

1. CERTIFICATION OF COMPLIANCE

Chairman Neiman called the meeting to order at 6:00 p.m. with the Pledge of Allegiance and Mr. Kielt read the Certification of Compliance with the NJ Open Public Meetings Act: "The time, date and location of this meeting was published in the *Asbury Park Press* and posted on the bulletin board in the office of the Township of Lakewood. Advance written Notice has been filed with the Township Clerk for purpose of public inspection and, a copy of this Agenda has been mailed, faxed or delivered to the following newspapers: *The Asbury Park Press*, and *The Tri-Town News* at least 48 hours in advance. This meeting meets all the criteria of the Open Public Meetings Act."

2. ROLL CALL

Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Fink, Mr. Follman, Mr. Schmuckler

3. SWEARING IN OF PROFESSIONALS

Mr. Vogt was sworn in.

4. PUBLIC HEARING ITEMS

1. Discussion/Recommendation
Proposed amendment to Section 18-803F, Paving Materials, Walls & Fences

Mr. Kielt stated that what this amendment is doing is allowing six foot high fences in the front setback on the corner lot of the street that is the side yard, not of the front yard.

A motion was made by Mr. Herzl, seconded by Mr. Follman to recommend the proposed ordinance change.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Fink, Mr. Follman, Mr. Schmuckler

2. **SP 1981** (No Variance Requested)
Applicant: Beth Medrash Govoha of America
Location: Corner of Seventh Street, Eighth Street & Forest Avenue
Blocks 46 & 55 Lots 3 & 1
Preliminary & Final Site Plan for proposed school building addition to the existing planned educational campus

Project Description

The applicant is seeking Preliminary and Final Major Site Plan approval. This site plan is for constructing a school building for Beth Medrash Govoha on Lot 3 in Block 46. The current site is

part of a Planned Educational Campus. The existing buildings at 605 Seventh Street will be removed and the proposed school building will be added to the site. The proposed school building will be rectangular shaped and encompass most of Lot 3 in Block 46. The new building will contain three (3) floors. The minimal parking required for the site will be included in the existing parking for The Willows apartments on Lot 1 in Block 55, which is on the east side of Private Way. The project is located in the northern portion of the Township and is generally surrounded by developed land. The plans list the project as part of a Planned Educational Campus since additional property (Block 55) is on the opposite side of Private Way. We have the following comments and recommendations per testimony provided at the 3/20/12 Planning Board Meeting, and comments from our initial review letter dated March 15, 2012. 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. 5. C17 - Drainage Calculations. The project is a developed site. Topographic features, contours, and man-made features are shown on all adjoining roads. Due to the developed nature of the site and the fact sufficient design information is provided; we support the granting of the requested B-Site Features waivers and the Environmental Impact Statement waiver. Per communications with the applicant's professionals, Summary Drainage Calculations will be provided prior to the Public Hearing addressing existing and proposed drainage conditions. The waivers for Site Features and the Environmental Impact Statement were granted by the Board at the March 20, 2012 Planning Board Meeting. II. Zoning 1. The plans indicate the site is situated on the opposite side of Private Way from Block 55. Per Ordinance #2009-53, Section 18-902.H.6.b., "A Planned Educational Campus may only be developed on one or more contiguous parcels of land having a minimum gross acreage of three (3) acres. Paper streets, existing rights-of-way, or easements shall not be deemed to divide acreage". The total area of the two (2) lots is 3.10 acres. Therefore, the Minimum Tract Size is met. Statements of fact. 2. The allowable Maximum Building Coverage is forty-five percent (45%) of the gross tract area. The Schedule of Bulk Requirements indicates the Maximum Building Coverage provided is 36.6%. Statements of fact. 3. The allowable Maximum Impervious Surface Coverage is eighty-five percent (85%) of the gross tract area. The Schedule of Bulk Requirements indicates the Maximum Impervious Surface Coverage is 68.7%. Statements of fact. 4. Buffer relief is required. Section 18-906A.2 of the UDO requires a twenty foot (20') buffer from a residential use or district. The proposed building will be located fourteen and a half feet (14.5') from the west property line and sixteen feet (16') from the north property line. To justify the buffer request, a six foot (6') high vinyl privacy fence and a row of Emerald Green Arborvitae are proposed along the west and north property lines. In our opinion, the proposed perimeter buffer is well designed. The Board shall take action on the buffer relief. III. Review Comments A. Site Plan/Circulation/Parking 1. The Site Plan should list the proposed building floor areas on a per floor basis. The architectural plans submitted propose three (3) floors. The applicant's engineer indicates the area for each floor will be added to the plans and coordinated with the architect. This information can be provided during compliance, should approval be granted. 2. Corrected proposed dimensions and building dimensions are required on the Site Plan. Based on the architectural floor plans, the provided setback information in the Schedule of Bulk Requirements shall be corrected to 8.87 feet from Seventh Street (main access) and 13.67 feet from Private Way. Proposed building dimensions are required on the Site Plan. The proposed setback dimension of 14.6 feet shall be corrected to 14.50 feet. The provided setback information in the Schedule of Bulk Requirements shall be corrected to 8.87 feet from Seventh Street and 13.67 feet from Private Way. This information can be provided

during compliance, should approval be granted. 3. Off-street parking requirements for apartments indicate one (1) space shall be provided for each apartment unit. The plans indicate that there are sixty-four (64) apartments and sixty-four (64) spaces are required. The plans also indicate one (1) space shall be provided for each classroom, library, tutor room, meeting room, and office in the proposed building. A total of eight (8) spaces are required for the proposed building. Therefore, a total of seventy-two (72) off-street parking spaces are required for the project. All off-street parking spaces exist and are located in the existing parking lot on Lot 1 in Block 55. According to the plans submitted, there are one hundred two (102) off-street parking spaces well in excess of the UDO requirements. The parking shown on the site plans does not match what is shown on the survey plan and shall be corrected accordingly. Per communications with the applicant's professionals, the parking will be revised prior to the Public Hearing. The parking has been revised to correspond with the survey. The number of existing parking spaces shall be corrected. The correction can be provided during compliance, should approval be granted. 4. The existing sidewalk along Seventh Street is in poor condition and requires replacement. A curb ramp shall be provided where the sidewalk intersects Private Way. A curb ramp has been provided. The broken existing slate sidewalk requires replacement. The new sidewalk can be shown during compliance should approval be granted. 5. The existing curb along Seventh Street and Private Way is broken, out alignment, and requires replacement. The proposed curb replacement design may be shown as a condition of approval. 6. Trash and recycling collection should be addressed. Should the existing dumpsters on the neighboring apartment site be used, the dumpsters will require an enclosure with screening. The applicant's engineer indicates that testimony will be provided for trash and recycling collection. 7. A sidewalk easement should be provided along Private Way. A sidewalk easement has been proposed along Private Way. A Deed of Easement and description should be provided for review and approval by the Board Attorney and Engineer prior to filing with the Ocean County Clerk. 8. Shade tree and utility easements have not been provided. Unless waived by the Board, the easements are required. Shade trees are proposed within the Seventh Street right-of-way. We recommend the proposed trees be relocated within the frontage of the property to avoid future damage to the curb. A waiver is being requested from providing the shade tree and utility easements. The Board shall take action on the waiver request, as well as the location of the proposed shade trees. B. Architectural 1. Architectural floor plans have been provided for the proposed building. The proposed building is three (3) floors with the western side being higher. Elevations and site sections are proposed for the building on the Landscape Architects plans. The proposed building height should be confirmed. Architectural plans that include elevations have been submitted. The architectural plans show a proposed building height of 38.15 feet. The allowed and provided building heights shall be added to the Schedule of Bulk Requirements. 2. Proposed signage is shown on the elevation and site section view from Private Way. The architectural elevations submitted do not show any building signage. 3. We recommend that architectural renderings be provided for the Board's review and use prior to the public hearing, at a minimum. The applicant's professionals indicate that renderings will be provided. 4. Testimony should be provided as to whether any roof-mounted HVAC equipment is proposed. If so, said equipment should be adequately screened. Per communications with the applicant's professionals HVAC equipment will be screened. C. Grading 1. The proposed grading needs to be revised to prevent runoff from being directed onto neighboring properties. A storm sewer collection and recharge system is recommended. In accordance with our 3/9/12 site investigation, except for the existing front yard on Seventh Street, the existing property slopes from southwest to northeast. Per communications with the applicant's professionals, this will be addressed during compliance if/when approved. Statements of fact. 2. The proposed

grading will be reviewed in detail after plan revisions are submitted. The proposed design is feasible, to be finalized during resolution compliance, should site plan approval be given. D. Storm Water Management 1. As mentioned previously, Summary Drainage Calculations will be provided for review prior to the Public Hearing. Summary Drainage Calculations have been provided demonstrating there is virtually no increase in runoff from the proposed project. Final design will be reviewed during resolution compliance submission. E. Landscaping 1. The overall landscape design is subject to review and approval by the Board and should conform to recommendations (if any) from the Township Shade Tree Commission as practicable. Statement of fact. F. Lighting 1. The proposed lighting consists of two (2), thirty-nine watt (39W) canopy lights mounted eighteen feet (18') high and twenty-three (23), twenty watt (20W) decorative wall mounted lights mounted eight foot four inches (8'-4") high shown around the building. The adequacy of the proposed lighting must be addressed. Statements of fact. G. Utilities 1. General Note #10 on the Site Plan indicates that electric, telephone, gas, and CATV services will be installed underground in accordance with the regulations of the local utility company and Lakewood Township. Testimony should be provided on proposed utilities needed for the structure, especially since no utility connections are shown. The applicant's engineer indicates that testimony on proposed utilities will be provided. H. Signage 1. Signage information is not provided for this site plan application. Any free-standing and building-mounted signs identified on the site plan (requiring relief by the Board) must be provided for review and approval as part of this site plan application. Per review of the design documents, it appears that (only) building mounted signage is proposed at this time. The applicant's engineer indicates that testimony will be provided on signage. I. Environmental 1. A comprehensive plan entitled "Tree Protection Plan" has been submitted for review. The Tree Protection Plan will be reviewed in detail during compliance, should approval be granted. J. Construction Details 1. 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. Construction details will be reviewed during compliance, should approval be granted. 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. Ocean County Planning Board; d. Ocean County Soil Conservation District; and e. All other required outside agency approvals.

Mr. Vogt stated are no variances. The applicant is seeking relief for partial waiver of the perimeter buffer and also for shade trees and utility easements.

Mr. Abraham Penzer, Esq. on behalf of the applicant. This application meets the campus ordinance on all fronts, in addition, it will improve the parking situation. They will have forty extra parking spaces. They will meet every comment in the engineer's report.

Mr. Brian Flannery, P.E., P.P. was sworn in. He entered several exhibits into the record. A-1 is a rendered version of the landscape plan, A-2 is a rendered version of the site plan, A-3 through A-7 are architectural plans. They will utilize the dumpster across the street at Willows for garbage pick up as well as parking. All off-street parking spaces exist and are located in the existing parking lot on Lot 1 in Block 55.

Mr. Neiman opened the microphone to the public. Seeing no one, he closed to the public.

Mr. Fink made a motion to approve the application, seconded by Mr. Follman.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Fink, Mr. Follman, Mr. Schmuckler

5. PLAN REVIEW ITEMS

1. **SP 1982** (Variance Requested)
Applicant: Yeshiva Ohr Moshe, Inc.
Location: North side of Fourth Street, between Monmouth Avenue &
Princeton Avenue
Block 159 Lot 13
Conceptual Change of Use Site Plan from former day care center to proposed boys high school and building addition

Project Description

The applicant is seeking Site Plan exemption/Change of Use approval for conversion an expansion of an existing 1-story building formerly used as a "Day Care Center", to a 2-story post-boys high school including two (2) classroom areas, two (2) offices, a warming kitchen and a cafeteria apartment per Section 18-906.B of the UDO. The existing building will be expanded by adding a second floor as well as a 908 sf addition to the rear of the first floor. The site is located in the downtown area of the Township, on the north side of Fourth Street, between Monmouth and Princeton Avenue, north of the intersection of Fourth Street and Steckler Street. The tract is rectangular in shape, and is 7,500 sf in area. Varied uses, including but not limited to single-family and multi-family residential, commercial and recreational are in the vicinity of the site. I. Zoning 1. The property is located in the B-2 Central Business District. Schools are a permitted use in the zone, subject to the requirements of Section 18-906 of the UDO. 2. Per review of the Site Plan and the zone requirements, the existing and proposed layout complies with the Bulk requirements of the B-2 zone except for minimum and aggregate side yard setback, which are existing non-conforming conditions (0.9 foot side yard/9.7 feet aggregate side yard existing, 7 feet/15 feet required by Code). The first floor addition will be extended to the rear, along the existing non-conforming 0.9 foot setback. It should be noted that the existing building on the lot opposite of this side yard line (Lot 20) scales less than 2.5 feet from the same property line as depicted. 3. No new bulk variances appear necessary for the change of use request. 4. Relief is necessary with respect to parking requirements as outlined for Public and Private Schools per Section 18-906C of the UDO. Per our interpretation of the architectural plans, it appears that four (4) off-street parking spaces (one per classroom/meeting room and one per office) are necessary, and none are proposed. Testimony should be provided by the applicant. Per communications with the applicant's professionals, the intensity of the prior day care center use was similar to the proposed use. II. Review Comments 1. Testimony should be provided by the applicant for the Board to support the proposed change in use, including but not limited to the following issues: a. How many students (and employees) are proposed at the school. b. Will any students drive and park near the school. c. Are buses proposed (if so, how many). d. How students will be dropped off and picked up (by car). e. How many staffers (rabbi, schoolteachers, cooks, maintenance, etc.) will be at the site at any one time. 2. An 8.8-foot wide

landscape buffer line existing along the easterly (side) property line, which is a pre-existing condition that will not be altered from the proposed building renovation and additions. The plans depict a chain link fence along this property line. 3. Per Section 18-906A(3) of the UDO, the required buffer shall be landscaped with trees, shrubs and other suitable plantings for screening, providing and adequate screening of at least six(6) feet in height where existing vegetation is inadequate. We recognize the existing site constraints that preclude conventional buffer landscaping on this site. In any event, additional landscaping shall be provided if deemed necessary by the Board. 4. Per communication with the applicant's professionals, trash and recyclables will be stored in the rear of the site and put curbside for Township pickup. 5. Testimony should be provided regarding proposed lighting. Lighting shall be provided to the satisfaction of the Board. 6. Per communications with the applicant's professionals, no on-site recreation is proposed due to the college-level stage of the students. 7. Construction details should be provided for any proposed site improvements deemed necessary, in accordance with Township standards. 8. Information and/or testimony that existing utilities serving the building are adequate for the proposed school use. 9. Any information necessary to document compliance with Section 18-906, "Public and Private Schools" of the UDO. 10. The site plan waiver (if approved) does not relieve the applicant's obligation to obtain necessary building permits and construction code reviews.

Mr. Vogt said that there are no new bulk variances and they are seeking relief with respect to the parking.

Mr. Abraham Penzer, Esq stated all the items in the engineer's report are very minor in nature. The amount of students will not be more than 35-40. The students will rent apartments in the area and the boys will walk. There are no cars or driving permitted, there are no buses, drop offs or pick ups. The maximum amount of staff will be three. There are no dormitories. There is one classroom.

Mr. Fink asked if there is any room to expand?

Mr. Penzer said no, there is no intention to expand. There will be buffering. The trash will be stored in the rear and it will be brought curb side for the Township to pick up. The lighting will be screened only onto the building.

Mr. Fink asked if there be a kitchen for cooking?

Mr. Penzer said no, food will be delivered to the school.

Mr. Neiman opened the microphone to the public. Seeing no one, he closed to the public.

Mr. Fink made a motion to approve the application, seconded by Mr. Follman.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Fink, Mr. Follman, Mr. Schmuckler

2. **SP 1984** (Variance Requested)
Applicant: Yeshiva M'kor Chaim

Location: Locust Street, east of N.J.S.H. Route 70
Block 1081 Lot 9

Administrative Change of Use Site Plan from existing residence to a school & dormitory for post high school students

Project Description

The applicant is Yeshiva M'Kor Chaim of Brooklyn, NY. The property owner is Rabbi Simcha Paller of Brooklyn, NY. The applicant is seeking Site Plan exemption/Change of Use approval for conversion an expansion of an existing 1-story dwelling into a school for 35 post high school students per Section 18-906.B of the UDO. Additionally, an existing block building to the rear of the site will be reused to create a dormitory with a Study Hall and Shul for these students. The site is located in the southern portion of the Township, on the south side of Locust Street, at the existing turnaround located immediately south of NJ Route 70. The tract is rectangular in shape, and is 1.0 acres in area. The property is located east of a commercial golf facility, and single family homes (3) exist immediately east and west of the site. I. Zoning 1. The property is located in the B-5A Highway Development. Schools are a permitted use in the zone, subject to the requirements of Section 18-906 of the UDO. 2. Per review of the Bulk Requirements Table on the Change of Site Plan and the B5-A zone requirements, there are a number of pre-existing bulk variances associated with the existing property and on-site buildings, including lot area, width and frontage, front and side setbacks, and accessory building rear and side setbacks. None of these conditions are being changed or exacerbated by the proposed Change of Use. It should be noted that the existing/proposed building coverage is less than 25% of the allowed coverage per B-5A zoning standards. 3. The proposed change of use complies with parking requirements as outlined for Public and Private Schools per Section 18-906C of the UDO. Per our interpretation of the architectural plans, it appears that five (5) off-street parking spaces are necessary, and five (5) spaces are proposed (not including the existing driveway which is in excess of 10 feet wide as depicted on the plans). II. Review Comments 1. Testimony should be provided by the applicant for the Board to support the proposed change in use, including but not limited to the following issues: a. Will any students drive and park near the school. b. Are buses proposed (if so, how many). c. How often will students will be dropped off and picked up (by car). d. How many staffers (rabbi, schoolteachers, maintenance, etc.) will be at the site at any one time. 2. Per Section 18-906A(3) of the UDO, the required buffer shall be landscaped with trees, shrubs and other suitable plantings for screening, providing and adequate screening of at least six(6) feet in height where existing vegetation is inadequate. We note that there is a natural buffer along the majority of the perimeter, including the rear of the site that abuts the nearby golf facility. Additionally, the plans depict a wood fence along the side and rear property lines. 3. Per communication with the applicant's professionals and as noted on the Change of Use site plan, trash and recyclables will be stored in the side of the classroom building and put curbside for Township pickup. 4. Testimony should be provided regarding proposed lighting (if any). Lighting shall be provided to the satisfaction of the Board. 5. Per communications with the applicant's professionals, no active on-site recreation is proposed due to the college-level stage of the students. 6. Information and/or testimony that existing utilities serving the building are adequate for the proposed school use. As noted on the site plans, public water and use of an on-site septic system are proposed to serve the proposed school and dorm. 7. Any information necessary to document compliance with Section 18-906, "Public and Private Schools" of the UDO. 8. The site plan waiver (if approved) does not relieve the applicant's obligation to obtain necessary building permits and construction code reviews.

Mr. Vogt stated that the variances are all pre-existing.

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

Mr. Penzer: The staff consists of three brothers. This is a post high school. There will be a dormitory in the other building so one building will be a school and the other building will be a dormitory in the rear. The Zoning Board granted a use variance for duplexes so they have a buffer back there for the duplexes on the property. There is a double buffer including the proposed schools and for the duplexes. It is a very remote place. We can meet everything on the engineer's report.

Mr. Neiman asked if there is an existing building?

Mr. Penzer stated that there are two existing buildings.

Mr. Schmucker asked if they will be replacing the existing dilapidated fence?

Mr. Lines stated that the wooden fence will remain and if there are locations where it needs to be repaired, they will repair it.

Mr. Banas asked about the adjacent golfing range.

Mr. Lines said it shouldn't be an issue.

Mr. Neiman opened the microphone to the public.

Mr. Owen Rambow, 170 Locust Street was sworn in. He lives adjacent to the proposed site. Golf balls do fly over to my property. The only buffer between the golf range and myself is a six foot high chain link fence so all the balls do come over the fence. He had a concern that there are no sidewalks on the street and it may be dangerous for the students. He asked what the buffer will be between the school and his property.

Mr. Lines stated there is an existing fence and vegetation.

Mr. Vogt stated that they should do a double row of arborvitaes. The existing fence will be repaired as needed.

Mr. Penzer agreed to that.

Ms. Tracy Batiste, 180 Locust Street was sworn in. She is concerned about the deer that lives behind the property. Also the existing buildings which are there are a single family home and a large shed. She does not see how that could be converted into a school. She is also concerned with parking for the students. She would like to keep this a residential neighborhood.

Mr. Penzer stated that they will have sidewalk on the frontage.

Mr. Rambow reiterated his concern that there are no sidewalks on that street and the danger of the students walking along that street.

Mr. Fink asked about events that would take place at the school and where the parents would park.

Mr. Penzer stated it is a post high school and it is not typical to have events.

Mr. Jackson asked how many staff members will be present.

Mr. Penzer stated that there will be three. The food will be delivered and the students will take turns serving. The students are 18 years old and up. There will be no cars as the students may be thrown out of school.

Seeing no one further, Mr. Neiman closed to the public.

Mr. Penzer reiterated that they will repair or replace the fence if need be. Also they will put sidewalk along the frontage.

Mr. Fink suggested that Mr. Penzer and the residents get together to discuss the fence.

Mr. Herzl made a motion to approve the application, seconded by Mr. Follman.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Fink, Mr. Follman, Mr. Schmuckler

The resolution for this application was read and memorialized.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Fink, Mr. Follman, Mr. Schmuckler

- 3. SP 1983** (Variance Requested)
Applicant: Moshe Perlstein-Shiraf Chaim
Location: Southeast corner of Pine Street & Charity Tull Avenue
Block 854 Lot 1
Preliminary & Final Site Plan for proposed school

Project Description

The applicant is seeking Preliminary and Final Major Site Plan approval. This site plan is for the construction of a two-story girl's K-8 elementary school building with basement. The proposed project is located in the central portion of the Township on the southeast corner of Pine Street and Charity Tull Avenue. The 100' X 200' rectangular property of twenty thousand square feet (20,000 SF), has one hundred feet (100') of frontage on Pine Street and two hundred feet (200') of frontage on Charity Tull Road. Pine Street is an improved municipally owned collector road having a sixty-six foot (66') right-of-way. Charity Tull Avenue is an unimproved street having a fifty foot (50') right-of-way. Approximately the first hundred feet of Charity Tull Avenue from its

intersection with Pine Street will be improved to provide an additional means of access to the site. The site is bisected by two (2) Zoning Districts. The northern half of the tract fronting on Pine Street is in the M-2 Industrial Zone. The southern half of the land is in the R-20 Single-Family Residential Zone. The proposed school building is located on the southerly part of the site and is totally within the R-20 Zone. The site plans and architectural plans propose a 65' X 82' school building. An interior parking area consisting of nine (9) parking spaces, one (1) being van accessible handicapped, and site improvements are also proposed within the property. The minimum parking space size will be 9' X 18' with twenty-four foot (24') wide two-way access aisles. Access to the proposed school site is provided from Pine Street and Charity Tull Avenue. A counterclockwise a one-way bus drop-off area has been designed with the buses entering the site from the improved Charity Tull Avenue stub and exiting from the Pine Street driveway. Curb and sidewalk are proposed across the parts of the project frontage with road improvements. The plans indicate the proposed project would be serviced by well and septic. Residential uses exist to the east and south of the project site. We offer the following comments and recommendations: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. B2 - Topography within 200 feet thereof. 2. B4 - Contours of the area within 200 feet of the site boundaries. 3. B10 - Man-made features within 200 feet thereof. 4. C13 - Environmental Impact Statement. Although the Site Plan does not show all topography within two hundred feet (200') of the site, there is more than enough information provided to prepare the design. Therefore, we support the "B-Site Features" requested waivers. A waiver has been requested from the submission of an Environmental Impact Statement. Our site investigation on 3/21/12 revealed the property appears to consist of wooded uplands with no wetlands or areas of environmental concern mapped for the site. We can support the requested waiver from C13. The existing property is completely wooded. Based on communications with the applicant's professionals, a Tree Protection Management Plan will be provided as a condition of approval to comply with the Township's Tree Ordinance. II. Zoning 1. The proposed school building is located in the R-20 Single-Family Residential District. Private schools are a permitted use in the zone. 2. Per review of the Site Plan and the zone requirements of Section 18-902C of the UDO, the following variances are required for the proposed project: • Minimum Front Yard – thirty feet (30') required, twenty-five feet (25') proposed from the Charity Tull Avenue right-of-way. • Minimum Rear Yard – twenty feet (20') required, ten feet (10') proposed. 3. Relief is required from the following Sections of 18-906 of the UDO: • In accordance with Section 18-906A of the UDO, a twenty foot (20') wide perimeter landscape buffer is required from residential uses and zones. Said buffer is required along the property lines. Relief is necessary on east and south sides of the project. It should be noted the lands on the east and south sides of the project are residentially developed. Vinyl privacy fence is proposed along the east side of the site. • In accordance with Section 18-906B of the UDO, parking is not permitted in any required buffer. Relief is necessary for the proposed row of parking which scales five feet (5') from the easterly property line. 4. The application is requesting relief for the proposed number of off-street parking spaces. The application lists that fifteen (15) off-street parking spaces are required and nine (9) off-street parking spaces are proposed. 5. Relief is required for the proposed free-standing site identification sign. A full signage package for the free-standing sign identified on the site plans must be provided for review and approval as part of this site plan application. 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. III. Review Comments A. Site Plan/Circulation/Parking 1. The General Notes indicate boundary and

topography taken from a survey by DSV & Associates, dated 3-7-12. A signed and sealed copy of the survey should be provided. The site plan shows an existing encroaching chain link fence to be removed. 2. The General Notes indicate vertical elevation based on an assumed datum. A bench mark should be provided. 3. A one-way bus drop off area is proposed in front of the school building. Buses will turn onto Charity Tull Avenue from Pine Street. The buses will then turn into the site and proceed in a counterclockwise direction, exiting at the access driveway on Pine Street. Although it appears that adequate turning movements will be provided for the proposed bus drop off area, a vehicle circulation plan should be provided as confirmation. Testimony should be given regarding proposed circulation with the site layout (parking, bus drop off area, access, etc.). 4. Testimony is necessary from the applicant's professionals regarding how the proposed bus drop off area will be used, including but not limited to times, sizes, and types of vehicles anticipated (i.e., buses, vans, cars, others). 5. The General Notes indicate the proposed elementary school is for girls, grades K-8. Therefore, all school students will be dropped off and picked up, since no students will be able to drive to and from school. 6. Coordination between the site plans and architectural plans is required for the proposed two-story building, such as access points and handicapped ramps. 7. Proposed dimensions and radii must be completed on the site plan for the sizes and locations of improvements. 8. The General Notes indicate solid waste and recycling to be collected by the Township. No refuse enclosure is depicted on the site. Testimony is required from the applicant's professionals addressing trash and recycling collection. Since Township pickup is proposed, approval from the DPW Director is necessary. Any proposed waste receptacle area shall be screened and designed in accordance with Section 18-809E of the UDO. 9. Regulatory signage should be added to the site plan, such as stop signs, handicap, and directional restriction signs. 10. The proposed sidewalk along the site frontages should be five feet (5') wide. 11. Proposed sight triangle easements should be addressed throughout the project. 12. A proposed shade tree and utility easement has been provided across the project frontages. Proposed bearings and distances shall be added such that the Board Attorney and Engineer may review and approve a deed of easement prior to filing with the Ocean County Clerk. 13. Part of a proposed recharge area is in conflict with the shade tree and utility easement and must be relocated. 14. A proposed play/recreation area is called out on the site plans. However, no other information or details have been provided. 15. A proposed section of chain link fence is missing between the south property line and the building to enclose the recreation area. 16. Testimony should be provided on loading and deliveries proposed for the site. 17. The proposed improvements to Charity Tull Avenue should be reviewed and approved by the Department of Public Works and the Township Engineer. The limits of road improvements extend far enough beyond the proposed site access to permit an adequate turnaround. The proposed pavement width is thirty feet (30'), with curb and sidewalk being constructed on the site frontage side of the road. Riprap is proposed at the gutter lines of the road terminus to combat erosion from concentrated runoff.

B. Architectural 1. Preliminary architectural plans have been provided for the proposed school. The set includes floor plans and elevations. The proposed building includes two (2) floors and a basement. The proposed first floor elevation is four feet (4') above grade. The proposed building height must be confirmed. Per communications with the applicant's professionals, the allowable building height will be less than thirty-five feet (35'). 2. The proposed basement depth will be ten feet four inches (10'-4") below the first floor. Seasonal high water table information must be provided to substantiate the proposed basement floor elevation. 3. No floor plans have been provided for the basement. The first floor contains four (4) classrooms and four (4) rooms which may be offices and tutor rooms. The second floor contains five (5) classrooms. An elevator is proposed to make all floor levels handicapped accessible. 4. The applicant's

professionals should indicate whether the proposed building will include a sprinkler system. 5. We recommend that the location of proposed HVAC equipment be shown. Said equipment should be adequately screened. 6. We recommend that renderings be provided for the Board's review and use prior to the public hearing, at a minimum. C. Grading 1. Per review of the proposed grading plan, the design concept is feasible. However, the following should be addressed: a. Additional proposed elevations for the handicapped parking spaces to insure slope compliance. b. Additional proposed elevations should be provided at control points, such as building landings and curb returns. Final grading can be addressed during compliance review if/when approval is granted. 2. Per review of the existing elevations and per review of site conditions during our 3/21/12 site investigation, on-site grades generally slope to the south and east. 3. The proposed grading should be coordinated with the architectural plans. The architectural plans indicate a first floor elevation of four feet (4') above grade and a difference between the basement and first floor of ten foot four inches (10'-4"). 4. Profiles are required for Charity Tull Avenue and storm sewer. 5. Seasonal high water table information is required to justify the proposed basement elevation of the school and the depth of the storm water recharge system. D. Storm Water Management 1. A proposed storm water management system has been designed. The design proposes a storm sewer collection system with an underground recharge system located on the site. The project qualifies as major development and must meet the requirements of the New Jersey Department of Environmental Protection Storm Water Management Rules (NJAC 7:8). Per review of the design, it is feasible and can be finalized during compliance review if/when board approval is granted. 2. The Drainage Calculations indicate a permeability rate of ten (10) inches/hour was used for the proposed recharge system. Permeability testing results must be provided to justify the design. 3. A design is required for the storm water collection piping for the roof of the proposed school building. 4. The results of Soil Logs should be provided to indicate that a two foot (2') separation will be maintained from the seasonal high water table elevations to the bottoms of the recharge beds. 5. Predevelopment and Post Development Drainage Area Maps should be provided to assist in the review of the design. 6. Pipe design calculations should be provided. 7. Storm sewer profiles should be added to the plans. 8. The submission of a Storm Water Management Operation & Maintenance Manual will be required. The Manual can be provided during compliance submission should site plan approval be granted. E. Landscaping 1. A dedicated landscaping plan is provided with the submission; proposed landscaping is depicted on Sheet 2 of the plans. 2. The overall landscape design is subject to review and approval by the Board and should conform to recommendations (if any) from the Township Shade Tree Commission as practicable. 3. We recommend all proposed sight triangles, utilities, and easements be added to the plan to prevent any planting conflicts. 4. A detailed review of the landscape design will be undertaken when plan revisions are submitted. F. Lighting 1. A lighting design has been provided on Sheet 2. At this time, the site lighting design proposes two (2) pole mounted fixtures for the project. A point to point diagram will be required for review. 2. The overall lighting design is subject to review and approval by the Board. 3. According to the details provided, all proposed lighting will have a mounting height of sixteen feet (16'). 4. Shielding will be required because of the adjoining residentially owned property. 5. A detailed review of the lighting design will be undertaken when plan revisions are submitted. G. Utilities 1. The plans indicate the site will be served by septic and well. However, fire hydrants exist on the north side of Pine Street. The project is within the Lakewood Township Municipal Utilities Authority franchise area. 2. An area proposed for a septic disposal field has been designated in the northwest corner of the site. H. Signage 1. Per review of the design documents, it appears that only a free-standing site identification sign is proposed at this time. Per communications with the applicant's professionals, the sign will be

relocated to comply with the 15 foot setback requirement. A full signage package for free-standing and building-mounted signs identified on the site plans must be provided for review and approval as part of the site plan application. 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. A waiver from preparing an Environmental Impact Statement (EIS) was requested for this project. To assess the site for environmental concerns, our office performed a limited natural resources search of the property and surroundings using NJ Department of Environmental Protection (NJDEP) Geographic Information Mapping (GIS) system data, including review of aerial photography and various environmental constraints data assembled and published by the NJDEP. Data layers were reviewed to evaluate potential environmental issues associated with development of this property. No environmentally-sensitive areas exist per available mapping. Per communications with the applicant's professionals, there are no known areas of environmental concern that exist within the property. 2. A waiver is required from the submission of a Tree Protection Management Plan. The existing property is wooded. We can support the granting of the requested waiver only from a site plan completion standpoint. A Tree Protection Management Plan must be provided as a condition of approval to comply with the Township's Tree Ordinance. J. Construction Details 1. All proposed construction details must comply with applicable Township and/or applicable standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete. A detailed review of construction details will occur during compliance review; if/when this application is approved. 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. Ocean County Planning Board; d. Ocean County Soil Conservation District; e. Ocean County Board of Health; and f. All other required outside agency approvals.

Mr. Vogt stated they are requesting waivers for Topography within 200 feet thereof, contours of the area within 200 feet of the site boundaries, man-made features within 200 feet thereof and environmental impact statement. We support the waivers with the understanding that if the application is approved they will demonstrate compliance with the tree management ordinance.

Mr. Penzer does stipulate to that.

Mr. Schmuckler made a motion, seconded by Mr. Banas to approve the requested waivers.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Fink, Mr. Follman, Mr. Schmuckler

Mr. Vogt stated that variances are being sought for minimum front and rear yards setback and also relief for the perimeter landscape and parking buffer.

Mr. Penzer stated that they have no issues with the engineer's letter. Glenn has not had a chance to talk to Public Works but he shall before the public hearing.

The Board expressed their concerns with the amount of parking.

Mr. Penzer stated that there is max of nine classrooms and there can never be more than 125 children. He stated that the property across the street is Township owned and they may be able to lease it for additional parking.

Mr. Franklin asked if they could tie into sewer.

Mr. Lines stated that the closest sewer is approximately 600 feet. They would need a sanitary lift station as well.

Mr. Franklin said that would give them enough room for parking.

A motion was made to move the application to the April 24, 2012 meeting. No further notice required.

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

- 4. SP 1975** (Variance Requested)
Applicant: Lakewood Housing Partners
Location: Southeast corner of Vermont Avenue & Oak Street
Block 1154 Lots 1 & 10
Block 1155 Lots 1 & 6

Preliminary & Final Site Plan for seventy-three affordable housing rental units

Project Description

This application for preliminary and final major site plan approval proposes to construct seventy-three (73) affordable multi-family rental units. The proposed breakdown of the rental units will consist of fourteen (14) one-bedroom units, thirty-five (35) two-bedroom units, and twenty-four (24) three bedroom units. A 2,673 square foot community building is also proposed for the complex. The applicant is Lakewood Housing Partners, LLC, having an address of 20000 Horizon Way, Mount Laurel, New Jersey, 08054. The proposed project site consists of Lots 1 and 10 in Block 1154, and Lots 1 and 6 in Block 1155. Lot 1 in Block 1154 and Lot 1 in Block 1155 are owned by the Township of Lakewood. Lot 10 in Block 1154 and Lot 6 in Block 1155 are to be acquired by the Township of Lakewood for this project. The properties already owned by the Township are lands reserved for future development under pending Application SD-1836 which is also before this Board. The site is in the southern portion of the Township, on the south side of Oak Street. The subject 4.566 acre properties to be residentially developed are surrounded by Lambert Avenue to the east, Madeline Avenue to the south, Vermont Avenue to the west, and Oak Street to the north. Lambert Avenue and Madeline Avenue are fifty foot (50') wide unimproved right-of-ways. Vermont Avenue is a sixty-six foot (66') wide unimproved right-of-way. Vermont Avenue has been previously cleared and poles with overhead electric lines have been constructed on the west side of the right-of-way. Vermont Avenue is proposed to be improved as part of this project from where it intersects with Madeline Avenue to the south side of Oak Street. Access to the proposed site would be from the improved section of Vermont Avenue. Oak Street is an improved road with a sixty-six foot (66') right-of-way and a forty foot (40') pavement width borders the proposed storm water management basin and future development to the north. The site is currently vacant and wooded. The land generally slopes

to the north with existing elevations dropping from eighty-seven feet (87') MSL to seventy-six feet (76') MSL. Proposed storm water management facilities and utilities are associated with this project. The project site discharges runoff to a proposed storm water management basin. Proposed sanitary sewer will connect to a proposed system to be constructed by others in Oak Street. Proposed potable water for the subdivision will connect to an existing main on the south side of Oak Street. A one hundred forty-seven (147) space off-street parking lot is proposed for the project. One (1) to three (3) bedroom units are specified on the architectural plans. The project is also proposing sidewalk along its frontage Vermont Avenue, but not along adjoining Oak Street. We have the following comments and recommendations: I. Zoning 1. The site is located in the R-40/20 Cluster Zone. Planned Affordable Residential Development is a permitted use in the R-40/20 Cluster Zone in accordance with the bulk standards and requirements of paragraph 18-902B.7 of the UDO. 2. A variance is required for the residential unit distribution. Section 18-902B.7.e. (3), of the UDO requires "at a minimum, two (2) of the permitted housing types shall be provided". Only multi-family type housing is proposed. 3. Variances are required for minimum tract setbacks. The project notes should be revised to clarify the setback variances being requested. At a minimum, setback variances are required for proposed balconies and interior parking lots. 4. A variance is required for the area of recreational space provided. A recreation area equal to five percent (5%) of the tract area is required by Section 18-902B.7.g. (5) of the UDO. The project proposes a recreation area of four percent (4%) of the tract area. 5. A waiver is required from the construction of sidewalk on a portion of the project. No sidewalk is proposed for the entire length of the project where it fronts Oak Street. 6. 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 A. Site Plan/Circulation/Parking 1. The Project Notes state that the topographic information was updated by Ernst, Ernst & Lissenden in November, 2011. A copy of this updated survey information must be submitted. 2. Project Note #11 should be expanded to indicate how the proposed balconies comply with Section 18-902B.7.f. (6) of the UDO, which requires a minimum of sixty square feet (60 SF). 3. Off-street parking: The project proposes one hundred forty-seven (147) off-street parking spaces, of which six (6) are van accessible handicap spaces. According to the plans provided, typical multi-family units will range between one (1) and three (3) bedrooms. The Project Notes indicate that per the RSIS standards, the required number of off-street parking spaces is one hundred forty-six (146). A breakdown should be provided based on 1.8 spaces per one-bedroom unit, 2.0 spaces per two-bedroom unit, and 2.1 spaces per three-bedroom unit. 4. Curb and sidewalk is proposed within the interior of the development. Curb is proposed along both sides of Vermont Avenue with the improvement of the road. The end of the proposed curb should match the proposed edge of pavement on the south side of the Madeline Avenue and Vermont Avenue street intersection. Sidewalk is proposed along the project's frontage of Vermont Avenue. New curb exists along Oak Street. Sidewalk does not exist and is not proposed along Oak Street, for which a waiver is required. 5. A thirty foot (30') pavement width is proposed for Vermont Avenue. The existing right-of-way width for Vermont Avenue is sixty-six feet (66'). A proposed pavement width of forty feet (40') should be considered to permit on-street parking on both sides of the road. 6. Based on our review of the plans, the deflection angle for the proposed parking lot layout should be revised to provide a 2.00 foot offset. 7. Based on the survey provided, Lambert Avenue and Vermont Avenue are not at right angles to Madeline Avenue. The streets and project outbound are six (6) minutes out of square. The project layout has been designed to be parallel and perpendicular to Madeline

Avenue. Therefore, the proposed dimensions shown in the east/west direction must be to the hundredth of a foot, since it impacts the layout and variances required. 8. The proposed Site Layout Plan requires better coordination with the Architectural Plans. Discrepancies have been noted such as the locations of the side porches and sprinkler rooms. 9. Two (2) refuse and recycling areas are proposed for the project. Testimony should be provided on collection. If refuse and recycling collection is to be provided by the Township of Lakewood, DPW approval will be required. The proposed areas should have better landscape screening. 10. The Project Notes indicate the existing blocks and lots are to be consolidated. According to the Project Notes, the Lakewood Tax Assessor will assign Block 1154, Lot 1 for the combined properties. 11. Sight Triangle Easements have not been proposed at the intersection of streets and should be added. 12. The Project Notes shall address the ownership of the various components of the proposed storm water management system. The applicant will be required to own the infiltration/detention basin since the land area is necessary to comply with the standards for a Planned Affordable Residential Development. 13. The Project Notes indicate Horizontal Datum to be NAD 1983. Vertical Datum shall be addressed, a benchmark shall be indicated. 14. Proposed shade tree and utility easements shall be added to the plans, unless a waiver is sought. B. Architectural 1. Architectural Plans were submitted for review. Per review of the submitted plans, the six (6) proposed three-story multi-family buildings will be thirty-six feet four inches (36'-4") in height. The proposed 2,673 square foot one-story community center building will easily be less than the forty-five foot (45') allowable height. 2. Proposed dimensions and square footages should be added to the architectural plans. Using just the overall dimensions is not sufficient to coordinate with the site plan layout because there are too many jogs and protrusions in the proposed buildings. 3. We recommend that renderings be provided for the board's review and use prior to the public hearing, at a minimum. 4. A sprinkler room is shown for each proposed residential building. However, only one (1) water service connection per building is proposed on the site plans. 5. Testimony should be provided as to where HVAC equipment is proposed for the buildings and how the equipment will be adequately screened. Mechanical rooms have been provided for some of the units. 6. Handicap access to the proposed buildings should be addressed. C. Grading 1. Detailed grading is provided on a Grading, Drainage & Utility Plan which is Sheet 3 of 10. The proposed grading generally directs runoff to proposed inlets. A storm sewer collection system is proposed to collect this runoff. Most of the proposed runoff will be conveyed by piping to a proposed infiltration/detention basin. 2. Profiles have been provided for Vermont Avenue and proposed off road sanitary sewer. 3. Off road profiles should be provided for the proposed storm drainage especially when considering the multiple crossing with the sanitary sewer. 4. The proposed grading concept is feasible. A detailed review of the grading can be completed after compliance submission; if/when this site plan is approved. D. Storm Water Management 1. Proposed storm sewer collection systems have been designed to convey storm water runoff to a proposed infiltration/detention basin. The proposed infiltration/detention basin is located in the northern section of the property on the south side of Oak Street, east of Vermont Avenue. The Storm Water Management Report indicates the ownership of the on-site storm water management system, which includes the infiltration/detention basin, will be the applicant. The land area for the proposed basin is required for the project to comply with the minimum tract size standards for a Planned Affordable Residential Development. The Township will own the proposed storm water management system within the public roads. Accordingly, manholes should be proposed at the right-of-way lines to transition ownership of the proposed storm water management systems. 2. The proposed infiltration/detention basin is being designed to accommodate a combination of off-site and on-site developed flow in excess of fourteen (14) acres. 3. The basin

is proposed with 3:1 side slopes. Proposed side slopes of 4:1 or flatter is recommended. If necessary, the proposed bottom elevation of seventy-two (72) can be lowered to provide additional volume. According to the Soil Boring provided, the groundwater is approximately at elevation fifty-nine (59). While the seasonal high water table could be different than the observed water table, it is clear a greater than two foot (2') separation below the proposed sand layer can be maintained even if the basin bottom were lowered. 4. A top of berm elevation of seventy-nine (79) is proposed. The top of berm width should be widened to ten feet (10'). A fifty foot (50') wide emergency spillway has been proposed to release flood water to Oak Street should a failure of the outlet structure occur. 5. Proposed access to the basin has been designed for maintenance purposes. The slope of the proposed access should be revised to not exceed a slope of ten percent (10%). 6. A Storm Water Management Operation and Maintenance Manual should be provided in accordance with New Jersey Storm Water Rule (NJAC 7:8) and Township standards. 7. The Storm Water Management Design will be reviewed in detail after compliance submission is made, should approval be granted. E. Landscaping 1. Landscaping has been provided on Sheet 4 of 10 of the Site Development Plans. 2. A proposed Planting List shall be added to the plans. 3. Proposed shade tree and utility easements, sight triangles, and utility lines should be added to prevent planting conflicts. 4. 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. Per our site inspection of the property, the site is wooded with the exception of the Vermont Avenue right-of-way which has been cleared. 5. Landscaping shall be reviewed in detail after compliance submission should site plan approval be granted. F. Lighting 1. Lighting has been provided for Vermont Avenue and the interior parking areas for the site on Site Development Plan Sheet 4 of 10. 2. The Plan indicates six (6) pole mounted fixtures are proposed on Vermont Avenue. According to the Vermont Avenue Pole Mounted Lighting Detail, the proposed height will be eighteen feet (18'). 3. The Plan indicates ten (10) pole mounted fixtures are proposed on-site. According to the On-Site Pole Mounted Lighting Detail, the proposed height will be eighteen feet (18'). 4. A point to point diagram must be provided to verify the adequacy of the proposed lighting. 5. The proposed Pole Mounted Lighting Details have conflicting information for the foundations. 6. Testimony should be provided regarding lighting ownership. 7. Lighting shall be reviewed in detail after compliance submission should site plan approval be granted. G. Utilities 1. Potable water and sanitary sewer service will be provided by the New Jersey American Water Company. The project is within the franchise area of the New Jersey American Water Company. 2. The proposed sanitary sewer will connect to a proposed system by others in Oak Street. Only a preliminary layout of the system by others has been shown on Oak Street. 3. Potable water is proposed to be extended from an existing main on the south side of Oak Street. 4. Fire hydrants are being proposed along Vermont Avenue and on-site. 5. The plans state that all new utilities shall be installed underground. H. Signage 1. Proposed regulatory signage has been shown on the plans. Regulatory sign details have been provided. 2. A project identification sign is proposed. Testimony should be provided confirming the project identification sign is complying. 3. All signage proposed that is not reviewed and approved as part of this application, if any, shall comply with Township ordinance. I. Environmental 1. Site Description Per review of the site plans, aerial photography, and a site investigation of the property, the tract is wooded with the exception of Vermont Avenue which has been cleared and has utility poles containing overhead electric lines. 2. Environmental Impact Statement An Amended Environmental Impact Statement (EIS) report was prepared and submitted for the project, and addresses environmental concerns as applicable. 3. Tree Management A Tree Save Plan has been submitted, but is not in compliance with the latest ordinance. As a condition of approval, a Tree

Protection Management Plan in accordance with the current ordinance shall be provided. J. Traffic 1. Testimony on Traffic Impact to a developed Vermont Avenue and Oak Street intersection is recommended. Part of this proposed project site was previously approved at a lower density under Major Subdivision Application SD-1562. K. Construction Details 1. Construction details are provided on Sheets 6 – 8 of the plans. 2. All proposed construction details must comply with applicable Township or NJDOT standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete. 3. Final review of construction details will take place after compliance submission, if/when this project is approved by the Board. III. 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. A revised submission should be provided addressing the above-referenced comments, including a point-by-point summary letter of revisions. The design must be coordinated with a neighboring subdivision project since the proposed infiltration/detention basin will operate as a regional facility.

Mr. Vogt stated that they applicant is requesting variances for the residential distribution type, minimum tract setbacks, partial relief on recreational space provided, seeking a waiver from the construction of sidewalk on a portion of the project along the Oak Street frontage.

Mr. DeVincens, Esq. on behalf of the applicant stated that the application meets the zoning in the area, has adequate parking. We are looking for a variance for recreational space. As it relates to the waiver on Oak Street, we will put the sidewalk in so we will no longer be looking for a waiver.

Mr. Fink asked about the recreational area.

Mr. Ernst stated that it will be on the south end of the project. There is a community building with green space behind it for play area. There is only one play area. This application has a recreational component that is just slightly short of what the ordinance provides. On Vermont Avenue we have originally proposed a 30 foot paved right of way. We will now pave Vermont 40 feet so that we can have parking on the street if it's necessary.

Mr. Franklin suggested that they put in a few playgrounds at the John Patrick park as it is only a block away from the proposed site.

A motion was made to move the application to the April 24, 2012 meeting. No further notice required.

Affirmative: Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Fink, Mr. Schmuckler

5. **SD 1839** (Variance Requested)
Applicant: Park Avenue Realty, LLC
Location: Southwest corner of East Seventh Street & New York Avenue

Block 224 Lots 7 & 9
Minor Subdivision to create three lots (two single family homes and one duplex)

Project Description

The applicant seeks minor subdivision approval to subdivide two (2) existing lots totaling 0.618 acres in area known as Lots 7 and 9 in Block 224 into three (3) new residential lots, proposed to provide for two (2) single-family homes and one (1) duplex, designated as proposed Lots 7.01 - 7.03 on the subdivision plan. Proposed Lot 7.01 will contain the duplex unit. Proposed Lots 7.02 and 7.03 will contain single-family dwellings. Public water and sewer is available. The site contains an existing bi-level frame dwelling and an existing shed. The plans state that all existing structures within the subdivision are to be removed. The site is situated in the north central portion of the Township on the southwest corner of East Seventh Street and New York Avenue. The existing right-of-way width of East Seventh Street in front of the site is sixty feet (60'). A variable width right-of-way exists for New York Avenue, varying in width from thirty feet (30') to fifty feet (50'). A waiver from additional right-of-way dedication on New York Avenue was granted for a neighboring subdivision approval under Application Number SD 1758. A five foot (5') wide right-of-way easement was granted for that project where the existing right-of-way was only thirty feet (30') wide. This project proposes the continuation of that five foot (5') wide right-of-way easement. East Seventh Street is a paved road in fair condition. Curbing and sidewalk in good condition exists along the property frontage. New York Avenue is a narrow paved road in good condition. Curbing in good condition exists along the property frontage, but sidewalk does not. The surrounding area is predominantly residential. Variances will be required to create this subdivision. The lots are situated within the R-10 Single Family Residential Zone. We have the following comments and recommendations: I. Zoning 1. The parcels are located in the R-10 Single-Family Residential Zone District. Single-family detached dwellings and duplex housing are permitted uses in the zone. 2. Per review of the Subdivision Map and the zone requirements, the following variances are required: • Minimum Lot Area for Single-Family Lots (proposed Lots 7.02 and 7.03 – 7,427 SF and 7,500 SF proposed, 10,000 SF required) – proposed condition. • Minimum Lot Width for Single-Family Lots (proposed Lots 7.02 and 7.03 – 53.75 feet and 50 feet proposed, 75 feet required) – proposed condition. • Minimum Front Yard Setback (proposed Lots 7.01 through 7.03 – 25 feet proposed, 30 feet required) – proposed condition. • Minimum Side Yard Setback (proposed Lots 7.01 through 7.03 – 7.5 feet proposed, 10 feet required) – proposed condition. • Minimum Aggregate Side Yard Setback (proposed Lots 7.02 and 7.03 – 15 feet proposed, 25 feet required) – proposed condition. • Minimum Rear Yard Setback (proposed Lots 7.01 through 7.03 – 15 feet proposed, 20 feet required) – proposed condition. • Maximum Building Coverage (proposed Lots 7.01 through 7.03 – up to 30% proposed, 25% allowed) – proposed condition. 3. Unless provided, a waiver from the construction of sidewalk along New York Avenue would be required. It should be noted that sidewalk is proposed for the neighboring approved subdivision on New York Avenue. 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. II. Review Comments 1. An Outbound Survey of the property with topography has been provided. The survey shows some encroachments from adjoining properties. These encroachments must be addressed. 2. A chain link fence with screening encompasses the entire property. The fence may have been constructed since the date of the survey, because the survey does not show

chain link fence around the entire property. There is also an existing driveway for Lot 9 which is not shown. 3. During our site investigation on 3/26/12 we noted some large trees of significance located on the site. Should sidewalk be constructed along New York Avenue, we recommend meandering of the walk be considered to save some existing trees. 4. The project is in the R-10 Single-Family Residential Zone, the Schedule of Bulk Requirements should be corrected to Section 18-902F. 5. Setback variances are required, the setback lines shown shall be labeled as proposed. 6. Minor corrections are required to the General Notes. 7. Four (4) off-street parking spaces will be provided per unit. This exceeds the 2.5 off-street parking spaces which are required for units with unknown number of bedrooms to comply with the NJ R.S.I.S. parking requirements. Parking should be provided to the satisfaction of the Board and comply with ordinance 2010-62. 8. Testimony should be provided as to whether basements are proposed for the future dwellings on Lots 7.01 – 7.03, if so seasonal high water table information will be required. 9. Concrete sidewalk and curb in good condition exists along the frontage of East Seventh Street. Concrete curb in good condition exists along the frontage of New York Avenue. A note should be added for the replacement of any concrete sidewalk and concrete curb damaged during construction. 10. A new handicap curb ramp must be constructed at the corner of East Seventh Street and New York Avenue. 11. Should proposed utility connections disturb more than twenty percent (20%) of the road length in front of the site, an overlay would be required. 12. Proposed lot numbers must be approved by the tax assessor's office. 13. The subdivision plat depicts a proposed five foot (5') wide right-of-way easement where the existing right-of-way is only thirty feet (30') wide on New York Avenue. This is consistent with the neighboring approved subdivision on New York Avenue. 14. A sight triangle easement has not been provided at the intersection of East Seventh Street and New York Avenue. 15. A proposed six foot (6') wide shade tree and utility easement is shown on the subdivision plan. Survey data with easement areas for the proposed individual lots have been completed. 16. Unless a waiver is sought, shade trees shall be provided within the shade tree and utility easement for the project. 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. 17. Testimony is required on the disposition of storm water from development of proposed Lots 7.01 – 7.03. There is no existing storm drainage in the immediate vicinity of the site. 18. Topography has been provided on the Survey. The site generally slopes to the northwest, with runoff being carried westward down the gutter of East Seventh Street. Testimony should be provided on proposed grading. 19. The monument certification has been signed but the monuments have yet to be set. The Legend should be revised. 20. "Resolution" must be corrected in the Secretary's Certification. 21. Compliance with the Map Filing Law is required. 22. An Improvement Plan which includes grading, drainage, and construction details is required. This Improvement Plan may be provided during compliance if approval is given. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance; 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 minimum lot area, minimum lot width, front yard setback, side yard setback, aggregate side yard setback, minimum rear yard setback and maximum building coverage. A waiver will be necessary for the construction of sidewalk along New York Avenue.

Mr. Flannery stated that they are not requesting a waiver for sidewalks.

Mr. Penzer stated that they agree to everything in the engineer's report.

A motion was made to move the application to the May 15, 2012 meeting. No further notice required.

Affirmative: Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Fink, Mr. Schmuckler

- 6. SD 1840** (No Variance Requested)
Applicant: Diversified Capital-Second St, LLC
Location: Northwest corner of Route 9 (Madison Avenue) & Second Street
Block 72 Lots 7 & 8
Minor Subdivision to create four lots

Project Description

The applicant proposes to subdivide the existing fifty-three thousand five hundred square foot (53,500 SF) tract into four (4) separate lots. Existing Lots 7 & 8 in Block 72 would be subdivided into proposed Lots 7.01 - 7.04 as designated on the subdivision plan. Proposed Lot 7.01 would be for a bank site and proposed Lots 7.02 – 7.04 would be for single family residences. Existing Lot 7 contains a vacant two and a half story commercial building. Existing Lot 8 contains a two and a half story frame dwelling. All existing improvements will be removed. Public water and sewer is available. The site is situated in the northern portion of the Township at the northwest corner of Second Streets intersection with Madison Avenue (Route 9). The surrounding area is predominantly developed. Second Street is an improved municipal road with a sixty foot (60') right-of-way. Madison Avenue (Route 9) is a State Highway with an eighty foot (80') right-of-way. The intersection of Second Street and Route 9 is signalized. Curb and sidewalk exist along the property frontage and is generally in poor condition. Potable water, sanitary sewer, gas, and electric all exist within the Second Street right-of-way. The existing property which would be subdivided falls within the ROP Residential Office Park Zone. Proposed Lot 7.01 would be a 150' X 200', thirty thousand square foot (30,000 SF) bank site which is the subject of Site Plan Application Number SP 1980. Proposed Lots 7.02 and 7.03 would be 50' X 160', eight thousand square foot (8,000 SF) single family residential lots. Proposed Lot 7.04 would be a 50' X 150', seven thousand five hundred square foot (7,500 SF) single family residential lot. No variances are requested to create this subdivision. We have the following comments and recommendations: I. Zoning 1. The property is located within the ROP Residential Office Park Zone District. Per Section 18-903l.1.a., professional offices are a permitted use in this zone. The zone allows for "other similar professional offices". Although banks are not specifically listed, they exist and have been approved elsewhere within the zone. Per Section 18-903l.1.d., single-family detached dwellings are a permitted use in the zone. 2. No variances have been requested or appear to be required for this subdivision. II. Review Comments 1. A Boundary and Topographic Survey has been submitted for review. The survey should be revised to add existing driveways within the right-of-ways. Course #7 in the description should include Lot 4. 2. The Boundary Survey indicates a waiver was obtained from setting corner markers. Accordingly, the Legend on the Minor Subdivision shall be revised from "pin/cap set, and monument set" to "pin/cap to be set, and monument to be set". 3. The correct Ordinance

Section shall be referenced in the Schedule of Bulk Requirements. 4. The NJ R.S.I.S. requires 2.5 off-street parking spaces for unspecified number of bedroom single-family dwellings. The zoning schedule indicates that four (4) off-street parking spaces will be provided for the proposed future dwellings. Parking for the bank site will be provided on the Site Plan for Future Lot 7.01. 5. Testimony should be provided whether basements will be proposed for the future dwellings on proposed Lots 7.02 – 7.04. If basements are proposed, a minimum of four (4) off-street parking spaces would be required to comply with the Township Parking Ordinance. 6. If basements are proposed, seasonal high water table information will be required. 7. 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. 8. The project will be serviced by New Jersey American Water Company since it is located within their franchise area. 9. Six foot (6') wide shade tree and utility easements dedicated to the Township are proposed along the property frontages of new Lots 7.01 - 7.04. The proposed easement areas are shown on an individual lot basis. 10. Unless waived by the Board, street trees are required along the property frontage of proposed Lots 7.02 – 7.04. Street trees for future Lot 7.01 will be reviewed as part of the Site Plan application for the bank. Landscaping should be provided to the satisfaction of the Board, and should conform to recommendations (if any) from the Township Shade Tree Commission as practicable. Our site investigation on 3/14/12 indicates there are some large existing trees which have been located on the Survey. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review for proposed Lots 7.02 – 7.04 and Site Plan review for future Lot 7.01. 11. The existing curb and sidewalk along Second Street is in poor condition and should be replaced. The Minor Subdivision Plan should note the replacement of curb and sidewalk along the property frontage of new Lots 7.02 – 7.04. The Site Plan application for future Lot 7.01 will deal with proposed curb and sidewalk replacement across the remaining frontage of Second Street and the frontage of Route 9. 12. Testimony is required on the disposition of storm water from the development of proposed Lots 7.02 – 7.04. The property slopes northward toward other developed land. According to an Environmental Impact Statement prepared for the Site Plan of Future Lot 7.01, drywells will be designed for proposed Lots 7.02 – 7.04 at the time of construction. 13. Testimony should be provided on proposed site grading. No proposed grading is indicated on the plan. Proposed grading must be included on the future plot plan submittals. 14. 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. 15. Compliance with the Map Filing Law is required. 16. Final review of construction details will be conducted during compliance if approval is given. 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 Transportation; and e. All other required outside agency approvals. New Jersey American Water Company will be responsible for water and sewer service.

Mr. Penzer stated that they will meet everything on the engineer's report for both this subdivision and the site plan (SP 1980).

A motion was made to move the application to the May 15, 2012 meeting. No further notice required.

Affirmative: Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Fink, Mr. Schmuckler

7. **SP 1980** (Variance Requested)
Applicant: Diversified Capital-Second St, LLC
Location: Northwest corner of Route 9 (Madison Avenue) & Second Street
Block 72 New Lot 7.01
Preliminary & Final Site Plan for proposed bank with drive through

Project Description

The applicant is seeking Preliminary and Final Major Site Plan approval for the construction of a one-story 3,767 square foot bank building and associated parking. The proposed building will be located on a 150' X 200', thirty thousand square foot (30,000 SF) property at the northwest intersection of Madison Avenue (Route 9) and Second Street. The site will consist of future Lot 7.01 which would be created from the subdivision of existing Lots 7 & 8, pending approval under Minor Subdivision Application Number SD 1840. The properties are presently developed with an abandoned commercial building on Lot 7 and an abandoned residential dwelling on Lot 8. The applicant has proposed a total of nineteen (19) off-street parking spaces for the bank use. The architectural plans indicate the proposed floor area of the bank building will contain 3,767 square feet. Based on one (1) space required for every three hundred square feet (300 SF) of floor area, a total of thirteen (13) spaces are required for the site. The site plans propose nineteen (19) off-street parking spaces, two (2) of which are van accessible handicap. Therefore, the total spaces that will be provided exceed UDO requirements. The site is located in the northern portion of the Township at the northwest intersection of Second Street and Madison Avenue. The project proposes two-way vehicular access on both Madison Avenue (Route 9) and Second Street. A counterclockwise one-way drive thru is also proposed. Curb and sidewalk exist across the entire frontage of the project. The project will be serviced by sanitary sewer and potable water. The surrounding lands are developed. The parcel is located in the ROP Residential Office Park Zone District. Professional offices are permitted in the ROP Zone. Banks are not specifically listed as permitted uses in the ROP Zone. We offer the following comments and recommendations: I. Zoning 1. The site is situated within the ROP, Residential Office Park Zone. Per Section 18-903l.1.a., professional offices are a permitted use in this zone. The zone allows for "other similar professional offices". Although banks are not specifically listed, they exist and have been approved elsewhere within the zone. 2. A variance is required for the proposed sign location. A six foot (6') setback is proposed, while a fifteen foot (15') setback is required. 3. A waiver is required from Ordinance Section 18-803 E.2.a., which summarizes: "A minimum twenty-five foot (25') buffer from the property line to the proposed use, up to fifty feet (50') from adjacent single family residential uses or zone areas". II. Review Comments A. Site Plan/Circulation/Parking 1. The Minor Subdivision Plan which creates the proposed lot for this site plan shows an "NJDOT Desirable Typical Section" width of fifty-eight feet (58') from the centerline of Route 9. This line should be added to the site plans as it can impact proposed improvements. 2. We recommend General Note #11 be revised. Sidewalk replacement may be at the discretion of the Township Engineer. However, curb replacement along Second Street shall be at the discretion of the Township Engineer, while curb replacement along Madison Avenue will be at the discretion of the New Jersey Department of Transportation. 3. General Note #12 should be revised to state the following: "Pavement must be replaced at all locations along Madison Avenue and Second Street where curb is being replaced with a minimum replacement width of one foot (1') for the length of the replaced curb." 4. The Schedule of Bulk Requirements should be revised to indicate a provided rear yard

setback of sixty-five feet (65'). The provided aggregate side yard setback is not applicable since the site is a corner lot. 5. Additional proposed dimensions are required on the Site Plan, along with layout corrections. 6. The proposed dimensions of the covered drive-thru lanes do not match the architectural plans. According to the architectural plans, the distance from the rear of the building to the proposed curb line should be forty-nine feet (49'). The distance from the proposed curb line to the property line should be sixteen feet (16'). 7. The proposed fifteen foot (15') curb radius on the northwest side of the building should be revised to fourteen feet (14') based on the other dimensions shown. 8. Proposed doors should be added to the building. The proposed sidewalk and HVAC pad on the north side of the building should be coordinated with the architectural plan. 9. The proposed sidewalk in front of the building should have a minimum width of six feet (6') unless wheel stops are added to the parking spaces. 10. The proposed access driveways should be dimensioned. The site plans propose two-way driveways from Route 9 and Second Street. Aisle widths of a minimum of twenty-four feet (24') are proposed for two-way traffic with nineteen (19) off-street parking spaces and two (2) van accessible handicap spaces being provided for the bank. A fifteen foot (15') wide, one-way driveway aisle is proposed around the rear of the building to access the covered drive-thru lanes. 11. A Circulation Plan is required to insure proper vehicular access through the site for delivery, emergency, and trash pickup vehicles. 12. The plans note the existing fence along the north property line to remain. However, the existing fence is in poor condition and should be replaced. New fencing is recommended along the north and west property lines, especially since buffer waivers are required. 13. No loading area has been identified on the plans. Testimony is required to address proposed loading and delivery operations for the facility. 14. A trash enclosure is depicted in the northwest corner of the site. Testimony is required from the applicant's professionals addressing who will collect the trash. If Township pickup is proposed, approval from the DPW Director is necessary. 15. Sight triangles have not been provided on the plans. A sight triangle is not required at the intersection of Second Street and Madison Avenue since the intersection is signalized. 16. The shade tree and utility easements shown on the Minor Subdivision Plan shall be added. 17. The correct plan sheets should be listed in the Sheet Index on the Title Sheet. B. Architectural 1. Architectural plans have been provided for the proposed bank. The set includes floor plans and elevations. The proposed building is a slab on grade construction and is one (1) floor. Being the proposed building is only one-story with the top of roof at a height of twenty-four feet (24'), it is less than the allowable building height of thirty-five feet (35'). 2. The applicant's professionals should provide renderings for the Board's review and use prior to the public hearing, at a minimum. 3. Proposed water and sewer connections to Second Street are shown for the proposed bank building. Based on the proposed water connection, the proposed building will not include a sprinkler system. 4. Information should be provided for roof leaders and utility connections. C. Grading 1. A grading plan is provided on Sheet 4. The proposed grading has been designed to generally slope towards a storm water management collection system designed around the bank building site. 2. Proposed high points should be shown at the driveway access points and one-way access driveway on the north side of the building. 3. Some proposed spot elevations should be added or corrected. Some proposed contour lines are missing and should be added. 4. Per review of the proposed grading plan, the design concept is feasible. Final grading will be addressed during compliance review if/when approval is granted. D. Storm Water Management 1. A proposed storm sewer management system has been designed. A proposed underground recharge system is located around the perimeter of the site improvements. Perforated twenty-four inch high density polyethylene (24" HDPE) pipe comprises the bulk of the system. Collection of runoff will be from proposed inlets within the on-site paved areas, connected by the

perforated piping. A bubbler inlet is proposed on Second Street to serve as an emergency outlet in case of system failure. 2. The Post Development Drainage Area Map needs to clarify the bypass areas. 3. The locations of Soil Borings #1 and 2 are shown on the plans. Therefore, we can determine a two foot (2') separation will be maintained from the seasonal high water table elevation to the bottom of the recharge bed. 4. No storm water collection for the roof of the proposed bank building has been designed. 5. A recharge trench detail must be provided. 6. The bulk of the proposed on-site recharge system is perforated twenty-four inch high density polyethylene (24" HDPE) pipe. We believe all the proposed inverts for this flat pipe should be set at elevation 92.50. The applicant's engineer should contact our office to review the storm water management design. 7. A Storm Water Management Facilities Maintenance Plan must be provided. Confirming testimony shall be provided that the operation and maintenance of the proposed on-site storm water management system will be the responsibility of the applicant. 8. The proposed storm water management design is feasible and can be finalized during compliance review should site plan approval be granted. E. Traffic 1. A Traffic Report has not been submitted for review assessing impacts of this project. Professional testimony should be provided as to whether any of the local Route 9 intersections or cross-streets will be impacted by this proposal, and whether any directional restrictions to the proposed access drive are warranted for safety purposes. NJDOT Access approval is necessary. Based on our review of the project, we recommend the Route 9 access driveway be restricted to a "right turn in/right turn out" controlled access driveway. We also recommend the applicant's professionals examine the stacking on Second Street associated with the signalized intersection. The situation may warrant a right turn only exit from the Second Street access driveway. We reiterate that NJDOT is the controlling agency for the Route 9 improvements. F. Landscaping 1. A dedicated landscaping plan is provided with the submission; proposed landscaping is depicted on Sheet 6 of the plans. 2. A row of arborvitaes are proposed to screen the north property line and the trash enclosure. Landscaping has been proposed to screen the western side of the site. 3. The shade tree and utility easements should be added across the frontages of the property. Proposed utilities and sight triangles should be added to prevent planting conflicts. 4. The proposed landscaping for the bank building is comprehensive. 5. The proposed landscaping within the NJDOT Desired Typical Section is subject to NJDOT approval. 6. Landscaping should be provided to the satisfaction of the Board. 7. A final review of landscaping can be conducted during compliance, should site plan approval be granted. G. Lighting 1. A dedicated lighting plan is provided with the submission; proposed lighting is depicted on Sheet 6 of the plans. 2. The lighting plan proposes six (6) fourteen foot (14') high pole mounted lights and six (6) thirteen foot (13') high wall mounted lights for the proposed parking area and access driveway. The proposed point to point lighting calculation diagram indicates the site should be adequately illuminated by the design. 3. Testimony should be provided relative to the hours that the facility will be lit, and whether timers are proposed. 4. Shielding will be required to prevent light spillage onto adjoining properties. 5. Lighting should be provided to the satisfaction of the Board. 6. Final lighting design can be reviewed during compliance should site plan approval be granted. H. Utilities 1. Approvals will be required from the New Jersey American Water Company for water and sewer since the project is within their franchise area. New services connecting from Second Street are proposed for the site. 2. Fire protection should be addressed by the applicant's professionals. 3. All proposed utilities must be installed in accordance with Township requirements. I. Signage 1. Signage information is provided for free-standing signage on Sheet 6A of the site plans. A free-standing sign identified on the site plan (requiring relief by the Board) has been provided for review and approval as part of the site plan application. A variance is required for setback. 2. All signage proposed that is not reviewed and approved as

part of this site plan application, if any, shall comply with Township ordinance. J. Environmental

1. Site Description Per review of the site plans, aerial photography, and a site inspection of the property, the site contains an abandoned building with asphalt driveways, native vegetation, and non-native ornamentals. Per our 3/14/12 inspection of the site, the lot is at the northwest corner of Route 9 and Second Street. The existing on-site topography is relatively flat. 2. Environmental Impact Statement The applicant has submitted an Environmental Impact Statement. The document has been prepared by Trident Environmental Consultants to comply with Section 18-820 of the UDO. The report has been prepared for the proposed bank to accompany the application for site plan approval. To assess the site for environmental concerns, natural resources search of the property and surroundings was completed using NJ Department of Environmental Protection (NJDEP) Geographic Information Mapping (GIS) system data, including review of aerial photography and various environmental constraints data assembled and published by the NJDEP. The data layers were reviewed to evaluate potential environmental issues associated with development of this property. No environmentally-sensitive areas exist per available mapping. 3. Tree Management Plan A Tree Protection Management Plan has been submitted for review. The applicant must comply with the requirements for tree protection and removal as applicable on the site in accordance with the Township Tree Ordinance. 4. Phase I/AOC's A Phase I Study was not performed on-site. While conducting the site investigation to complete the Environmental Impact Statement, Trident found the following area of concern. Miscellaneous non-hazardous solid waste and debris was observed scattered in the vicinity of the abandoned building on the subject property. The solid waste and debris consisted of plastic bottles, plastic bags, wood pieces, metal scraps, tires, metal wire fencing, and other miscellaneous debris. 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. III. 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 (if applicable); c. Ocean County Planning Board; d. Ocean County Soil Conservation District; e. New Jersey Department of Transportation; and f. All other required outside agency approvals.

Mr. Vogt stated that they are requesting a variance for proposed sign location.

A motion was made to move the application to the May 15, 2012 meeting. No further notice required.

Affirmative: Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Fink, Mr. Schmuckler

8. **SD 1838** (Variance Requested)
Applicant: Mizz Builders, LLC
Location: East County Line Road, west of Apple Street
Block 171 Lot 3.02
Minor Subdivision & Variance to create two zero lot line lots

Project Description

The applicant seeks minor subdivision approval to subdivide an existing flag lot property totaling 11,937.5 square feet (0.27 acres) in area known as Lot 3.02 in Block 171 into two (2) zero lot line residential lots, designated as proposed Lots 3.05 and 3.06 on the subdivision plan. The site contains a two-story duplex with basements, which is currently under construction. Public water and sewer is available. The site is situated in the northern portion of the Township on the south side of East County Line Road, west of Apple Street. East County Line Road is an improved County Road. The road has an existing half right-of-way width of thirty feet (30') in front of the site. Proposed Lot 3.05 will be a flag lot and contain 8,249.5 square feet. Proposed Lot 3.06 will be irregular, have no street frontage, and contain 3,688.0 square feet. The applicant is requesting lot area and lot coverage variances for proposed Lot 3.06. Curb exists along the street frontage and sidewalk is proposed. The lots are situated within the R-7.5 Single Family Residential Zone. We have the following comments and recommendations: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. B1 - Topography of the site. 2. B3 - Contours on the site to determine the natural drainage of the land. A plot plan with grading has been approved for the site. Topographic information, existing and proposed contours, and proposed features are shown for the area of proposed improvements. Since a plot plan has been approved, we recommend the granting of the requested waivers. II. Zoning 1. The parcels are located in the R-7.5 Single-Family Residential Zone District. Zero lot line duplex dwellings are a permitted use in the zone. 2. The Subdivision proposes no street frontage for new Lot 3.06. 3. The following variances are being requested for new Lot 3.06: • Minimum Lot Area – the area for proposed Lot 3.06 is three thousand six hundred eighty-eight square feet (3,688 SF), whereas five thousand square feet (5,000 SF) is required. It should be noted the combined lot areas for proposed Lots 3.05 and 3.06 is 11,937.5 square feet. • Maximum Building Coverage – the coverage for proposed Lot 3.06 is 41.5%, whereas thirty percent (30%) is allowed. It should be noted the proposed combined building coverage for new Lots 3.05 and 3.06 is less than thirty percent (30%). 4. 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. III. Review Comments 1. The Minor Subdivision Plan must be revised to eliminate any engineering data unless the plan is also signed and sealed by a licensed engineer. 2. The date of the Survey referenced in the Plan Data does not match the date in the Surveyor's Certification. 3. Since the proposed duplex is under construction, the Zoning Requirements Schedule should be based on as-built survey conditions to the hundredth of a foot to insure no additional variances will be required. 4. The Minimum Lot Width requirement should be revised to twenty-five feet (25'). 5. The distance on the proposed subdivision line separating new Lots 3.05 and 3.06 requires correction. 6. The existing curb along the East County Line Road frontage is new and will only be replaced as necessary for the proposed driveway and where construction damage may occur. 7. The Schedule of Bulk Requirements is requiring and providing four (4) off-street parking spaces per dwelling. The approved Plot Plan proposes eight (8) off-street parking spaces for the two-story duplex with basements. The proposed configuration for the zero lot line duplex will have some of the four (4) off-street parking spaces for Lot 3.06 located on Lot 3.05. The proposed access driveway for both parking areas will be located completely on Lot 3.05. Therefore, easements for ingress, egress, utilities, and parking are proposed. 8. Since basements are proposed for the future dwellings on Lots 3.05 and 3.06 four (4) off-street parking spaces per dwelling unit are being provided. Parking shall be provided to the satisfaction of the Board. 9. Seasonal high water table information was provided on the plot plan because basements are proposed for Lots 3.05

and 3.06. 10. The Project Data indicate the new lots are to be serviced by public water and sewer. The project is within the New Jersey American Water franchise area for both water and sewer. 11. The Minor Subdivision Plan indicates proposed lot numbers have been assigned by the tax assessor's office on 1/19/12. The tax assessor's signature is required. 12. Bearings, distances, and an area shall be provided for the shade tree and utility easement on proposed Lot 3.05. 13. According to previous Subdivision Approval SD 1554, extensive landscaping is proposed for the project. Landscaping should be provided to the satisfaction of the Board, and should conform to recommendations from the Township Shade Tree Commission as practicable. 14. Testimony should be provided on the ten foot (10') wide buffer shown on the Minor Subdivision Plan. 15. The approved plot plan addresses storm water management. Proposed recharge areas in the rear yards account for the increase in runoff from the project. 16. Grading is provided on the approved plot plan. 17. Proposed monuments must be provided and the Legend on the Minor Subdivision Plan corrected accordingly. 18. Compliance with the Map Filing Law is required. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Ocean County Planning Board; b. Ocean County Soil Conservation District; and c. All other required outside agency approvals.

Mr. Penzer stated that items 8 and 9 are the exact same things in regard to creating two zero lots lines. He asked if the tech meeting and the public hearing could be combined. Everything can be met in the engineer's report.

Mr. Kielt says that this is a full subdivision with variances so he believes it should go to a public hearing as well.

A motion was made to move the application to the April 24, 2012 meeting. No further notice required.

Affirmative: Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Fink, Mr. Schmuckler

- 9. SD 1841** (Variance Requested)
Applicant: Mizz Builders, LLC
Location: East County Line Road, west of Apple Street
Block 171 Lot 3.01
Minor Subdivision & Variance to create two zero lot line lots

Project Description

The applicant seeks minor subdivision approval to subdivide an existing irregular property totaling 9,575.8 square feet (0.22 acres) in area known as Lot 3.01 in Block 171 into two (2) zero lot line residential lots, designated as proposed Lots 3.03 and 3.04 on the subdivision plan. The site contains a two-story duplex with basements, which is currently under construction. Public water and sewer is available. The site is situated in the northern portion of the Township on the south side of East County Line Road, west of Apple Street. East County Line Road is an improved County Road. The road has an existing half right-of-way width of thirty feet (30') in front of the site. Proposed Lot 3.03 will be irregular and contain 4,643.8 square feet. Proposed Lot 3.04 will also be irregular and contain 4,932.0 square feet. The proposed subdivision will create lot area and lot coverage variances. Curb exists along the street frontage and sidewalk is proposed. The lots are situated within the R-7.5 Single Family Residential Zone. We have the

following comments and recommendations: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. B1 - Topography of the site. 2. B3 - Contours on the site to determine the natural drainage of the land. A plot plan with grading has been approved for the site. Topographic information, existing and proposed contours, and proposed features are shown for the area of proposed improvements. Since a plot plan has been approved, we recommend the granting of the requested waivers. II. Zoning 1. The parcels are located in the R-7.5 Single-Family Residential Zone District. Zero lot line duplex dwellings are a permitted use in the zone. 2. Per review of the Subdivision Map and the zone requirements, the following variances are required: • Minimum Lot Area – the area for proposed Lot 3.03 is 4,643.8 square feet and the area for proposed Lot 3.04 is 4,932.0 square feet, whereas five thousand square feet (5,000 SF) is required. • Maximum Building Coverage – the coverage for proposed Lot 3.03 is 32.2% and the coverage for proposed Lot 3.04 is 30.3%, whereas thirty percent (30%) is allowed. 3. 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 aeriels and/or tax maps of the project area and surroundings to identify the existing character of the area. III. Review Comments 1. The Minor Subdivision Plan must be revised to eliminate any engineering data unless the plan is also signed and sealed by a licensed engineer. 2. The date of the Survey referenced in the Plan Data does not match the date in the Surveyor's Certification. 3. Since the proposed duplex is under construction, the Zoning Requirements Schedule should be based on as-built survey conditions to the hundredth of a foot to insure no additional variances will be required. 4. The Minimum Lot Width requirement should be revised to twenty-five feet (25'). 5. The existing curb along the East County Line Road frontage is new and will only be replaced as necessary for the proposed driveway and where construction damage may occur. 6. The Schedule of Bulk Requirements is requiring and providing four (4) off-street parking spaces per dwelling. The approved Plot Plan proposes eight (8) off-street parking spaces for the two-story duplex with basements. The proposed configuration for the zero lot line duplex will have three (3) off-street parking spaces located on Lot 3.03 and five (5) off-street parking spaces located on Lot 3.04. The proposed access driveway will be located on Lot 3.03 and the twenty-four foot (24') wide access aisle for the parking spaces will be split between the two (2) new lots. Therefore, easements for ingress, egress, utilities, and parking are proposed. 7. Since basements are proposed for the future dwellings on Lots 3.03 and 3.04 four (4) off-street parking spaces per dwelling unit are being provided. Parking shall be provided to the satisfaction of the Board. 8. Seasonal high water table information was provided on the plot plan because basements are proposed for Lots 3.03 and 3.04. 9. The Project Data indicate the new lots are to be serviced by public water and sewer. The project is within the New Jersey American Water franchise area for both water and sewer. 10. The Minor Subdivision Plan indicates proposed lot numbers have been assigned by the tax assessor's office on 1/19/12. The tax assessor's signature is required. 11. The existing shade tree and utility easements along the property frontage shall be modified. Bearings and distances shall be provided for the shade tree and utility easements and areas provided on a per lot basis. 12. According to previous Subdivision Approval SD 1554, two (2) Red Maple shade trees are proposed for the project. Landscaping should be provided to the satisfaction of the Board, and should conform to recommendations from the Township Shade Tree Commission as practicable. 13. Testimony should be provided on the ten foot (10') wide buffer shown on the Minor Subdivision Plan. 14. The approved plot plan addresses storm water management. Proposed recharge areas in the rear yards account for the increase in runoff from the project. 15. Grading is provided on the approved plot plan. 16. Proposed monuments must be provided

and the Legend on the Minor Subdivision Plan corrected accordingly. 17. Compliance with the Map Filing Law is required. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Ocean County Planning Board; b. Ocean County Soil Conservation District; and c. All other required outside agency approvals.

A motion was made to move the application to the April 24, 2012 meeting. No further notice required.

Affirmative: Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Fink, Mr. Schmuckler

6. CORRESPONDENCE

7. PUBLIC PORTION

Gerri Balwinz expressed concerns about the Township website.

8. APPROVAL OF MINUTES

A motion was made and seconded to approve.

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

9. APPROVAL OF BILLS

A motion was made and seconded to approve.

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

10. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Sarah L. Forsyth
Planning Board Recording Secretary