard setback which also adds space for the dumpsters. He will further address these variances at the public hearing. Engineering plans will be provided and they agree to the comments in the engineer's review letter.

Mr. Jackson suggested that they have a professional engineer or architect provide testimony at the public hearing.

A motion was made by Mr. Follman, seconded by Mr. Herzl to advance this application to the October 21, 2014 meeting.
Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

- 11. SP 2073** (Variance Requested)
Applicant: Mordechai Fligman
Location: Lanes Mill Road
Block 189.15 Lot 47
Preliminary and Final Major Site Plan for an office building
Applicant is requesting to hold a plan review meeting and public hearing at this time.

Project Description

The applicant is seeking Preliminary and Final Site Plan approval for (what is depicted as) a proposed two-story, 13,420 square foot office building, and unfinished basement, with fifty (50) off-street parking spaces. The site layout is very similar to the concept application that was heard by the Board at the June, 2014 Planning Board hearing. The site is located on the (unimproved) south side of Lanes Mill Road, approximately 250 feet east of its intersection with Joe Parker Road. The site and surrounding lands are predominantly developed with residences in their current condition. The site is trapezoidal in shape, and 0.99 acres in size. As shown, the applicant intends to provide vehicular access to the office building from a 24-foot wide, two-way access drive extending from Lanes Mill Road into a proposed

parking lot in front of the office building. Sidewalk is proposed along the building frontage. The building will be served by public water and septic. The site was previously-developed, including a one-story dwelling, three (3) sheds and amenities which will be removed. As indicated in Section (II) below, Office buildings are conditionally-permitted in this portion of the R-20 zone.

I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. B2 -- Topography within 200 feet. 2. B4 -- Contours within 200 feet. 3. B10 – Man-made features within 200 feet. 4. C13 - Environmental Impact Statement. 5. C14 - Tree Protection Management Plan. We support all requested waivers except C14 (Tree Protection Management). Compliance with the Tree Protection Ordinance will be addressed as a condition of approval (if granted).

II. Zoning 1. The property is located in the R-20 (Single Family Residential) Zone. Office buildings are a conditional use, subject to the requirements as stipulated by Township Ordinance 2013-79. The applicant provided testimony at the concept hearing that the project meets all conditional use requirements (including 50% of property located within 1,000 feet of a major intersection (i.e., Ridge Avenue), and should provide similar testimony at the public hearing. 2. The following bulk variances are being requested: • Minimum Side Yard Setback (residential) – A residential setback of 35.6 feet is proposed, whereas fifty feet (50') is required. • Minimum Side Yard Setback (non-residential) – A non-residential setback of 15 feet is proposed, whereas twenty-five feet (25') is required. 3. Additionally, perimeter buffer relief is required per section 18-803 of the UDO. 5. The applicant must address the positive and negative criteria in support of the requested variances and waivers. At the discretion of the Planning Board, supporting documents may 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 Per review of the current design plans, we offer the following comments and recommendations:

A. Site Plan/Circulation/Parking 1. A Survey for the property has been provided. The following corrections and additions are required on the survey: a. Existing water main along the Lanes Mill Road frontage should be provided. 2. Testimony should be provided regarding the proposed building. The architectural plans appear to depict a two-story building and an (unfinished) basement. No floor plan for a basement is provided. The site plans appear to depict a basement floor elevation and a finished floor elevation, but provide no information regarding the second floor. A total of fifty (50) off-street parking spaces are proposed at the above-referenced location, compared to the UDO requirement of 45 spaces (based on a proposed total floor area of 13,240 sf. 3. One (1) of the proposed spaces will be designated as handicap accessible, We recommend that at least one more parking space be made handicap accessible. 4. Proposed handicap parking signs should be added to the plan. 5. No loading zone is proposed in the current design. 6. An 8' x 16' trash enclosure is proposed near the northwest corner of the parking lot. Per General Note #8, private pickup is proposed. 7. Depressed curbing and ramps must be provided for sidewalk access for users of the proposed handicap accessible parking space(s). 8. The proposed building configuration shall be revised to match the architectural plans. 9. Proposed 4'-wide sidewalk is provided along the property frontage. The sidewalk width must be revised to be 6 feet wide per R-20 zone (non-residential) design standards. 10. A sight triangle easement is required for the proposed Lanes Mill Road access. Additionally, an 11.9 foot wide dedication to Ocean County is also proposed. The easements and access design are subject to Ocean County approval. 11. A 6' wide shade tree and utility easement is proposed along the property frontage. A signed, sealed legal description must be provided as a condition of Board approval (if/when granted).

B. Architectural 1. As indicated previously, schematic architectural drawings have been provided with the initial application. Revised, scaled drawings by prepared by an architect must be provided for review prior to the public hearing. 2. The current plans contain proposed building treatments, and dimensioned (but unscaled) floor plans for the proposed first and second floor of the building. No basement floor plan is identified. The applicant's professionals should provide testimony regarding the proposed building facades and treatments. We recommend that renderings be provided for the Board's review and use prior to the public hearing, at a minimum. 3. Testimony should be provided as to whether any roof-mounted HVAC equipment is proposed. If so, said equipment should be adequately screened. 4. Roof leaders depicted to connect to the storm water collection system as depicted on the site plans must be addressed on the

revised architectural plans. C. Grading 1. A preliminary Grading and Drainage Plan is provided on Sheet 4 of 8. As depicted, existing and proposed grades are shallow. The preliminary design is feasible as presented. 2. Proposed spot elevations are necessary where handicap accessible ramps will be installed near handicap accessible spaces. 3. Additional handicap accessible sidewalk ramps must be provided on both sides of the proposed site access. 4. Spot elevations should be provided at all building access points. 5. Additional grading information must be provided along both limits of the proposed parking area to ensure grading and disturbance do not occur on Lots 46 and 48 during construction. If unavoidable, easements from the property owners will be required. 6. A review of final grading revisions will be performed during compliance, if/when Board approval is granted D. Storm Water Management 1. A proposed storm water management system has been designed as depicted on Site Plan Sheet 4. The design proposes two (2) underground storm water recharge trenches, each consisting of two (2) 24" diameter recharge pipes and stone trenches. These systems are located along the easterly and westerly limits of the proposed parking lot. 2. Roof leader systems are depicted on the design plans, which will convey roof runoff into the underground recharge systems. 3. Per review of the current design, it is feasible. However, additional information is necessary. The storm water report must be revised to provide a narrative including but not limited to existing and proposed disturbances and impervious coverages, proposed storm retention design events, and post-development vs. predevelopment results. 4. Per available information, net new impervious coverage appears to exceed 0.25 acres. Therefore, the storm water management system must be designed in accordance with the NJAC 7:8. 5. Ownership and maintenance of the proposed storm water management system must be addressed. A storm water maintenance plan must be provided per NJAC 7:8-5. 6. Permeability testing and seasonal high water table information must be provided. Proposed test locations must be provided on the revised plans. . 7. A final review of the storm water management design will occur during compliance review, if/when Board approval is granted. E. Traffic 1. We recommend that the applicant's professionals be prepared to discuss traffic impacts from this application at the forthcoming Public Hearing. As indicated previously, site access (and additional Lanes Mill Road is subject to Ocean County approval F. Landscaping 1. The Landscaping Design is depicted on Site Plan Sheet 5. The design is generally well-prepared. A number of shade and street trees are provided along the property frontage, and along the easterly and westerly limits of the parking area. Additional trees and foundation plantings are provided within the interior of the property. 2. One white pine is depicted as conflicting with the westerly curb of the access drive, and must be relocated (out of the proposed site triangle). 3. The overall landscape design is subject to review and approval by the Board and recommendations (if any) from the Shade Tree Commission. At the discretion of the Board, solid fencing should be considered to supplement the proposed perimeter buffers. 4. Drip irrigation should be considered to maintain the proposed plantings. 5. All proposed easements should be shown on the Landscape Plan to avoid potential planting conflicts. 6. The final landscape design will be reviewed during compliance, if/when Board approval is granted. G. Lighting 1. As indicated on the site plans, lighting is not provided at this time. 2. At a minimum, a preliminary lighting plan shall be included in revised plans provided for review prior to the Public Hearing; prepared in accordance with applicable UDO requirements. 3. The final lighting design will be reviewed during compliance (if/when approval is granted). H. Utilities 1. As illustrated on the site plans, a septic system is proposed at the rear of the site. 2. Although public water service appears to exist along Lanes Mill Road, neither the existing water main nor proposed water service connection are depicted on the site plans. This information must be provided on the revised plans. I. Signage 1. No signage information is provided on the current site plans. The applicant shall indicate if any signage (freestanding, façade, other) is proposed. 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. J. Environmental 1. Site Description 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 areas of environmental concern are mapped within the property. 2. Tree Management Plan The applicant shall comply with the requirements for tree protection and removal as applicable on the site in accordance with the Township Tree Ordinance (during compliance review, if approval is granted). K. Construction Details 1. Construction details are provided on Sheet 7 of the plan set. 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. Construction details will be reviewed after resolution compliance submission for the project 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 Developers Agreement; b. Township Tree Ordinance (as applicable); c. Lakewood Fire Commissioners; d. Lakewood Township Municipal Utilities Authority (water); e. Ocean County Health Department (septic); f. Ocean County Planning Board; g. Ocean County Soil Conservation District; h. New Jersey Department of Environmental Protection (if applicable); and i. All other required outside agency approvals.

Mr. Vogt stated that submission waivers are requested for topography, contours, mad-made features, EIS and tree protection management plan. The waivers are supported. The tree protection plan will have to be submitted during compliance.

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

Mr. Vogt stated that variances are being requested for minimum side yard setback for residential and non-residential. Perimeter buffer relief is also requested.

Mr. Lines, P.E. stated he agrees to the items in the engineer's review letter and will be ready to testify at the public hearing.

A motion was made by Mr. Herzl, seconded by Mr. Sussman to advance the application to the October 21, 2014 meeting.
Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Rennert
Abstain: Mr. Follman

6. PUBLIC HEARING

1. **SD 1968** (Variance Requested)
Applicant: Barbara Flannery
Location: James Street
Block 375; 377; 378 Lots 1; 26 & 26.01; 1
Amended Preliminary Major Subdivision to create 20 duplex lots

Project Description

The applicant proposes the subdivision of three (3) lots into forty-one (41) lots, with twenty duplexes and one single family residence. The existing lots known as Lot 1 in Block 375, Lot 26 and 26.01, in Block 377, and Lot 1 in Block 378 are proposed to be subdivided into proposed Lots 1 through 10 of Block 375, Lots 1 through 20 of Block 378, and Lots 26.02 through 26.10 and Lot 29 of Block 377 as noted on the Major Subdivision Plan. The applicant received Preliminary and Final Subdivision Approval (SD#1631, memorialized February 12, 2009), approving the creation of twenty (20) single-family residential lots in addition to one (1) open space lot. The existing subdivision approval is in compliance review; and as a

result never recorded. In accordance with recommendations of the Township Planner, Lakewood Township amended the zoning of the above referenced property from R-12 (single-family residential, 12,000 sf area lots) to R-10B (single-family residential, 10,000 sf lots) on July 24, 2014. The R-10B Zone conditionally permits two-family and duplex housing as stipulated in UDO Subsection 18-902-O(1)(b). The applicant is now seeking amended Preliminary Major Subdivision approval to allow phased duplex residential development on the above-referenced property. As with the approved (SD#1631) subdivision, access to the proposed residential properties will be provided by extending and improving portions of Clarkson and Atlantic Avenues. Additionally, two new Streets (Kaeflan Court and Belmont Avenue) will be constructed, connecting from newly-paved Atlantic Avenue to James Street. As depicted on the amended subdivision plans, Phase 1 of the amended application includes paving and infrastructural improvements to Clarkson, Atlantic and Belmont Avenues. Ten (10) duplexes (20 residential units) are proposed in Phase 1 of the amended project. Similarly, Phase 2 of the amended application includes paving and infrastructural improvements to Kaeflan Court. Ten (10) duplexes (20 residential units) are proposed in Phase 2 of the amended project. The subject property is located north of James Street and south of Drake Road in the western portion of the Township. The development can be accessed from James Street and Clarkson Avenue. Atlantic Avenue, Belmont Avenue, and Kaeflan Court are all unimproved roadways that are proposed for access to the development. Curb and sidewalk Curb and sidewalk are proposed throughout the development and along Clarkson Avenue and Drake Road. The site is currently mostly vacant, except one dwelling in Block 378 and Block 377. The dwelling in Block 377 is to remain and will become the single family residence Lot 29. We have the following comments and recommendations per review of the amended application and applicable comments from the existing approval: I. Waivers -- No new submission waivers are necessary as part of this (amended preliminary) application. II. Zoning 1. The site is situated within the R-10B Single Family Residential Zone District. Per Section 5 of Amendment 2005 of Chapter 18, of the UDO, "duplexes" are a permitted use as long as the lot is 10,000 SF, part of a tract with a minimum area of two acres, and accessible by public sewer. Per review of the amended design plans, all said conditions are met; therefore the amended project appears to be a permitted use. 2. Minimum Front Yard Setback variance relief is required for proposed Lot 26.02. A front yard setback of 20.1 feet is proposed from Clarkson Avenue, whereas a front yard setback of twenty five feet (25') is required. 3. A design waiver is required from providing Lot lines perpendicular to the cartways (select lots). 4. The applicant must address the positive and negative criteria in support of the required 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. Site/Circulation 1. Off-street parking for the residential portion of the subdivision: According to the plans provided, the applicant is proposing four (4) off-street parking spaces per dwelling unit. 2. Testimony should be provided regarding proposed trash and recyclables storage and pickup (DPW/other). If Township, DPW approval will be required as a condition of approval (if/when forthcoming). 3. The Phase 1 design plans depict Atlantic Avenue ending at the westerly property line (at proposed Lot 26.09 in Phase 1). If approved, Township approval of this terminus will be necessary to ensure access by Township DPW and emergency vehicles. If Phase 1 is developed before Atlantic Avenue is extended further west, an RSIS-compliant turnaround will be necessary. Per communications with the applicant's professionals, the applicant agrees to this request as a condition of preliminary approval (if/when forthcoming). 4. Sidewalks, curbing and handicap accessible ramps are provided along all street frontages. The sidewalks should be widened to 5 feet, or 'bumpouts' provided at 200-foot or greater intervals in compliance with ADA/PROWAG standards. Per communications with the applicant's professionals, the applicant agrees to this request as a condition of preliminary approval (if/when forthcoming). 5. The proposed lot numbers shall be approved by the Tax Assessor. The Final Plat shall be signed by the Lakewood Tax Assessor. 6. Additional review of site and circulation design will occur at time of final subdivision review, if/when (amended) preliminary subdivision approval is granted. B. Architectural 1. No architectural drawings have been provided with the current submission. The

applicant's professionals should be prepared to testify regarding the proposed duplexes at the Public Hearing. We recommend that a rendering(s) be provided for Board review at the hearing. 2. Testimony should be provided regarding site-related items associated with the duplexes, including but not limited to HVAC equipment and trash/recyclables storage locations. HVAC equipment, if not roof-mounted should be screened. Per communications with the applicant's professionals, the applicant will address these items at time of Public Hearing. 3. If/when preliminary approval is granted, architectural drawings should be provided for the accompanying final subdivision application. C. Grading 1. Preliminary grading designs are provided in the respective (Phase 1, Phase 2) plan design sets. 2. Per review of the road grading designs for both phases, said designs are very similar to the previously-approved subdivision design (SD#1631). 3. The interior lot grading designs for Phases 1 and 2 have been revised to reflect the currently-proposed duplex development, and are generally well-prepared (for preliminary approval purposes). 4. For clarity purposes, we recommend that overwrites in the current design plans must be eliminated, and existing contours grayed (for future design submissions). 5. Interior lot grading designs for both phases will be reviewed in further detail at time of final subdivision (if/when preliminary Board approval is granted). Additionally, plot plans will be provided for all proposed duplex units prior to the issuance of building permits. E. Storm Water Management 1. Preliminary storm water designs are provided in the respective (Phase 1, Phase 2) plan design sets and the accompanying storm water management report. 2. As described in the report, the storm water design has been revised to accommodate the proposed duplex development. As per the amended design, storm water from the roads and proposed duplex units will be directed to twenty-nine (29) proposed individual recharge systems, most within right of ways, and select units within residential properties. The current design is similar (in concept) to the approved (SD#1631) design with respect to underground recharge. 3. The current design is generally well-prepared for a preliminary design submission. If/when preliminary subdivision approval is granted, a final review of the drainage design will be performed at time of final subdivision review. 4. Similar to lot grading, drainage associated with each duplex building will be reviewed further at time of plot plan review (prior to issuance of building permits). At the discretion of the Township Engineer, additional on-site dry wells or similar measures may be required at time of plot plan submission(s). 5. A preliminary Storm Water Maintenance Plan has been provided in accordance with NJ Storm Water Rule requirements. Per the applicant's professionals, DPW is agreeable to the systems as currently designed. If/when preliminary Board approval is granted, the final maintenance plan must be revised as part of the final subdivision application to identify responsible parties for storm water facility maintenance (and other reporting requirements outlined in NJAC 7:8-5). F. Landscaping 1. Landscape and lighting design plans (and detail sheets) have been provided in the amended design plan submissions for phases 1 and 2. Per review of the designs, they are similar to the approved (SD#1631) plans, and revised to accommodate the proposed duplex lot accesses. Said designs are generally well-prepared for preliminary submissions. 2. Proposed utility connections have been shown to avoid planting conflicts. 3. Ten (10) 'QW' trees should be called out on the plan, not seven (7). 4. The overall (amended preliminary) landscape design is subject to review and approval by the Board and Shade Tree Commission recommendations (if any) practicable. 5. Landscaping shall be reviewed in future detail at time of final subdivision application (if/when amended preliminary subdivision approval is granted). G. Lighting 1. Lighting designs are depicted in the design plans for amended phase 1 and 2. Proposed designs are similar to the approved (SD#1631) design, include house shields, and are well-prepared for preliminary application purposes. 2. Lighting shall be reviewed in future detail at time of final subdivision application (if/when amended preliminary subdivision approval is granted). For clarity purposes, we recommend that separate lighting design plans be provided with future design submissions. H. Utilities 1. Water and sanitary sewer designs are provided in the amended phase 1 and phase 2 design plan submissions. Potable water and sanitary sewer service will be provided by the New Jersey American Water Company. 2. Well and septic system abandonments for existing dwellings are proposed, and will be subject to Ocean County Health Department approval. 3. Testimony should be provided regarding other proposed utilities. Additional underground connections will be required if gas is proposed. 4.

Utility designs shall be reviewed in future detail at time of final subdivision application (if/when amended preliminary subdivision approval is granted).

I. Signage

1. No signage (other than directional) appears proposed at this time.
2. All signage proposed that is not reviewed and approved as part of this application, if any, shall comply with Township ordinance.

J. Traffic

1. A copy of a traffic report prepared for Ocean County has been provided with the application. Said report is generally well-prepared.
2. As referenced on Page 4 of the report, all proposed movements from this project to and from James Street are projected to operate at Level of Service "B" or better for AM and PM peak hours (assuming a year 2017 build-out).
3. Access designs to James Street are subject to Ocean County approval.

K. Environmental

1. Site Description Most of the site is undeveloped and heavily woods. The existing 6.946 acre area of the site generally slopes toward the north. The elevations drop around thirty feet (30') from about one hundred fourteen (114) to approximately eighty-four (84).
2. Environmental Impact Statement No EIS was provided with the amended submission. However, to review potential environmental impacts associated with this development, our office reviewed NJDEP Geographic Information System (GIS) mapping for the property and surroundings. No environmentally-sensitive areas are mapped within the project area. However, as depicted in the amended design plans, a freshwater wetlands area exists on the west side of Clarkson Avenue, near its intersection with Drake Road (i.e., over 300 feet north of the area now proposed for duplex development). These wetlands were field-delineated and approved in 2008 as noted by the NJDEP. If any new disturbance is proposed for installation of sidewalk or utility improvements, said improvements may be subject to NJDEP wetlands approval. Per communications with the applicant's professionals, the applicant has obtained necessary NJDEP wetlands permitting approvals for the proposed work.
3. Tree Protection Since the existing (SD#1631) subdivision application was filed and approved in early-2009, it is exempt from the requirements of the Township's Tree Protection Ordinance. However, per communications with the applicant's professionals, the applicant agrees to work with the Township in a "good faith" effort to preserve mature vegetation where practicable, including installation of tree protection measures where warranted, prior to site clearing. Said measures would be reviewed in further detail during compliance (if amended approvals are granted).

J. Construction Details

1. Construction details are provided in the amended phase 1 and phase 2 design submissions.
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. Final review of construction details will take place during compliance submission, if/when this project receives final amended subdivision by the Board.

K. Final Plats

1. Final plats have been provided for amended phases 1 and 2, and are well-prepared for preliminary submissions.
2. The final plat for amended phase 2 should be revised to reflect Bock 378, Lot 1 in the title block.
3. Said plats will be reviewed further during final subdivision review (if/when amended preliminary approval is granted).

IV. Regulatory Agency Approvals

Outside agency approvals for this project may include, but are not limited to the following:

- a. Township Committee (road designs);
- b. Developers Agreements (at the discretion of the Township);
- c. Ocean County Health (well, septic abandonments);
- d. Ocean County Planning Board;
- e. Ocean County Soil Conservation District;
- f. NJDEP (Treatment Works Approval);
- and g. All other required outside agency approvals.

New Jersey American Water Company will be responsible for constructing potable water and sanitary sewer facilities.

7:15

Mr. Vogt stated this is for preliminary amended approval only. Under preliminary approval, you are able to install public improvements. The infrastructure is very similar to what was previously approved on this project which was for single family. This application is now amended and is in front of the Board for duplexes.

Mr. Brian Flannery, P.E., P.P. was sworn in. The application is for a preliminary subdivision approval. There was a recent zoning change and they are not in a hurry to start building so there was no reason to do preliminary and final at the same time. He entered a rendering of the site development plan as exhibit A-1, a rendering of the site development plan which was previously approved as exhibit A-2 and an architectural plan of the duplex as exhibit A-3. The road layout is exactly the same. The one significant change is there was a flag lot in the back corner of the property which has been eliminated. The proposed plan requires one variance on the lot that is on the corner of Clarkson and Atlantic Avenue. The front corner of it goes over the setback line. He would term this as a virtually conforming application. The lot area, lot width, building coverage all conform. The subdivision that was approved previously provided for the same building coverage so they could have built bigger houses. This is consistent with the zoning which was adopted pursuant to the Master Plan that was approved by this Board. He further explained in detail why the variance is de minimis in nature. He stated that this application could have been done with cul-de-sacs which would have brought all of the traffic onto Drake Road. They submitted a traffic report with the application which in fact shows that the level of services are all 'B' because it provides an opportunity to access James Street and will actually take some of the traffic off of Drake Road.

Mr. Neiman said he wants to hear more about circulation and parking.

Mr. Flannery said each of the units will have four parking spaces per dwelling which will be eight per duplex.

Mr. Neiman asked how the garbage trucks would circulate through the development.

Mr. Flannery said, because they are not on a cul-de-sac, they could go in and out of any of the roads.

Mr. Neiman said when this was previously approved they said there would be no CO's granted until there was improvements done on Drake Road.

Mr. Neiman said they would be entering into a developer's agreement with the Township and the agreement would address that issue. That would be a condition of approval.

Mr. Neiman asked about the house in the front. It is shown on the old plan but not on the new plan.

Mr. Flannery said the house should have been shown on the new plan. The house will remain. They do have wetlands permits from the NJDEP to allow the driveway coming past the wetlands. The rendering should show the same single family home in the corner. The ordinance did require a 50 ft buffer to neighbors in the R-40 and they do have one neighbor who is here this evening but the plans do show the 50 ft buffer to his property. That would be an undisturbed buffer with fencing and planting in accordance with the ordinance. Two phases are being proposed. They will be coming back for final approval for section one and final for section two. Section one would be Clarkson out to James Street on the western side. Section two would be Caitlin Court with the remainder of the lots. He explained why this is a classic C-2 variance. They have eliminated the flag lot in the corner and have now provided a 50 ft buffer. They will be providing curb and sidewalk and widening along Drake Road. They have met with Public Works and the drainage will all be located in the front so it's easily accessible. The trash collection was also discussed. The comments in the engineer's review letter can be addressed.

Mr. Rennert is in support of this plan. He likes that there are two access points in and out and this would not be used as a cut through.

Mr. Neiman opened to the public.

Mr. Yuri Maksumov, 28 Drake Road, was sworn in, he lives adjacent to the proposed development.

Mr. Flannery said they would provide a fence that complies with the ordinance. The fence would be 4 ft within the setback and 6-8 ft outside of the setback.

Mr. Maksumov asked what the approximate population will be.

Mr. Neiman said there would be approximately 80 families if the basements are rented.

Mr. Maksumov said he purchased his home five years ago to move to a quiet neighborhood. The zoning has been changed and he finds it absurd that they can fit so many people in such a small area. He complained about the traffic, buses and overall quality of life.

Mr. Jackson said the change in zoning reflects the needs of the community. Unfortunately, time doesn't stand still and the governing body must try and plan for the future.

Mr. Maksumov does not believe this plan makes sense and they are fitting too much in such a small area.

Mr. Neiman reiterated the growth of Lakewood has encouraged these type of zone changes. There used to be farm land on Cross Street but there are also farms in nearby towns. The direction Lakewood is going is for more residential so those farms have been eliminated and the zones have changed.

Mr. Walter Lucas, Newport Avenue, was sworn in. He lives in the area and he believes this project is good. It solves a couple of problems. There are at least 16 schools in the area and you need housing so this satisfies that. It also will help with busing. It will be much easier for people to walk to school than to be carted all over town.

Mr. Neiman highly doubts they will be going to schools nearby.

Ms. Malky Biegeleisen, 45 Drake Road, was sworn in. She finds it ridiculous that the engineer said this is the same application as before as they are now proposing duplexes instead of single family houses. She does not believe the parking will be sufficient. She believes the density will be too great and it will not be safe and will cause traffic problems. She said Drake, Cross, James should all be widened with sidewalks.

Mr. Vogt stated that James Street is a County road so it subject to their approval. The applicant has submitted the traffic report to the County.

Mr. Neiman said they have previously spoke about widening Cross Street, Drake Street.

Mrs. Morris said that was part of their recommendation to the Township committee.

Mr. Flannery said they would be subject to impact fees. Everybody who develops in this area would be subject to that. He would also be subject to a developer's agreement. The traffic on Drake Road is from the schools, not from the people who live there. This project was already approved for single family houses when Mr. Maksumov bought his home. It would have had bigger houses and fit in as many people and rented out their basements with the same traffic issues.

Mr. Neiman stated that Drake Road needs to be addresses as far as how wide it would be, curb, sidewalks, etc.

Mr. Flannery said his plan shows for widening, curb and sidewalk along the project frontage. Anything further than that would be worked out in the developer's agreement. The plans shows a 32 ft cartway with no parking on either side. The road now is probably 24 ft.

Mr. George Weinberger, 38 Drake Road, was sworn in. He believes the zoning that was passed was very flawed. He explained he filed a law suit against the ordinances that were passed by the town. He believes this is spot zoning. He is against this plan.

Mr. John Wenzke, Esq., on behalf of an objector, asked Mr. Flannery if he has ownership in this property.

Mr. Flannery said yes.

Mr. Wenzke asked if that would make him prejudice and undermine his credibility.

Mr. Flannery said he gets paid for every application he does. He has been in town for 30 years and his credibility is not at stake. No, he does not agree with that. The plans get reviewed by the board engineer and the ordinances he must follow.

Mr. Wenzke objected to the notice. He trusts there are no objections to carrying this application.

Mr. Flannery does have a problem. This is a virtually conforming application. He doesn't see a reason to carry it.

Mr. Wenzke asked what traffic studies were done for the revised plans.

Mr. Flannery said there was a traffic study done for the revised plans by McDonough & Rea Associates and was submitted along with the plans.

Mr. Wenzke asked if it is his testimony that both Drake and James are going to be widened as part of this application.

Mr. Flannery said the plans speak for themselves. There is widening along the frontage on Drake and Clarkson.

Mr. Wenzke asked that until Drake and James are widened, his project cannot go forward.

Mr. Flannery said his project is predicated on developing in accordance with the plans.

Mr. Wenzke asked if there was a study done with respect to sewage.

Mr. Flannery said there is no reason to do that.

Mr. Wenzke said why not.

Mr. Flannery said it is not needed. The MLUL allows getting one approval subject to other approvals.

Mr. Wenzke said you are going to get approval.

Mr. Flannery said yes.

Mr. Wenzke said you haven't done it yet and are asking for approval without it.

Mr. Flannery said he is asking for approvals subject to sanitary sewer.

Mr. Wenzke asked why there was not a new parking study as they are increasing the units from 41 to 82 units.

Mr. Flannery said it is not required. He exceeds RSIS.

Mr. Jackson doesn't understand what parking study means.

Mr. Wenzke said there seems to be a great deal of concern by the volume of traffic that would be generated.

Mr. Neiman does hear. The zone has been changed and the zone now allows this. He has the right to litigate this matter further and they are valid concerns but from a Board perspective, they have to follow ordinances. A lot of these questions are going to have to be taken to a higher level.

Mr. Wenzke said the Board gave conditional approval for the ordinance.

Mr. Neiman said the conditional approval was that no certificate of occupancy will be issued until x, y and z were done.

Mr. Flannery said to clarify, the ordinance came to the Planning Board who then gave their recommendation to the Township committee. The committee is the body that passes the ordinances.

Mr. Neiman asked if the committee listened to their recommendations.

Mr. Flannery said they did but the ordinance that was passed did not include the recommendations. The ordinances in effect that any developer that gets an approval has to do a developer's agreement with the township. The township attorney is very diligent at making sure that the township's interests are protected when a developer's agreement was done.

Mr. Neiman confirmed that there was no mention in the ordinance of the widening of Drake Road, Neiman, cross etc.

Mr. Flannery said that is correct.

Mrs. Morris said it is in the Master Plan amendment.

Mr. Jackson said the Master Plan amendment calls for recommendations that resources be put aside in order to widen those roads.

Mr. Flannery said that is correct.

Mr. Jackson said ordinance adopted are supposed to be consistent with the Master Plan but when an application comes to this Board, the zoning is what it is. All of that is really not relevant to this application. What is relevant is whether the plan meets the criteria under the zoning ordinance.

Mr. Rennert asked if they could have Drake Road being widened as a condition of approval.

Mr. Jackson believes that is problematic because that may be considered an offsite improvement.

Mr. Wenzke requested that the Board adjourn this matter.

Mr. Neiman closed to the public.

Mr. Flannery reiterated that this is a virtually conforming application. He has provided notice. He provided a plan that respects the traffic pattern by not directing all the traffic to Drake Road. He believes he has conformed with everything that is required and he respectfully requests that the Board approve this preliminary application. He does still have to come back to this Board for final approval and the objectors will have another opportunity to speak.

Mr. Herzl asked what he could do with just a preliminary approval.

Mr. Flannery said he could put improvements in but he is not going to do that until he receives final approval.

Mr. Vogt stated they have already received approval for this.

Mr. Flannery said that is true. Technically he could put the improvements in now as the infrastructure is the same.

Mr. Wenzke said if that is the case, he does not need preliminary approval at this time. The rights of the neighbors are being compromised.

Mr. Neiman said if they do carry this to the next meeting, he would like to make sure that any previous testimony would not be heard. They would only accommodate new concerns.

Mr. Flannery said the objector is looking to drag this out.

Mr. Jackson asked if this is fully conforming.

Mr. Vogt said it is. It is not perfect technically, there are a few items that have to be addressed as with all applications.

Mr. Jackson asked what items would need to be addressed.

Mr. Vogt said the infrastructure for the proposed application is very similar to what is already approved. There are changes to the overall design in terms of dealing with the extra impervious coverage, grade changes, etc. but that is standard procedure which is dealt with during compliance.

Mr. Jackson asked if Mr. Flannery had any objection to sending the objectors notice for the final application.

Mr. Flannery said if the Board acts tonight he would agree to that.

Mr. Wenzke does not understand why they cannot carry this to the next meeting. He would like an opportunity to look at the plans as well as have other professionals look at them.

Mr. Flannery does not believe that is a good excuse to carry this application. He respectfully requested a vote tonight.

Mr. Neiman closed to the public.

Mr. Herzl said they would carry to the next meeting but the Board would definitely be making a decision then. The objectors would not be able to delay any further.

Mr. Banas does not see a reason why they can't make a decision on this matter. The applicant has submitted a proposal that meets the ordinance and he is asking us for approval.

Mr. Jackson read from the engineer's letter item J. He said a traffic report was submitted and the engineer was satisfied with it.

Mr. Jackson asked if it was done for this application.

Mr. Flannery said it was done for this application early in the summer based on the proposed duplexes.

Mr. Jackson asked what is in the traffic report.

Mr. Flannery said they do traffic projections and counts on the roadway and then they give their determination of the level of service.

Mr. Sussman is concerned about Drake Road not being widened before this project is built.

Mrs. Barbara Flannery, the applicant, was sworn in. She respectfully asked the Board to respect the applicants who do everything properly, who sends out notices, who are going to do what no other developers in town do, who are going to abide by whatever they are told. This is a conforming application. To ask them to wait two weeks is violating her rights when she has done everything right. They are wasting her time, her husband's time and the Board's time.

Mr. Neiman said there were times when the Board granted the two weeks and any issues were ironed out and the application went very smooth.

A motion was made by Mr. Banas to approve the application. No second was provided so the motion died.

A motion was made by Mr. Herzl, seconded by Mr. Sussman to carry this application to the September 23, 2014 meeting. Testimony will only be provided by a professional engineer or planner. A decision by the Board will be made on that date.

Affirmative: Mr. Herzl, Mr. Sussman, Mr. Neiman, Mr. Rennert

No: Mr. Banas

Abstain: Mr. Follman

2. **SD 1958** (No Variance Requested)
Applicant: Paramount Developers, LLC
Location: East Fourth Street
Block 243 Lots 28 & 29
Preliminary & Final Major Subdivision to create 8 lots

Project Description

The applicant is seeking a Preliminary and Final Major Subdivision approval. The applicant proposes to remove two (2) existing single family dwellings with detached garages and construct four (4) duplexes on eight (8) zero lot line properties. The existing two (2) tracts known as Lots 28 and 29 in Block 243 are proposed to be subdivided into eight (8) lots shown as new Lots 29.01 through 29.08 on the Major Subdivision Plan. The entire tract totals about one (1) acre in area and consists of two (2) existing residential properties. The rear of Lot 28 is heavily wooded. Otherwise, there are some trees on the remainder of the properties. The plan states that all existing structures are to be removed. The land generally slopes northwestward. However, there is a low area in the existing driveway on Lot 28. The property is located in the northern portion of Township on the northeast side of East Fourth Street, southeast of Manetta Avenue. East Fourth Street has a thirty-three foot (33') right-of-way and a twenty-eight foot (28') pavement width. Curbing and sidewalk are in good condition and the pavement is fair. No right-of-way dedication is proposed. An eight and a half foot (8.5') road widening easement is proposed. Thirty-two (32) parking spaces are proposed for the eight (8) units. The proposed off-street parking spaces will be accessible from a private road complete with curbing that will intersect with East Fourth Street. A private twenty-six foot (26') wide road, complete with curb is proposed for access to the duplexes. Associated site improvements are proposed for the major subdivision. These improvements include water, sewer, and drainage; curbing and sidewalk along East Fourth Street, and landscaping. The subject site is located within the R-7.5 Single-Family Residential Zone District. Except for a park immediately to the southeast, the site is virtually surrounded by residential development. We have the following comments and recommendations per testimony provided at the 7/15/14 Planning Board Plan Review Meeting and comments from our initial review letter dated July 9, 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 "B-Site Features" waivers since there is enough information provided for design. We can support the waiver from providing an Environmental Impact Statement due to 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. Per Section 18-902 G.1.b., of the UDO, "Two Family and Duplex Housing, with a minimum lot size of ten thousand square feet (10,000 SF) and a minimum width of sixty feet (60')" is listed as a permitted use. Furthermore, zero lot line development is permitted in the zone. Statements of fact. 2. A variance is required for minimum lot frontage on an improved right of way for proposed Lots 29.01 through 29.07. The proposed lots have no road frontage, where sixty feet (60') would be required (30' for zero lot line properties). Proposed Lot 29.08 has 144.03 feet of frontage on East Fourth Street. The proposed lot numbers have been reversed. Proposed Lot 29.01 has 144.03 feet of frontage on East Fourth Street. Proposed Lots 29.02 through 29.08 have no frontage. The Board shall take action on the required variance. 3. A waiver from right-of-way dedication is required. An eight and a half foot (8.5') road widening easement is proposed instead of the right-of-way dedication. The Board shall take action on the required waiver from providing right-of-way dedication. 4. The applicant must address the positive and negative criteria in support of the requested 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. The current driveway

that serves Lot 29, also serves the adjacent Lot 39. The existing concrete driveway crosses the property line between these two (2) lots. Therefore, this driveway may not be removed. An Access Easement is required for this driveway in order to insure Lot 39 is served both during and after construction. The applicant's engineer indicates that provisions will be made for access and will be finalized during resolution compliance should approval be granted.

2. Off-street parking: According to the plans provided, the applicant is proposing four (4) off-street parking spaces per dwelling which is enough to be in compliance with the RSIS and Township standards of four (4) off-street parking spaces required. Up to six (6) bedrooms per unit with an unfinished basement are permitted for this project to be in compliance with parking ordinance 2010-62. The architectural plan indicates that five (5) bedroom units with basements will be proposed. Statements of fact.

3. The revised plans propose a hammerhead turnaround without dimensions which appears to be inadequate to provide proper circulation. Approval from the Lakewood Department of Public Works will be required.

4. The plans indicate that trash and recyclable collection for the residential subdivision is to be provided by the Township of Lakewood. Each unit shall have an area designated for the storage of trash and recycling containers. A couple of proposed angled trash enclosures without dimensions have been added near the front of the site. This requires the access road to be narrowed to twenty-four feet (24') near East Fourth Street. Furthermore, the rear of the proposed trash enclosures would be virtually on the property line which would eliminate the ability for them to be screened. Approval from the Lakewood Department of Public Works will be required.

5. 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.

6. 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. A Survey for the property has been provided. The following revisions are required:

a. Areas shall be provided for the individual lots.

b. Missing walks, poles, and signs shall be shown since they could impact the design.

c. Overhead electric wire should be shown on the northeast side of East Fourth Street. The applicant's engineer indicates that the survey is being revised and will be submitted for resolution compliance should approval be granted.

2. Circulation for the private road shall be designed for all Township vehicles, such as fire and sanitation trucks. While a hammerhead has been provided, a Circulation Plan demonstrating its functionality has not been submitted.

3. The General Notes shall be edited. The General Notes have been revised. However, further editing is required for resolution compliance submission should approval be granted.

4. Horizontal datum has been assumed. A vertical datum shall be provided and bench marks coordinated between the plan and General Notes. A bench mark has been added. Vertical datum must be supplied for resolution compliance submission should approval be granted.

5. The proposed duplex buildings should be labeled to match the Zoning Data. The proposed duplex buildings must be labeled for resolution compliance submission should approval be granted.

6. Proposed unit sizes, dimensions, access points, and stairs should be coordinated with the architectural plan since the site improvements will be impacted. Coordination must be provided for resolution compliance submission if approval is granted.

7. The lot width dimensions from existing Lots 28 and 29 shall either be removed or "grayed". The "bold" text is providing conflicting information. The fifty foot (50') bold text and 94.03 foot bold text shall be removed from proposed Lot 29.08 for resolution compliance submission if approval is granted.

8. There appears to be a stray property line on the northeasterly portion of proposed Lot 29.01. Since the proposed lot numbers have been reversed, the stray property line shall be removed from new Lot 29.08 for resolution compliance submission should approval be granted.

9. The proposed areas for the combinations of new Lots 29.03/29.04 and 29.05/29.06 should be corrected to 10,082.10 square feet. The combinations of all proposed lot areas have been corrected. Proposed individual lot areas must be provided on the plan for resolution compliance submission should approval be granted.

10. There is no

side yard setback for proposed Lot 29.08. The Zoning information has been revised. However, the proposed front yard setback for new Lot 29.01 shall be twenty-five feet (25') and the proposed front yard setback for new Lot 29.08 shall be not applicable. The revisions shall be provided with resolution compliance submission should approval be granted. 11. The proposed building coverage percentages shall be revised. Proposed building coverage revisions shall be provided with resolution compliance submission should approval be granted. 12. No sight triangles are shown. Sight Triangle Easements to the Township should be proposed at the vehicular intersection point along East Fourth Street. The applicant's engineer indicates that the sight triangle will be provided during resolution compliance should approval be granted. 13. The curb and sidewalk along East Fourth Street is proposed to be replaced. Statement of fact. C. Architectural 1. One (1) architectural plan has been provided for all four (4) buildings. Section 18-821 of the UDO requires at least two (2) basic house designs for subdivisions consisting of between four (4) to six (6) structures. The applicant's engineer indicates that architectural drawings are being finalized. 2. The proposed heights of all units would be less than the allowable thirty-five feet (35'). Statement of fact. 3. We recommend that locations of HVAC equipment be shown and adequately screened. The applicant's engineer indicates that architectural drawings are being finalized. 4. Decking dimensions and access need to coordinate with the site plans. Coordination must be provided for resolution compliance submission if approval is granted. D. Grading 1. A profile of the private road with proposed utilities and drainage is required. We recommend the Board condition any approvals on providing a profile for the proposed private road, utilities, and drainage. 2. 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 shall be provided with resolution compliance submission should approval be granted. 3. More proposed curb elevations are needed. The curb replacement along East Fourth Street shall be designed with a proposed gutter grade at a constant slope. The applicant's engineer indicates that more proposed curb elevations and the design for the curb replacement will be provided with resolution compliance submission should approval be granted. 4. A detailed review of the grading can be completed during compliance submission; if/when this subdivision and subsequent site plan is approved. A preliminary review has been conducted and we offer the following comments to be considered for resolution compliance submission should approval be granted: a. The base map must show existing grades to the hundredth of a foot as shown on the survey. b. A gutter repair shall be included with the curb replacement along East Fourth Street. c. The proposed grading must consider the addition of a hammerhead turnaround. E. Storm Water Management 1. 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. As a result, the project must meet water quality and water quantity reduction rate requirements. Hydrograph information has been submitted. However, a complete Storm Water Management Report must be provided for review with resolution compliance submission if approval is granted. 2. Soil borings and permeability testing must be provided within the proposed project to confirm the seasonal high water table depth and infiltration rates since underground recharge is being designed. Soil borings and permeability testing must be provided with resolution compliance submission should approval be granted. 3. The Storm Water Management Report and Design will be reviewed in detail after a revised submission of the project is made. Statement of fact. 4. A Storm Water Management Operation & Maintenance Manual shall be submitted for the residential subdivision per the NJ Storm Water Rule (NJAC 7:8) and Township Code. The Manual will be reviewed in detail after the storm water management design is found to be acceptable. Statements of fact. 5. The Hydrograph Summary Report does not include the right data. Pipe length and invert elevations were entered incorrectly. The applicant's engineer indicates that storm water calculations will be revised after soil testing is complete. F. Landscaping 1. Proposed landscaping is illustrated on the Grading & Utility Plan. Four (4) Willow Oak shade trees have been provided in front of the residential units on Sheet 2 of 4. 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. The site will be cleared as necessary

for the construction of the project. Compensatory plantings shall be addressed with the Tree Protection Management Plan. The Board should provide landscaping recommendations. The Shade Tree Commission commented that foundation plantings shall be included for each unit in accordance with the Ordinance. A Tree Protection Management Plan has been submitted. 3. Landscaping shall be reviewed in detail after compliance submission should subdivision approval be granted. Statement of fact. G. Lighting 1. No additional street lighting or site lighting is proposed. This matter must be addressed. The applicant's engineer indicates that a lighting plan is being prepared and will be provided with resolution compliance submission should approval be granted. H. Utilities 1. A proposed water line connection is not shown on the utility plan. Testimony should be provided on fire safety. 2. Testimony should be provided regarding other proposed utilities. Additional underground connections will be required if gas is proposed. Testimony should be provided on other proposed utilities. I. Signage 1. No regulatory signage is shown or proposed. Any approvals should be conditioned upon providing regulatory signage. 2. All signage proposed that is not reviewed and approved as part of this application, if any, shall comply with Township ordinance. Statement of fact. J. Environmental 1. Tree Management A Tree Protection Management Plan has been submitted. The Tree Protection Management Plan shall be reviewed in detail after compliance submission should subdivision approval be granted. Statement of fact. 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. The Final Plat shall be corrected in accordance with the previous applicable plan review comments. Corrections shall 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. The date on the certification shall also be corrected to match the Survey. The certification shall be corrected for resolution compliance submission should approval be granted. 3. Spaces are needed to list the property owner's names in the Notary Public Certifications. The property owners name in the signature block does not match the name in the Notary Public Certification. Furthermore, the owner and applicant of the project are no longer listed in the General Notes. All of this information must be rectified with resolution compliance submission should approval be granted. 4. Coordinates shall be provided on at least three (3) outbound corners. The applicant's engineer indicates that coordinates will be added for resolution compliance submission should approval be granted. 5. Proposed monuments shall be added. The applicant's engineer indicates that proposed monuments will be added for resolution compliance submission should approval be granted. 6. The private access road shall be added. The private access road being a common element shall be added for resolution compliance submission should approval be granted. 7. Zones and Zone Boundary Lines shall be added. Zone information shall be added for resolution compliance submission should approval be granted. 8. Compliance with the Map Filing Law is required. Statement of fact. 9. 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. Vogt stated that a private road is proposed. The proposed lots would have no lot frontage.

Mr. Brian Flannery, P.E., P.P. was sworn in. they are seeking minimum lot frontage on an improved road. He marked a tax map as exhibit A-1 and an aerial rendering as exhibit A-2. They would have a private road with four duplexes. It is similar to what the Board approved on the other side of School Garden Street. He further explained the reasons why this is a classic C-2 variance where the benefits outweigh the detriments.

Mr. Vogt stated there are a couple of design concerns with regard to the terminus of the roadway. Approval from Public works will be required.

Mr. Neiman asked how garbage will be picked up.

Mr. Flannery said there is a dumpster location shown at the front.

Mr. Neiman asked if it will be private pickup because Public Works will not come into this block.

Mr. Flannery said they would meet with Public works and if it needs to be private then they will use private.

Mr. Vogt asked who is going to maintain the road.

Mr. Flannery said there would be easements between the homeowners and the homeowners would maintain the roads.

Mr. Neiman said this all needs to be in a homeowner's agreement prior. They don't want a homeowner buying a house without the knowledge of these responsibilities.

Mrs. Weinstein, Esq. said they would have to satisfy the board engineer or they would have to come back before this Board.

Mr. Neiman wants to make sure it is in the resolution that they have to satisfy public works.

Mrs. Weinstein said there would have to be a homeowner's association which would provide for ownership of the road and any other services which would have to be privately paid for by the homeowners.

Mr. Banas believes the garbage is too close to East Fourth Street.

Mr. Flannery said he would agree that if DPW wants the cans along the road, they would come back to the Board.

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.

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

- 3. SP 2015A** (Variance Requested)
Applicant: Chambers Crescent, LLC
Location: Cedar Bridge Avenue
Block 536 Lot 122
Preliminary and Final Major Site Plan for 63 affordable multi-family units

Project Description

The applicant (Chambers Crescent, LLC) is seeking to amend a Preliminary Site Plan approval and obtain a Final Site Plan approval for the redevelopment of the existing John F. Kennedy Apartments (Public Housing). The 6.93 acre development consists of Lot 122 in Block 536. The site is located on the northwest corner of the intersection of Cedar Bridge Avenue and South Clover Street, both being County

Highways. The owner of the existing development is the Lakewood Housing Authority (LHA). The subject property is presently developed with sixty-two (62) residential affordable multi-family housing units in twelve (12) buildings, plus one (1) common building. The proposal is to raze two (2) of the residential structures containing nine (9) units and the common building. The construction would consist of two (2) new buildings containing ten (10) units and one (1) new single story 1,750 square foot "office/common space structure". The total number of dwelling units would be increased by one (1), to sixty-three (63). The buildings to be removed would allow construction of a new expanded parking lot with access only from South Clover Street. This would be a huge safety improvement since Cedar Bridge Avenue is an arterial County Highway. All of the new buildings would be located on the northern section of the development. The proposed off-street parking would be increased to one hundred ten (110) spaces. Curb and sidewalk in good condition exist along the property frontage. Curb and sidewalk in poor condition exists throughout the interior of the site. The interior curb and sidewalk would be replaced with the revamping of this tract. The existing backyard patios are being removed to decrease impervious surface. Storm water management would be improved with the construction of a new drainage collection system. The development is located in the PH-1, Public Housing, and R-40, Single-Family Residential Zones. All dwelling units would be within the PH-1 Zone. The applicant received preliminary approval for a prior redevelopment design of the property (Application SP#2015), approved at the May 21, 2013 Planning Board Meeting. The approval was for six (6) new Garden Apartment Buildings with sixty-three (63) units and a new 1,750 square foot common area building. It is our understanding that this previous approval will be vacated if the current application receives Board approval.

I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. C13 – Environmental Impact Statement 2. C14 – Tree Protection Management Plan We can support the granting of waivers from Checklist Items C13 and C14. The entire site is already developed and the proposed development only occurs on a disturbed footprint. There is no new environmental impact, and a new landscaping plan has been submitted. II. Zoning 1. The site is located in the in the PH-1 Zone, Public Housing, and R-40, Single-Family Residential Zone. Multi-Family housing is permitted in both zones. Per Section 18-902J., of the UDO, low income housing is permitted in the PH-1 Zone. Further, per Section 18-902B.7., of the UDO, Planned Affordable Residential Development (including multifamily residential development) is a permitted use in the R-40 (Single-Family Residential) Zoning District. Therefore, it is our opinion that the proposed redevelopment of this property as proposed remains permitted (per the UDO). 2. A variance has been requested for the average minimum dwelling unit size. A unit size of 875 SF is proposed and 1,100 SF is required in the R-40 Zone. Professional testimony will be necessary to justify the requested variance. 3. A variance has been requested for the required off-street parking spaces. A minimum of one hundred forty-five (145) off-street parking spaces are required in the R-40 Zone, whereas only one hundred ten (110) are proposed. All of the parking spaces as well as most of the buildings are located in the PH-1 Zone. Professional testimony will be necessary to justify the requested variance. 4. A design waiver is required from providing street trees, as well as shade tree and utility easements along the project frontages. III. Review Comments A. Site Plan/Circulation/Parking 1. An ALTA/ACSM Land Title Survey has been provided. 2. Benchmark reference as stated in the General Notes is Dover 1 PID NO. JU4430 Elevation: 29.72 feet. Also in the General Notes, the horizontal datum is relative to the New Jersey State Plane Coordinate System and adjusted to NAD 1983. In addition, the Vertical Datum is relative to NAVD 1988. 3. There is a distance discrepancy in Course #9 of the description with the outbound. 4. The Zoning Requirements for Public Housing shall be completed in accordance with 18-902J., of the UDO. 5. The applicant's professionals should provide summary testimony to the Board's satisfaction including but not limited to revisions to the previously-approved project, new apartments, proposed improvements to existing facilities, vehicular access, off-street parking, and pedestrian amenities. 6. Per review of the vehicular circulation as depicted on the Dimension Plan, the proposed access drive and interior drive designs are generally well-prepared, and will provide improved site access and off-street parking facilities. Testimony should be provided as to whether school buses are anticipated to drive within the site (and if so, where). 7. All proposed curb

dimensioning and radii for the proposed two-way access boulevard, parking areas, and interior access drives should be shown on the Dimension Plan. This information can be provided as a condition of Board approval (if granted). 8. The new (proposed) pedestrian access network (sidewalks) is depicted on Dimension Plan. The design as proposed is well-prepared. Proposed sidewalk widths are depicted at 6 feet (typical), in excess of ADA standards. However, additional dimensioning is necessary to construct the access ways. This information can be provided as a condition of Board approval (if granted). 9. Proposed curb ramps must be clearly delineated (shaded, other) on the Dimension Plan. This information can be provided as a condition of Board approval (if granted). 10. Proposed shade tree and utility easements (if any) should be shown and labeled accordingly, complete with dimensioning. 11. Sight Triangle Easements should be provided for the proposed two-way intersection. This information can be provided as a condition of Board approval (if granted). 12. Two (2) dumpster enclosure locations are identified on the plans. Testimony should be provided regarding the adequacy of these areas to serve the development. If public pickup is proposed, DPW approval will be necessary. 13. The proposed Dimension Plan shall be coordinated with the Preliminary Architectural Plans. Proposed dimensions for the buildings and setbacks must be to the hundredth of a foot, since it impacts the layout. Proposed building square footage should also be coordinated.

B. Architectural

1. Architectural plans were submitted for review, including floor plans and elevations for the proposed four-unit and six-unit apartment buildings. As depicted, both building will be two-stories. We recommend that the applicant's professionals bring renderings of both buildings for review at the forthcoming Public Hearing. 2. Similarly, architectural plans were provided for the proposed "Club House". We recommend that the applicant's professionals bring renderings of the building for review at the forthcoming Public Hearing. 3. HVAC equipment proposed in the rear of the new residential units appears to be depicted on the Dimension Plan but not in the architectural plans. Said equipment should be screened. 4. Similarly, HVAC equipment appears proposed in the rear of the Club House (but not in architectural plans). Said equipment should be screened.

C. Grading

1. A detailed Grading Plan is provided on Sheet 5. The current grading design depicts proposed grades for the new parking areas and access ways around buildings, along the new pedestrian access ways, and promotes positive drainage within open and common areas within the property. Per review of the current design, it is feasible and generally well-prepared. 2. Access point elevations should be provided for the proposed buildings. 3. Proposed spot grades are required at the corners of the dumpster enclosures. 4. Additional grading information is necessary to finalize the design, including but not limited to additional spot elevations along the two way access drive, parking areas, handicap ramps, and pedestrian pathways throughout the site. This information may be provided during compliance review (if/when approval is granted).

D. Storm Water Management

1. A proposed storm water management system has been designed for the site. Post development runoff will be handled by a proposed drainage system consisting of a series of inlets and pipes that will convey flow to an existing pipe system across Clover Street. 2. As referenced above, an interior storm water collection system is proposed within the property, and will collect storm water from a number of low points throughout the site to better promote positive drainage throughout the site. The current design concept is generally well-prepared. 3. The "Storm Water Management Statement" provided correctly assesses the project's proposed compliance with the NJ Storm Water Rule. Although impervious cover will be reduced (slightly), the project is still classified as "Major Development" due to the proposed disturbance. 4. Utility profiles are provided on Plan Sheets 7-9, and are generally acceptable. For the section of pipe from "A" Inlet #14 to Existing Inlet (Cedar Bridge), the pipe calculations match the utility profiles, but differ from what is shown on the utility plan. 5. Utility plan and profiles have minor inconsistencies with the pipe slopes and lengths. Although they may be the result of rounding error, the plans should be corrected to show the same dimensions. 6. A Storm Water Maintenance Plan must be prepared per NJAC 7:8-5 for the proposed design, identifying the Responsible Party for storm water system maintenance. 7. Final storm water design revisions will be reviewed during compliance, if/when Board approval is received.

E. Landscaping

1. A detailed Landscaping Plan is provided on Sheet 12. The plan includes but is not limited to shade and ornamental trees along the

proposed two-way access drive, around new parking areas, and throughout “common areas” within the site. Foundation plantings are proposed along new as well as existing buildings. Per review of the current design, it is generally well-prepared. 2. A summary table indicating the proposed numbers and types of new trees and shrubbery proposed should be added to the final Landscaping design. 3. A label for one (1) ACA tree is missing at the south end of the development. 4. The final Landscaping design is subject to approval by the Board and input (if any) received from the Environmental Commission. 5. The final landscape design will be reviewed during compliance, if/when Board approval is received (including compliance with the Township Tree Protection Ordinance). F. Lighting 1. A Lighting Plan is provided on Sheet 13, indicating that eighteen foot (18') high pole-mounted lights are proposed throughout the site. Per review of the current design, we note revisions are necessary since the 15:1 uniformity ratio would be exceeded. 2. We recommend that cut-offs be provided on interior fixtures to minimize potential glare within existing and proposed apartment units. 3. A lighting schedule summarizing the number and types of fixtures shall be provided. 4. The final Lighting Design will be reviewed during compliance, if/when approval is granted (including but not limited to construction details and foundation designs). G. Utilities 1. Water and sewer service shall be provided via existing lines on Cedar Bridge Avenue and Clover Street. New Jersey American Water Company approval is likely necessary. H. Signage 1. 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 Description Per review of the site plans, aerial photography, and a site investigation of the property, the project site is already developed. J. Traffic 1. The applicant’s professionals should be prepared to testify regarding existing and anticipated proposed traffic conditions associated with the project. K. 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. 2. Performance guarantees should be posted for any required improvements. 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 (as applicable); c. Fire Commissioners; d. Ocean County Planning Board; e. Ocean County Soil Conservation District; f. NJ American Water (water and sewer, if necessary); and g. All other required outside agency approvals.

Mr. Vogt stated that variances are requested for minimum dwelling unit size and off-street parking.

Mr. Sal Alfieri, Esq. on behalf of the applicant.

Mr. Geoffrey Ogelman, was sworn in, stated they were here before for preliminary approval only for this project. Originally they were proposing to remove all of the existing structures but they did not receive the necessary funds to do that. Now they are proposing to renovate 10 of the 12 existing buildings on the site and they would tear down 2 of the buildings and construct 2 new buildings. The existing community center would also be torn down and a new one would be built. The amount of units would remain the same and they would be adding 6 handicapped units where there are none now. The existing tenants would be provided temporary housing for the time of construction. Everyone who is a current tenant at this site has a right to return. There are currently 43 spaces for 62 units and they are proposing 110 parking spaces. The landscaping and circulation will also be greatly improved so that emergency vehicles would have better access to the property.

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

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

Abstain: Mr. Rennert

- 4. SD 1956** (Variance Requested)
Applicant: Benjamin Loeb
Location: Ridge Avenue
Block 223 Lots 89 & 90
Preliminary & Final Major Subdivision to create 7 lots

Project Description

The applicant is seeking a Preliminary and Final Major Subdivision approval. The applicant proposes to remove two (2) existing single family dwellings with detached garages and construct four (4) duplexes on eight (8) zero lot line properties. The existing two (2) tracts known as Lots 28 and 29 in Block 243 are proposed to be subdivided into eight (8) lots shown as new Lots 29.01 through 29.08 on the Major Subdivision Plan. The entire tract totals about one (1) acre in area and consists of two (2) existing residential properties. The rear of Lot 28 is heavily wooded. Otherwise, there are some trees on the remainder of the properties. The plan states that all existing structures are to be removed. The land generally slopes northwestward. However, there is a low area in the existing driveway on Lot 28. The property is located in the northern portion of Township on the northeast side of East Fourth Street, southeast of Manetta Avenue. East Fourth Street has a thirty-three foot (33') right-of-way and a twenty-eight foot (28') pavement width. Curbing and sidewalk are in good condition and the pavement is fair. No right-of-way dedication is proposed. An eight and a half foot (8.5') road widening easement is proposed. Thirty-two (32) parking spaces are proposed for the eight (8) units. The proposed off-street parking spaces will be accessible from a private road complete with curbing that will intersect with East Fourth Street. A private twenty-six foot (26') wide road, complete with curb is proposed for access to the duplexes. Associated site improvements are proposed for the major subdivision. These improvements include water, sewer, and drainage; curbing and sidewalk along East Fourth Street, and landscaping. The subject site is located within the R-7.5 Single-Family Residential Zone District. Except for a park immediately to the southeast, the site is virtually surrounded by residential development. We have the following comments and recommendations per testimony provided at the 7/15/14 Planning Board Plan Review Meeting and comments from our initial review letter dated July 9, 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 "B-Site Features" waivers since there is enough information provided for design. We can support the waiver from providing an Environmental Impact Statement due to 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. Per Section 18-902 G.1.b., of the UDO, "Two Family and Duplex Housing, with a minimum lot size of ten thousand square feet (10,000 SF) and a minimum width of sixty feet (60')" is listed as a permitted use. Furthermore, zero lot line development is permitted in the zone. Statements of fact. 2. A variance is required for minimum lot frontage on an improved right of way for proposed Lots 29.01 through 29.07. The proposed lots have no road frontage, where sixty feet (60') would be required (30' for zero lot line properties). Proposed Lot 29.08 has 144.03 feet of frontage on East Fourth Street. The proposed lot numbers have been reversed. Proposed Lot 29.01 has 144.03 feet of frontage on East Fourth Street. Proposed Lots 29.02 through 29.08 have no frontage. The Board shall take action on the required variance. 3. A waiver from right-of-way dedication is required. An eight and a half foot (8.5') road widening easement is proposed instead of the right-of-way dedication. The Board shall take action on the required waiver from providing right-of-way dedication. 4. The applicant must address the positive and negative criteria in support of the requested 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. The current driveway that serves Lot 29, also serves the adjacent Lot 39. The existing concrete driveway crosses the property line between these two (2) lots. Therefore, this driveway may not be removed. An Access Easement is required for this driveway in order to insure Lot 39 is served both during and after construction. The applicant's engineer indicates that provisions will be made for access and will be finalized during resolution compliance should approval be granted. 2. Off-street parking: According to the plans provided, the applicant is proposing four (4) off-street parking spaces per dwelling which is enough to be in compliance with the RSIS and Township standards of four (4) off-street parking spaces required. Up to six (6) bedrooms per unit with an unfinished basement are permitted for this project to be in compliance with parking ordinance 2010-62. The architectural plan indicates that five (5) bedroom units with basements will be proposed. Statements of fact. 3. The revised plans propose a hammerhead turnaround without dimensions which appears to be inadequate to provide proper circulation. Approval from the Lakewood Department of Public Works will be required. 4. The plans indicate that trash and recyclable collection for the residential subdivision is to be provided by the Township of Lakewood. Each unit shall have an area designated for the storage of trash and recycling containers. A couple of proposed angled trash enclosures without dimensions have been added near the front of the site. This requires the access road to be narrowed to twenty-four feet (24') near East Fourth Street. Furthermore, the rear of the proposed trash enclosures would be virtually on the property line which would eliminate the ability for them to be screened. Approval from the Lakewood Department of Public Works will be required. 5. 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. 6. 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. A Survey for the property has been provided. The following revisions are required: a. Areas shall be provided for the individual lots. b. Missing walks, poles, and signs shall be shown since they could impact the design. c. Overhead electric wire should be shown on the northeast side of East Fourth Street. The applicant's engineer indicates that the survey is being revised and will be submitted for resolution compliance should approval be granted. 2. Circulation for the private road shall be designed for all Township vehicles, such as fire and sanitation trucks. While a hammerhead has been provided, a Circulation Plan demonstrating its functionality has not been submitted. 3. The General Notes shall be edited. The General Notes have been revised. However, further editing is required for resolution compliance submission should approval be granted. 4. Horizontal datum has been assumed. A vertical datum shall be provided and bench marks coordinated between the plan and General Notes. A bench mark has been added. Vertical datum must be supplied for resolution compliance submission should approval be granted. 5. The proposed duplex buildings should be labeled to match the Zoning Data. The proposed duplex buildings must be labeled for resolution compliance submission should approval be granted. 6. Proposed unit sizes, dimensions, access points, and stairs should be coordinated with the architectural plan since the site improvements will be impacted. Coordination must be provided for resolution compliance submission if approval is granted. 7. The lot width dimensions from existing Lots 28 and 29 shall either be removed or "grayed". The "bold" text is providing conflicting information. The fifty foot (50') bold text and 94.03 foot bold text shall be removed from proposed Lot 29.08 for resolution compliance submission if approval is granted. 8. There appears to be a stray property line on the northeasterly portion of proposed Lot 29.01. Since the proposed lot numbers have been reversed, the stray property line shall be removed from new Lot 29.08 for resolution compliance submission should approval be granted. 9. The proposed areas for the combinations of new Lots 29.03/29.04 and 29.05/29.06 should be corrected to 10,082.10 square

feet. The combinations of all proposed lot areas have been corrected. Proposed individual lot areas must be provided on the plan for resolution compliance submission should approval be granted. 10. There is no side yard setback for proposed Lot 29.08. The Zoning information has been revised. However, the proposed front yard setback for new Lot 29.01 shall be twenty-five feet (25') and the proposed front yard setback for new Lot 29.08 shall be not applicable. The revisions shall be provided with resolution compliance submission should approval be granted. 11. The proposed building coverage percentages shall be revised. Proposed building coverage revisions shall be provided with resolution compliance submission should approval be granted. 12. No sight triangles are shown. Sight Triangle Easements to the Township should be proposed at the vehicular intersection point along East Fourth Street. 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Grading 1. A profile of the private road with proposed utilities and drainage is required. We recommend the Board condition any approvals on providing a profile for the proposed private road, utilities, and drainage. 2. 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 shall be provided with resolution compliance submission should approval be granted. 3. More proposed curb elevations are needed. The curb replacement along East Fourth Street shall be designed with a proposed gutter grade at a constant slope. The applicant's engineer indicates that more proposed curb elevations and the design for the curb replacement will be provided with resolution compliance submission should approval be granted. 4. A detailed review of the grading can be completed during compliance submission; if/when this subdivision and subsequent site plan is approved. A preliminary review has been conducted and we offer the following comments to be considered for resolution compliance submission should approval be granted: a. The base map must show existing grades to the hundredth of a foot as shown on the survey. b. A gutter repair shall be included with the curb replacement along East Fourth Street. c. The proposed grading must consider the addition of a hammerhead turnaround. E. Storm Water Management 1. 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. As a result, the project must meet water quality and water quantity reduction rate requirements. Hydrograph information has been submitted. However, a complete Storm Water Management Report must be provided for review with resolution compliance submission if approval is granted. 2. Soil borings and permeability testing must be provided within the proposed project to confirm the seasonal high water table depth and infiltration rates since underground recharge is being designed. Soil borings and permeability testing must be provided with resolution compliance submission should approval be granted. 3. The Storm Water Management Report and Design will be reviewed in detail after a revised submission of the project is made. Statement of fact. 4. A Storm Water Management Operation & Maintenance Manual shall be submitted for the residential subdivision per the NJ Storm Water Rule (NJAC 7:8) and Township Code. The Manual will be reviewed in detail after the storm water management design is found to be acceptable. Statements of fact. 5. The Hydrograph Summary Report does not include the right data. Pipe length and invert elevations were entered incorrectly. The applicant's engineer indicates that storm water calculations will be revised after soil testing is complete. F. Landscaping 1. Proposed landscaping is illustrated on the Grading & Utility Plan. Four (4) Willow Oak shade trees have been provided in front of the residential units on Sheet 2 of 4. 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. The site will be cleared as necessary for the construction of the project. Compensatory plantings shall be addressed with the Tree Protection Management Plan. The Board should provide landscaping recommendations. The Shade Tree Commission commented that foundation plantings shall be included for each unit in accordance with the Ordinance. A Tree Protection Management Plan has been submitted. 3. Landscaping shall be reviewed in detail after compliance submission should subdivision approval be granted. Statement of fact. G. Lighting 1. No additional street lighting or site lighting is proposed. This matter must be addressed. The applicant's engineer indicates that a lighting plan is being prepared and will be provided with resolution compliance submission should approval be granted. H. Utilities 1. A proposed water line connection is not shown on the utility plan. Testimony should be provided on fire safety. 2. Testimony should be provided regarding other proposed utilities. Additional underground connections will be required if gas is proposed. Testimony should be provided on other proposed utilities. I. Signage 1. No regulatory signage is shown or proposed. Any approvals should be conditioned upon providing regulatory signage. 2. All signage proposed that is not reviewed and approved as part of this application, if any, shall comply with Township ordinance. Statement of fact. J. Environmental 1. Tree Management A Tree Protection Management Plan has been submitted. The Tree Protection Management Plan shall be reviewed in detail after compliance submission should subdivision approval be granted. Statement of fact. 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. The Final Plat shall be corrected in accordance with the previous applicable plan review comments. Corrections shall 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. The date on the certification shall also be corrected to match the Survey. The certification shall be corrected for resolution compliance submission should approval be granted. 3. Spaces are needed to list the property owner's names in the Notary Public Certifications. The property owners name in the signature block does not match the name in the Notary Public Certification. Furthermore, the owner and applicant of the project are no longer listed in the General Notes. All of this information must be rectified with resolution compliance submission should approval be granted. 4. Coordinates shall be provided on at least three (3) outbound corners. The applicant's engineer indicates that coordinates will be added for resolution compliance submission should approval be granted. 5. Proposed monuments shall be added. The applicant's engineer indicates that proposed monuments will be added for resolution compliance submission should approval be granted. 6. The private access road shall be added. The private access road being a common element shall be added for resolution compliance submission should approval be granted. 7. Zones and Zone Boundary Lines shall be added. Zone information shall be added for resolution compliance submission should approval be granted. 8. Compliance with the Map Filing Law is required. Statement of fact. 9. 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.

9:17

Mr. Vogt stated that variances are requested for minimum lot frontage, front yard setback, aggregate side yard setback. A waiver is requested from right-of-way dedication.

Mrs. Miriam Weinstein, Esq., on behalf of the applicant, stated there are objectors for this application and she would let them speak first.

Mr. Ron Gasiorowski, Esq. on behalf of the applicant. He stated that variances are requested and it states that in the review letter and the minutes but not on the notice. He said the notice does not make any mention of any variances being sought. It is his position that notices were not properly given that this Board does not have jurisdiction to hear this application. There is a catch all clause which refers to the fact that any and all other variances but these are really specific variances. They should have amended their notice.

Mr. Neiman said the neighbors obviously understood the notice as they are here and sought representation.

The Board agreed and has no problem moving forward.

Mrs. Weinstein stated that this application is for the subdivision of two lots into seven lots. There will be one single family house and three duplexes on zero lot line lots. As a result of the feedback from the Planning Board meeting in July, many improvements have been made to the plan.

Mr. Brian Flannery, P.E., P.P. was sworn in. He entered a rendering as exhibit A-1, a copy of the tax map showing the location of the site as exhibit A-2 and the plan submitted as A-3. The application is for one single family which would front on Ridge Avenue and three duplexes which would be on a private road. The three duplexes would not have any frontage on Ridge Avenue, they would have frontage on the private access drive. Instead of a dedication they will be providing an easement which serves the same purpose. They will require DPW approval on this. They would have to satisfy all the comments concerning the terminus at the end of the roadway.

Mr. Vogt said he is not happy with the current design of the terminus. He is not sure whether or not the configuration works at this point.

Mr. Flannery said if they need more room for a turnaround, they would make one of the duplexes a single family home.

Mr. Neiman believes they should design it better and come back.

Mr. Vogt said what Mr. Flannery said would be feasible.

Mr. Neiman said they can continue then.

Mr. Flannery went through the reasons why the benefits outweigh the detriments.

Mr. Neiman asked how the garbage will be picked up.

Mr. Flannery said he assumes it will be private but they will meet with Public Works.

Mr. Neiman said you would need a developer's agreement and a homeowner's association.

Mrs. Weinstein said that is correct.

Mr. Neiman opened to the public.

Mr. Gasiorowski again brought up the notice stating that the specific variances sought were not listed on the notice.

Mr. Flannery said he would not measure the setbacks to the private street, you would measure to Ridge Avenue but since the Board engineer determined otherwise, he would not contradict that.

Mr. Gasiorowski asked if there is anything in the notice which advised the public that these lots would not be fronting on a public street.

Mr. Flannery said there is not.

Mr. Gasiorowski read the definition of a flag lot onto record. He asked if these lots are in fact flag lots.

Mr. Flannery said he would not characterize them as flat lots.

Mr. Gasiorowski said they do not have frontage on a public street.

Mr. Flannery said that is correct but it would depend on the definition of a public street.

Mr. Jackson said he does not think the statute says that you have to front on a public street.

Mr. Gasiorowski said this is nothing more than an easement.

Mr. Flannery said it is something more than an easement because it will be paved and provide access to the units.

Mr. Gasiorowski said easements are often times paved. What he is trying to do is take a large parcel of land and run an easement off one of the sidelines of it to utilize as basically a driveway.

Mr. Flannery said that would depend on the definition of driveway.

Mr. Gasiorowski said they could use this easement area to enable them to satisfy some of the square footage requirements of the lots.

Mr. Flannery said that is correct.

Mr. Gasiorowski said there is actually an 'L' shaped lot to satisfy the square footage.

Mr. Flannery said that is correct.

Mr. Gasiorowski argued that the private road is merely an easement and provides no frontage for the units. He also stated that, per the ordinance, zero lot line lots must be on a public street.

Mr. Flannery said that was put in place because front to back duplexes were being built and the Township did not want that.

Mr. Neiman said he has to leave. He would like Mr. Flannery to come back showing the new plan as proposed, going to public works and getting some kind of plan for this application.

Mr. Jackson asked that Mrs. Weinstein send out new notices to address that issue.

Mrs. Weinstein agreed.

The matter has been adjourned until October 21, 2014.

7. CORRESPONDENCE

- **SD 1852** – Removal of one lot from previously approved subdivision

Mr. Lines said that no new variances will be created. They would like to eliminate one of the lots as the County improvement costs would be too great.

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

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

8. PUBLIC PORTION

9. APPROVAL OF MINUTES

10. APPROVAL OF BILLS

11. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Sarah L. Forsyth
Planning Board Recording Secretary