

1. FLAG SALUTE & CERTIFICATION OF COMPLIANCE

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

“The time, date and location of this meeting was published in the *Asbury Park Press* and posted on the bulletin board in the office of the Township of Lakewood at least 48 hours in advance. The public has the right to attend this meeting, and reasonable comprehensive minutes of this meeting will be available for public inspection. This meeting meets the criteria of the Open Public Meetings Act.”

2. ROLL CALL

Mr. Garfield, Mr. Franklin, Mr. Sabel, Mr. Flancbaum, Mr. Herzl, Mr. Isaacson, Ms. Zografos

3. SWEARING IN OF PROFESSIONALS

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

4. MEMORIALIZATION OF RESOLUTIONS

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

A motion was made and seconded to approve the resolution.

2. **SD 2010 Joseph Lipschitz**
Oak Street & River Avenue Block 782.01, Lots 2, 5, 11, 16.01, & 16.02
Amended Preliminary and Final Major Subdivision to create seventeen lots

A motion was made and seconded to approve the resolution.

3. **SP 2287 1975 Swarthmore Avenue, LLC**
1975 Swarthmore Avenue Block 1607, Lot 4
Preliminary and Final Major Site Plan for an addition to existing warehouse

A motion was made and seconded to approve the resolution.

4. **SP 2289 Yeshiva Ohr Yehuda**
110 Franklin Blvd Block 500, Lots 19, 34, 41, & 42
Preliminary and Final Major Site Plan for a school

A motion was made and seconded to approve the resolution.

5. **SD 2008 Berkshire Investment Holdings, LLC**
Elmhurst Boulevard Block 431, Lot 15
Resolution clarifying variances previously granted

A motion was made and seconded to approve the resolution.

6. **SP 2241 Congregation Talmud Torah Inc**
Pine Street Block 855.01, Lots 21, 34.03, & 37
Resolution granting phasing of previously approved Site Plan

Ms. Morris said this resolution will be carried as the applicant owes escrow.

7. **SP 2184 Yeshiva Shaarei Oorah**
Albert Avenue Block 1159, Lots 76 & 77
Resolution granting phasing of previously approved Site Plan

A motion was made and seconded to approve the resolution.

5. **ORDINANCE & OAK STREET CORE RESIDENTIAL DEVELOPMENT SUBDIVISIONS**

- **R2018-295** Submitted Planned Educational Campus Applications permitted to reapply under R-7.5 zoning standards

Ms. Morris said this ordinance permits R-7.5 standards for existing campus applications.

Mr. Franklin believes this is spot zoning.

Ms. Morris doesn't recall that coming up during the Master Plan hearing.

Mr. Franklin said there has always been a rule about spot zoning though. He certainly think this comes under the rule.

Mr. Brian Flannery, P.E., P.P. said the Township attorney and planner did have concerns with spot zoning and spot zoning is when you do something to just one property so that is why they tweaked the language a little to say 'complete applications' and they feel there is no issue with spot zoning. If the board remembers, this was something which was discussed during the Master Plan hearings where if there was a campus approved they could have so many units per acre with nobody paying taxes so it is better for everyone involved to be able to have an option that could be replaced with R-7.5. If the Township Committee adopts this ordinance Thursday night then the door is closed to any future applications.

Mr. Herzl said it wouldn't make sense if half a block is R-7.5 and the other half is R-10.

Mr. Flannery said they could recommend to the committee that the R-7.5 component should extend to the entire block.

Mr. Flancbaum recalls that there were certain areas where you had either approved applications for campuses or areas where they had completed applications and the residents in those areas were adamantly against having any

sort of educational campus because they were talking about 700 apartments between various applications. Therefore, there was a recommendation by this board that if the application is either approved or deemed complete, they have the option of either building the campus or they could put in R-7.5 which he believes the residents were in favor of.

Ms. Morris said the board may have opinions one way or the other but ultimately what the committee has to abide by is whether or not the ordinance complies with the Master Plan recommendations.

Mr. Jackson said the board certainly has the authority and the right to make comments and recommendations.

Mr. Herzl said any zone change on the other side of Route 88 cannot commence until the infrastructure is in place.

Ms. Morris doesn't believe this is a zone change. These applications were approved before the Master Plan and she does not think they would be subject to those requirements.

Mr. Herzl recommends that if any of these applications are changed to R-7.5 then the entire block should be changed as well.

A motion was made and seconded to recommend adoption by the Township Committee.

Affirmative: Mr. Flancbaum, Mr. Herzl, Mr. Isaacson, Ms. Zografos

No: Mr. Grunberger, Mr. Garfield, Mr. Franklin, Mr. Sabel

- **SD 2343AO SGKL, LLC**, Block 1037, Lot 3
- **SD 2344AO ABGK, LLC**, Block 1027, Lot 5

Mr. Vogt confirmed no variances are required for these applications.

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

6. PUBLIC HEARING

- 1. SD 2277 SES Cross LLC**
688 & 672 Cross Street Block 524, Lots 2.01 & 2.02
Extension of Minor Subdivision to adjust lot line

Mr. Adam Pfeffer, Esq. said they are working on resolution compliance and should be ready to file the map with sixty days or so.

A motion was made and seconded to approve a one year extension.
All were in favor.

2. SP 2288 Congregation Machzikei Hadath
347 Ocean Avenue Block 246, Lot 38
Preliminary and Final Major Site Plan for a synagogue

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

Mr. Vogt said submission waivers are requested from providing proof of submission to the Ocean County Planning board since the project would be exempt as it is not on a County highway and includes less than one acre of impervious area, topography, contours and man-made features within 200 ft. The applicant's engineer indicates construction is taking place on adjacent properties to the east and west of the subject site. Sufficient amount of topographic information is provided to determine the drainage pattern of the parcel. Lastly a submission waiver from providing an environmental impact statement has been requested and the applicant's engineer indicates the subject property has been used for a single family residential dwelling structure which was recently demolished. Construction with duplex structures is taking place on the sides of the property and there are no environmentally sensitive areas on the site. Therefore, the waivers are supported.

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

Mr. Vogt said a variance is required for minimum rear yard setback, relief will be required for the number of proposed off-street parking spaces, from section 18-905B.1 of the UDO as a 20 ft wide perimeter buffer to the adjoining residential properties is required and relief is required for a proposed parking area located closer than 5 ft from side property lines.

Mr. Adam Pfeffer, Esq. said there are not many shuls in this area and this would serve current residents as well as properties under construction or which are going to be constructed in the near future. There will be sidewalks as well as a finished room downstairs but he would not consider it a hall as it will be for members only on Shabbos/holidays and it would not be rented out.

Mr. Brian Flannery, P.E., P.P. was sworn. As indicated, this application is for a shul. The 10 ft rear yard setback is to the stairs and the actual building is 15 ft away as required by the ordinance. With respect to the number of parking spaces, the basement is only going to be used by members on Shabbos and holidays. The parking indicated they would need relief but that would be if they were operating every day of the week and additionally the number of parking spaces is based on the board's recommendation during the Master Plan process that once you go over 800 sf, you must provide those 8 spaces. Previously for a 1,400 sf shul they would need 14 parking spaces and they have provided in excess of that.

Mr. Jackson said if the board doesn't grant relief for parking then how would the necessary spaces be provided.

Mr. Flannery said they would have to shrink the sanctuary or eliminate the finished basement. Per the ordinance, 27 parking spaces are required whereas 17 spaces are proposed but many people will be walking to this shul. Relief is also required for the perimeter buffer as 20 ft is required whereas 10 ft is proposed. This applicant has met with the neighbors and would accommodate them. Relief is also required for a proposed parking area located closer than 5 ft from side property lines as the property is only 62.44 ft wide and the parking area would encompass 60 ft of that. He referenced sections of the Master Plan and MLUL to support the variances requested

Mr. Herzl asked about garbage.

Mr. Flannery said they have walk out cans which DPW would pick up and would be subject to their approval.

Mr. Herzl said the basement will not be rented out.

Mr. Flannery confirmed.

Mr. Herzl asked if most of the congregants live within walking distance of this shul.

Mr. Pfeffer confirmed.

Mr. Flannery said there is a comment in the engineer's report concerning the purpose of the pipe crossing on the site from the adjacent properties (inaudible). There are recommendations from the Shade Tree Commission but this applicant would agree to comply with the ordinance and they think the plan submitted is appropriate. All other comments will be satisfied.

Mr. Sabel asked if this is right in/right out only.

Mr. Flannery said no, it is two lanes and the traffic report indicates it would function.

Mr. Flancbaum said it would be subject to State approval anyway.

Mr. Herzl said looking at the traffic study, it indicates the hall will be limited to weekend activities.

Mr. Flannery confirmed.

Mr. Garfield asked how many congregants are expected to attend this shul.

Mr. Flannery said approximately 140.

Mr. Herzl opened to the public.

Mr. Schepansky, 352 Bergen Avenue, was sworn. He lives right behind the proposed shul and he is in support of this application as this area is in desperate need of a shul. At this point, there are people walking about a mile to get to the nearest shul along Route 88 and Princeton Avenue where there are no sidewalks. He asked that the board approve this application.

Mr. Moshe Schwartz was sworn. He is in favor of shuls but he has concerns including the number of proposed parking spaces. He does not see how 17 spaces will be able to accommodate 140 congregants and there is no on-street parking on Ocean Avenue. He would like the basement to be limited to Shabbos only as the spaces are not being provided but the only way to really restrict that is to not have a hall there. It is going to be very dangerous when you have cars stopped on Route 88 waiting to get into the parking lot. He asked that relief from proposing parking closer than 5 ft from the property line is not granted as he would like that 5 ft requirement as it will be very close to his property. He questioned the placement of the fence.

Mr. Flannery said typically it extends to the setback line. Normally, the fence would have to be 4 ft high but if the board grants relief they would provide a 6 ft fence.

Mr. Jackson asked if that would create a sight triangle issue.

Mr. Flannery said if the fence is behind the sidewalk then they would have enough room. It would be subject to NJDOT approval.

Mr. Schwartz reiterated that the Simcha hall should be eliminated unless it is restricted to Shabbos use only and he would like the 5 ft from the side property line to the parking spaces.

Mr. Pfeffer said the applicant agrees to limit use to Shabbos and holidays only and they would agree to make that a condition of approval.

Mr. Jackson said it is very difficult to enforce.

Mr. Morris Winter, 424 East 5th Street, was sworn. He said this applicant has not contacted any residents. He asked if there are any other shuls in Lakewood which have restrictions to not allow weekday use for Simcha halls.

Mr. Herzl said they have restricted them in the past.

Mr. Winter said they are not enforced.

Mr. Teidelbaum, Ocean Avenue, was sworn. He moved across the street from the proposed shul about 4 years ago. He said the neighborhood has grown greatly since then and they are in great need of a shul. There are many people within walking distance of the proposed shul.

Mr. Herzl closed to the public. He asked if anything can be done concerning relief for the proposed parking area being closer than 5 ft.

Mr. Flannery said they could make a smaller aisle or eliminate parking spaces but he would recommend neither. He understands his comments concerning buffering but that can be accomplished by a fence. The plan does have a sight triangle for the driveway and if they stop it at the sight triangle then it is almost at the property line so that would provide buffering.

Mr. Herzl asked what type of fence is proposed.

Mr. Flannery said it would be a 6 ft vinyl fence and it would end at the front setback line but in order to do that, they would need relief from the board.

Mr. Herzl has no issue with granting that variance in order to be a good neighbor.

Mr. Jackson said the applicant would agree as a condition, in order to mitigate against the parking shortage, that there will be a deed restriction and would be conditioned that the Simcha hall can only be used on Shabbos.

Mr. Flannery said typically a deed restriction is not done as it lasts forever. The other shuls approved in town all have a restriction which is in the resolution. He doesn't think the deed restriction would help the neighbor anymore than it would a condition of approval.

Mr. Jackson asked if the applicant agrees to a deed restriction in order to restrict the Simcha hall for Shabbos only.

Mr. Pfeffer said they do not agree to a deed restriction, they agree to include it as a condition of the resolution.

Mr. Jackson said if it is in the site plan then it is enforceable, the applicant could get a summons and you can even enforce it in court. If it is put in a deed restriction, the only way to lift that is by going to court and obtaining a court order which does become considerably cumbersome. It does give someone who is opposed to it one more avenue of relief.

Mr. Yisroel Oelbaum, 523 Bergen Avenue, was sworn.

Mr. Flancbaum asked if this board grants approval with the condition that the Simcha hall only be used on Shabbos, would it also be utilized during the week.

Mr. Oelbaum said no. They have the same concerns as there is no parking available. The Simcha hall would be for Shabbos use.

A motion was made and seconded to approve the application with the condition that the Simcha hall be deed restricted for Shabbos use only, the entrance/exit would be right in/right out only and a 6 ft high vinyl fence be provided.

All were in favor.

3. SD 2255 Accurate Builders

601 Prospect Street Block 402, Lot 3
Minor Subdivision to create two lots

A review letter prepared by Remington & Vernick Engineers dated June 25, 2018 was entered as an exhibit.

Mr. Vogt said a variance is required for minimum lot width for new lot 3.02. New lot 3.02 proposes a lot width of 202 ft whereas a minimum of 300 ft is required.

4. SP 2295 Bnos Hadassah

Prospect Street Block 402, Lots 3.01 & 3.02
Preliminary & Final Major Site Plans for a warehouse to remain and for a new school

A review letter prepared by Remington & Vernick Engineers dated July 2, 2018 was entered as an exhibit.

Mr. Vogt said submission waivers are requested for topography, contours and man-made features within 200 ft and from providing an environmental impact statement. The B-Site feature waivers can be supported since there is more than enough information to review the proposed design. The waiver from providing an EIS is also supported since the site is already developed and no known environmental constraints exist per NJDEP mapping. In addition, a tree protection management plan has been submitted.

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

Mr. Vogt said variances are requested including minimum lot width, side yard setback and combined side yard setback. Relief is required from providing a 10 ft wide buffer to adjacent non-residential uses or districts and from providing off-street parking facilities within the required buffer. Design waivers are requested from providing a 25 ft buffer along the westerly side of future lot 3.01, from providing sidewalk and street trees along future lot 3.01 Prospect Street and Summer Avenue frontages.

Mr. Brian Flannery, P.E., P.P. was sworn. For the minor subdivision application, they would need a variance for minimum lot width. The frontage of the new lot is on Prospect.

Mr. Herzl asked if the existing property that they are subdividing off for the school is not creating any variances.

Mr. Flannery said only minimum lot width. There is also an indication they are not providing sidewalks but they will be.

Mr. Jackson asked why the lot width variance should be granted.

Mr. Flannery referenced sections of the Master Plan and MLUL to support the variances requested. The impact on the surrounding area would be minimal.

Mr. Rabbi Blum was sworn. The school is currently located within the Industrial Park on Lehigh Avenue and they have approximately 230 students and will be getting up close to 300 total students. Currently they the classes are kindergarten through 5th but it will be going up to 8th and the classes would be parallel. In the future building there will be 20 classrooms and in Phase 2 there will be (inaudible) classrooms.

Mr. John Doyle, Esq. asked if the current school is a rental.

Mr. Blum said that is correct.

Mr. Doyle asked if they are able to expand that site.

Mr. Blum said no. This proposed site will be big enough to be able to accommodate the needs of the school.

Mr. Herzl asked what the maximum number of students would be.

Mr. Blum said 900.

Mr. Doyle said the Simcha hall would only be used after 6 pm.

Mr. Blum confirmed, there is separate parking for the Simcha hall.

Mr. Jackson asked if the Simcha hall will be only for school functions or if it is open to the public.

Mr. Blum said it is open to the public but not during school hours.

Mr. Glenn Lines, P.E., P.P. was sworn. The site improvements will all be done first and the building will be built in two phases so the portion of the 'L' shaped building facing Prospect Street would be built first and the rest would be built at a later date. He went through the justifications for the variances requested (inaudible). The buffer relief requested is along the common property line between lots 3.01 and 3.02 and that is due to not being able to make the lot any wider but the applicant is aware they are not getting a buffer on their side of the property. The board engineer's letter did indicate a fence would be appropriate and they have no objection. There is also a retaining wall along the property line between lots 3.01 and 3.02 and the school side of the retaining wall is the higher side.

Mr. Doyle testified as to the justifications for C-1/C-2 hardship.

Mr. Lines said the playground will be built during phase 1 and the plans do indicate that it will be fenced in with the appropriate safety surface. The current site has a chain link fence which runs all the way around the property. All of the chain link fence with barbed wire will be removed on lot 3.02 and the remainder would be on 3.01.

Mr. Herzl asked what type of fencing is proposed in lieu of the buffer.

Mr. Lines said it would be some type of board on board white vinyl fence.

Mr. Herzl urged that the fence should be very strong as he is concerned about the safety of the children.

Mr. Lines said they would review that with the board engineer. On the existing conditions plan, it shows a loading dock on the west side of the building but that hasn't been used since the building was renovated several years ago. The walls were closed off and the loading dock doors were removed so it is really just the ramp they are removing at this point. The remainder of the building has three overhead doors which service the warehouse.

Mr. Doyle asked about comment #17 concerning trash compactors.

Mr. Lines said the only changes proposed on lot 3.01 is to restripe some parking spaces which were too close to the property line. Other than that, they are not making any changes to lot 3.01.

Mr. Sabel asked if any landscaping is proposed for lot 3.01.

Mr. Lines said no, it is landscaped now and there are a lot of existing mature trees.

Mr. Franklin said there isn't sufficient room for garbage trucks to pick up the dumpsters.

Mr. Lines said they would get approval from Public Works.

Mr. Garfield questioned if gates should be proposed.

Mr. Lines said DPW has requested not to put up gates in the past because of the amount of garbage they have to pick up and it is time consuming.

Mr. Doyle said they would grade the property so that the two immediate facilities, the playground for the children and the trash compactor would be separated.

Mr. Lines said they didn't show a fire service water line to the building but that was an error on their part. Schools are required to have a sprinkler system and that will be provided. He confirmed comment #29 would be addressed. Any necessary utility design will be provided during resolution compliance.

Mr. Herzl asked if there will be city sewer and water.

Mr. Lines confirmed.

Mr. Scott Kennel, traffic expert, was sworn and discussed the traffic report prepared by McDonough & Rea Associates, Inc. dated 6/11/18.

Mr. Herzl asked how many buses could be stacked at once.

Mr. Kennel said approximately 9 buses. At total build out, they are projecting there will be 19 buses for the site but that doesn't mean they will all be there at one time as classes will be staggered.

Mr. Herzl asked about Prospect Street.

Mr. Kennel said the average vehicle delay with traffic existing in the morning after peak hour periods would be approximately 26-28 seconds per vehicle which is a level of service 'D'. There will be a dedicated left turn lane into the site which will operate at a level of service 'A' or 'B' depending on peak hours. The County anticipates installing a traffic signal at Massachusetts and Prospect within the next year.

Mr. Herzl said Prospect is a County Road so it would be subject to their approval.

Mr. Kennel confirmed.

Mr. Yaakov Levi, 9 Empire Lane, was sworn. He is concerned with congestion/traffic in the Prospect area. He asked if there is one lane in and out.

Mr. Kennel said there is one lane in and two exit lanes.

Mr. Levi said the intersection at Summer and Prospect is always backed up and it is very difficult to make a left turn.

Mr. Baruch Blaustein, 28 Empire Lane, was sworn. He commented that it is very hard to hear unless someone talks directly into the microphone so he would like clarification on a few items. He asked how many parking spaces are going to be removed from the existing property due to this subdivision and how many parking spaces will be required for the new structure.

Mr. Lines said currently on lot 3.02 there are probably close to 90 unused parking spaces, asphalt is falling apart and that's why this part of the site is available. They are restriping some spaces on the west side of the building and as far as parking requirements, the warehouse and the daycare center requires 70 parking spaces and they are providing 84. He has been out to the site several times during the day when both operations are going and there were about 60 parked cars.

Mr. Jackson asked about many parking spaces are required for lot 3.02.

Mr. Lines said there are 166 required under the new M-1 requirements and they are providing 170.

Mr. Blaustein asked how the parking spaces will be situated.

Mr. Herzl asked if any parking variances are being requested.

Mr. Lines said no.

Mr. Blaustein asked about the entrances/exits.

Mr. Lines said the eastbound driveway will be entrance only and the westbound driveway will be two-way.

Mr. Blaustein asked if there will be any 'no left turn' signs coming east bound down Prospect Street as that will block traffic if people are allowed to do that.

Mr. Kennel said consistent with the County Master Plan on Prospect Street, there will be a left turn lane along the site frontage and left turn movements will be permitted in and out. The idea of the County plan is to have left turn movements along the entire section of Prospect and when developments come in, applicants would widen the street along their frontage. Ultimately, Prospect from Massachusetts out to Cross will have one lane in each direction with left turn lanes at those critical driveways and intersections.

Mr. Blaustein asked if this portion of Prospect was already widened.

Mr. Kennel's recollection is that it has been widened but he would have to investigate further.

Mr. Blaustein asked if it is this applicant's responsibility to have a left turn lane onto Summer Avenue.

Mr. Kennel said no.

Mr. Herzl said as far as he knows, the County will be doing it.

Mr. Jackson asked if it is possible that this gets built and the left turn lane doesn't go in.

Mr. Kennel said it is subject to the County.

Mr. Jackson said as he understood the testimony, the circulation is based on there being a left turn lane. He questioned what would happen if there isn't a left turn lane.

Mr. Kennel said there is adequate room to have a vehicle bypass a left turning vehicle.

Mr. Jackson asked if that is a safe circumstance in his opinion.

Mr. Kennel believes it is but these are all things which will be discussed with the County.

Mr. Blaustein said this application does not require and does not have in the plans a left turn lane into the school or onto Summer Avenue and that it would be discussed with the County.

Mr. Kennel said that is correct, they haven't filed an application with the County yet.

Mr. Blaustein asked if it is possible that the County will not allow left turns.

Mr. Kennel said yes, it is possible.

Mr. Blaustein asked if there will be any sidewalks along Prospect or Summer.

Mr. Flannery said sidewalks will be provided along all of the project frontages.

Mr. Blaustein said even lot 3.01.

Mr. Flannery confirmed.

Mr. Blaustein asked if the Simcha hall will also be a wedding hall as there is already one down the block.

Mr. Herzl said there was testimony it is not.

Mr. Blaustein asked if school buses will only be entering and existing on Prospect Street.

Mr. Kennel confirmed.

Mr. Blaustein asked if there will be a fence in between the two properties.

(inaudible)

Mr. Blaustein strongly urged the board even though it may not be under their jurisdiction but since the applicant is requesting variances, that they require a traffic light be put up besides for the one at Massachusetts and Prospect as there are a lot of tractor trailer trucks going by Massachusetts and Summer and the roads need to be widened to accommodate these trucks and schools buses. He said there should be a dedicated turning lane and a traffic light with a turn signal as he is there every morning and it is a challenge to make the turn.

Mr. Herzl closed to the public.

Mr. Doyle asked if the driveway on Prospect Street will be subject to County approval.

Mr. Kennel confirmed.

Mr. Sabel asked what the maximum occupancy is for the Simcha hall.

Mr. Flannery said approximately 100 to 150.

Mr. Sabel said it doesn't make sense. It is going to cause way too much traffic.

Mr. Flannery highly doubts everyone will be coming at one time, it will be staggered as people come early/late.

Mr. Sabel suggested having some sort of access easement.

Mr. Jackson said that was discussed earlier along lot 3.01. The advantage to that is it would run with the land and that access easement would stay in place for the other lot in perpetuity. The board could make it a site plan requirement on lot 3.01 and require a permanent easement.

Mr. Sabel said the subdivision should be subject to that access easement being provided.

Mr. Jackson said the board could make it a condition of approval.

Mr. Flannery said it is feasible and the applicant who will own lot 3.01 is agreeable to giving the easement but he wants to have a gate so that it is only opened at night and not during the day when school is in session.

Mr. Grunberger said on the plans, there is 12,000 sf of future area in phase 2. He asked what that will be.

Mr. Blum said it will be an assembly/lunch room.

Mr. Jackson asked if the parking counts and all other criteria take into account phase 2 as well.

Mr. Flannery said yes. The room he described is more for the students and faculty to have a place for education and eating.

Mr. Sabel asked about access (inaudible).

Mr. Flannery said they agreed to provide access but it will be a gated access so it could be closed during the day and after school for the Simcha hall, the gate would be opened up. The two properties are joined and at some point there will be access provided where the levels line up and both sides would be able to open/close the gate at the appropriate times.

Mr. Herzl asked how they would accomplish that with the retaining wall.

Mr. Flannery said they would have to pick a point where the connection could be made.

Mr. Sabel asked if there will curbs and sidewalks in front of the playground.

Mr. Flannery confirmed.

Mr. Jackson went through the conditions:

The fence shall be upgraded to the satisfaction of the board engineer and the plans will be amended with details to reflect same. The plans will be amended to reflect the abandonment of the loading dock on lot 3.01 and the subdivision plans of lot 3.01 will make similar notations. The refuse location will be moved and the compactor will be moved and the plans will be amended to reflect same. The playground separated per the representations at the meeting and the plans will be amended to reflect same. The refuse location and compactor will be moved and the plans would be amended to reflect same. There will be an easement that will allow access over 3.01 during simcha hall hours to the satisfaction of the board engineer and attorney. The Simcha hall will only be used after six pm when school classes are not in session. The simcha hall will be open to the public.

Mr. Doyle said they would separate the playground and trash so that they were on opposite sides of the parcel.

Mr. Sabel said they would like to see the trash in the northeast corner.

A motion was made and seconded to approve the subdivision contingent upon the school approval on lot 3.01. All were in favor.

A motion was made and seconded to approve the site plan.

Affirmative: Mr. Grunberger, Mr. Franklin, Mr. Sabel, Mr. Flancbaum, Mr. Herzl, Mr. Isaacson, Ms. Zografos.

No: Mr. Garfield

- 5. SD 2314 David Herzog**
1052 West County Line Road Block 25, Lot 62
Preliminary and Final Major Subdivision to create eight lots

A motion was made and seconded to carry this application to the September 4, 2018 meeting.

- 7. APPROVAL OF MINUTES**
- 8. APPROVAL OF BILLS**
- 9. ADJOURNMENT**

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Sarah L. Forsyth
Planning Board Recording Secretary