

## I. 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, Committeeman Ackerman, Mr. Banas, Mr. Neiman, Mr. Follman, Mr. Rennert, Mr. Schmuckler

Mr. Neiman announced that Carl Fink has resigned from the Planning Board. Mr. Fink will be focusing on the Board of Education. Mr. Schmuckler will take Mr. Fink’s place and Mr. Rennert will take Mr. Schmuckler’s place.

Mr. Schmuckler and Mr. Rennert read the oath of office on record.

## 3. SWEARING IN OF PROFESSIONALS

Mr. Vogt was sworn in.

## 4. MEMORIALIZATION OF RESOLUTIONS

- 1. SD 1832** (No Variance Requested)  
Applicant: Joseph Goldberg  
Location: Delaware Trail & Lenape Trail, west of County Line Road  
Block 2.04                      Lots 2 & 10  
Minor Subdivision to create three lots

A motion was made and seconded to approve.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Follman, Mr. Schmuckler  
Abstained: Committeeman Ackerman, Mr. Rennert

- 2. SD 1833** (Variance Requested)  
Applicant: D. Greenes  
Location: Read Place, east of Albert Avenue

Block 855.02            Lot 25  
Minor Subdivision to create two lots

A motion was made and seconded to approve.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Follman, Mr. Schmuckler  
Abstained: Committeeman Ackerman, Mr. Rennert

- 3. 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

A motion was made and seconded to approve.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Follman, Mr. Schmuckler  
Abstained: Committeeman Ackerman, Mr. Rennert

- 4. SP 1982**            (Variance Requested)  
Applicant:        Yeshiva Ohr Moshe, Inc.  
Location:        Northside 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

A motion was made and seconded to approve.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Follman, Mr. Schmuckler  
Abstained: Committeeman Ackerman, Mr. Rennert

## **5. PLAN REVIEW ITEMS**

- 1. SP 1978**            (Variance Requested)  
Applicant:        Abraham Newman  
Location:        Coleman Avenue, north of Milton Street  
                          Block 104                Lot 24  
Site Plan for proposed gymnasium as accessory use for previously approved  
dormitory

### **Project Description**

The applicant is seeking Site Plan approval to construct a gymnasium behind an existing dwelling which is being converted to a dormitory. The proposed gymnasium will be on Lot 24 in Block 104. The proposed dormitory conversion approved under Resolution Number SP 1970, will be largely unaffected by the proposed project. The site plan and architectural plans propose a 60' X 80', four thousand eight hundred square foot (4,800 SF) gymnasium. The proposed gymnasium will be located behind the existing dwelling currently being converted into a dormitory. The proposed gymnasium will be set ten feet (10') from the existing side and rear property lines. The site is located in the northern portion of the Township on the east side of Coleman Avenue, two hundred feet (200') north of Milton Street. Coleman Avenue is an improved dead end municipal street with a fifty foot (50') right-of-way. The 100' X 150' tract, which is near the terminus of Coleman Avenue, is rectangular in shape and consists of fifteen thousand square feet (15,000 SF) in area. Residential development generally surrounds the property. The school to be served by the dormitory and gymnasium is located to the south on adjacent Lot 23.01 (see attached site plan), as noted in Resolution Numbers SP 1902 and 1970. The following findings of fact from Resolution Number SP 1970 are relevant to this application: 1. Lots 23.01 and 24 will not be consolidated due to mortgage purposes. The proposed dormitory will be utilized as an accessory use to the adjoining school. Therefore, the proposed gymnasium will also be used as an accessory use to the school. 2. The proposed dormitory would contain a maximum of seventeen (17) beds. 3. The students will be residing in the proposed dormitory. 4. The age of the students would range from 17-19 years old. 5. The students would dine next door in the adjacent school. 6. The applicant would comply with all requirements relative to fire and health codes. 7. The students would not be driving or be dropped off. 8. There will be no additional parking required and the existing driveway at the site will remain unchanged. 9. Very little refuse will be produced by the dormitory use. Dumpster and recycling provisions are located next door. Curb exists across the frontage of the project, but sidewalk does not. Sidewalk is proposed and will meet and match the existing sidewalk in front of Lot 23.01 to the south. No water and sewer is proposed for the gymnasium, but the project site will be serviced by sanitary sewer and a potable well. We offer the following comments and recommendations: I. Zoning 1. The property is located in the R-12 Residential District. Schools are a permitted use in the zone, subject to the requirements of Section 18-906 of the UDO. We recognize that the gymnasium in question will serve as an accessory building/use in support of the school. 2. Confirming testimony should be provided by the applicant and/or professionals regarding the requested gymnasium and its relationship to the existing (adjacent) school use on Lot 23.01. 3. Per review of the Site Plan and the zone requirements, the existing and proposed layout generally complies with the Bulk requirements of the R-12 zone. A variance is requested for Maximum Building Coverage. A building coverage of 44.3% is proposed for Lot 24, whereas a building coverage of twenty-five percent (25%) is allowed. It should be noted that when considering the entire complex (Lots 23.01 and 24) of the existing school, dormitory under conversion, and proposed gymnasium, the building coverage would be just below thirty percent (30%). 4. Relief is requested from Section 18-906A, to provide a twenty foot (20') buffer from residential uses. 5. The following design waivers are required for the project: a. Providing an updated Survey. b. Providing additional site lighting. In the Land Development Checklist, the applicant's engineer indicates topography of the site will be provided. The site plan information provided is sufficient for completeness purposes and the providing of an updated Survey may be made a condition of approval. It should be noted that site lighting is already in place for the existing school on Lot 23.01. The applicant's professionals should address the need for site lighting of the proposed gymnasium area. II. Review Comments A. Site Plan/Circulation/Parking 1. The General Notes state that boundary

and existing conditions are taken from a survey by Clearpoint Services, LLC dated 6-28-07. An updated Survey should be made a condition of approval. 2. Additional coordination is required between the site plans and architectural plans. The three (3) access doors for the proposed building should be added to the site plan layout along with access walkways. 3. Testimony should be provided from the applicant's professionals regarding the gymnasium operations. 4. No refuse enclosures are depicted on the site plan. General Note #9 indicates solid waste and recycling to be disposed of in a dumpster at the school on Lot 23.01. 5. A note should be added to the plans to replace deteriorated or damaged existing curb. 6. A Deed of Easement and description shall be provided for the proposed six foot (6') wide Shade Tree and Utility Easement for review and approval by the Board Attorney and Engineer prior to filing with the Ocean County Clerk. B. Architectural 1. Preliminary architectural plans have been provided for the proposed gymnasium building. The set includes floor plans and elevations. The proposed building will be twenty-two feet, nine and a half inches (22'-9.5") high, which is less than the allowable building height of thirty-five feet (35'). 2. We recommend that renderings be provided for the Board's review and use prior to the public hearing. 3. According to the proposed architectural plans, the floor area will be completely open with structural members along the longitudinal walls. 4. No proposed water and sewer connections are shown for the gymnasium building. 5. No mechanical equipment has been shown for the proposed building. The sizes and locations of the proposed equipment must be shown on the site plans and architectural plans. The proposed equipment should be adequately screened. C. Grading 1. According to our review of the site plan and architectural plans, the proposed gymnasium appears to be a slab on grade design. A grading plan will be required when the updated survey is completed. Final grading will be addressed during compliance review if/when approval is granted. D. Storm Water Management 1. The proposed project will not be considered Major Development since less than a quarter acre of new impervious surface is proposed and less than an acre of disturbance will occur. An underground recharge system, similar to what has been installed on the adjoining school site, is recommended to account for the increase in impervious area and to insure the surrounding residences are not adversely impacted by the project. A Storm Water Management design for the project should be a condition of approval. Storm Water Management can be addressed during resolution compliance review should approval be granted. 2. Confirming testimony shall be provided that the operation and maintenance of any proposed on-site storm water management system will be the responsibility of the applicant. E. Landscaping 1. Four (4) October Glory Maple shade trees are proposed along Coleman Avenue. Twenty-two (22) Emerald Arborvitae are proposed for landscape screening behind the gymnasium building. 2. Landscaping should be provided to the satisfaction of the Board and the Shade Tree Commission as practicable. 3. A final review of landscaping can be conducted during compliance, should site plan approval be granted. F. Lighting 1. A waiver from providing additional site lighting has been requested. Testimony should be provided on the need for site lighting in the vicinity of the proposed gymnasium building. G. Utilities 1. The plans indicate the project site will be serviced by a proposed well and a proposed sanitary sewer lateral. 2. Approval for the proposed sanitary sewer will be required from the New Jersey American Water Company since the project is within their franchise area. 3. Approval for the proposed well will be required from the Ocean County Board of Health. 4. The existing on-site well and septic system shall be abandoned. Ocean County Board of Health approvals will be required. H. Signage 1. No signage information is provided in the site plan submission. A full signage package for any free-standing and building-mounted signs identified on the site plans (requiring relief by the Board) 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. 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. The data layers were reviewed to evaluate potential environmental issues associated with development of this property. No environmentally-sensitive areas exist per available mapping. 2. We recommend that all on-site materials from the proposed conversion activities be removed and disposed in accordance with applicable local and state regulations. 3. A Tree Protection Management Plan must be provided as a condition of approval, including compensatory plantings. Our site investigation on 3/27/12 noted existing trees will be removed with the construction of the project. I. 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; 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. Rennert stepped down for this application.

Mr. Vogt stated they are seeking waivers from an updated survey and site lighting. With talking with the applicant's engineer, lighting is in place and that survey information will be provided later, if approved.

Mr. Lines confirmed that is correct. He stated there is a lot coverage variance.

Mr. Penzer, Esq. on behalf of the applicant stated that they agreed to all the items on the engineer's review letter.

A motion was made and seconded to advance the application to the May 15, 2012 meeting.

Affirmative: Mr. Herzl, Franklin, Committeeman Ackerman, Mr. Banas, Mr. Neiman, Mr. Follman, Mr. Schmuckler

Mr. Jackson announced that this application will be advanced to the May 15, 2012 meeting. No further notice required.

## 6. NEW BUSINESS

1. **SP 1976** (Variance Requested)  
Applicant: Calvary Lighthouse  
Location: East County Line Road, west of Ridge Avenue  
Block 175.01 Lot 34  
Preliminary & Final Site Plan for proposed addition to existing school & church

**Project Description**

The applicant is seeking Preliminary and Final Major Site Plan approval to expand the existing school and church use by constructing a new school structure to the west of an existing school building and connecting to the existing school use. The applicant is also seeking approval to clear an existing wooded area on the western side of the site for future recreational purposes. Existing outbuildings, a school building, church, and parking lots on Lot 34 in Block 175.01 will remain. Existing trailers on the site containing classrooms would be removed. Existing circulation, parking areas, lighting, landscaping, and utilities will be largely unaffected by the project. The proposed school building will fit mostly within an open area and mainly consist of classrooms, some offices, a computer room, a conference room, and an auditorium. The architectural plans indicate the proposed lower floor of the school building will contain six (6) classrooms. The proposed ground floor will contain a computer classroom, four (4) offices, a conference room, and an auditorium. The site plans indicate the existing school building contains ten (10) offices, twenty (20) classrooms, one (1) library, and one (1) meeting room. The site plans also indicate the place of worship contains a main sanctuary of 10,397 square feet with six hundred ninety square feet (690 SF) of catering room. The revised plans claim a total of two hundred six (206) spaces are required for the site. The site plans indicate there are two hundred eighty-nine (289) existing parking spaces, thirteen (13) of which are designated handicap. We have the following comments and recommendations per testimony provided at the 3/6/12 Planning Board Plan Review Meeting, and comments from our initial review letter dated February 27, 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. The project is on a small portion of a large developed site. Topographic features, contours, and man-made features are shown for the area of proposed improvements. The Board granted the requested waivers from the Land Development Checklist at the March 6, 2012 Plan Review Meeting. II. Zoning 1. The project is located in the R-15 Residential District. Places of worship are a permitted use in the zone. Private schools are a permitted use in the zone. Statements of fact. 2. The following design waivers are required for the project: a. Providing an updated Boundary Survey. b. Providing additional site lighting. c. Providing curb across the entire frontage of the property. d. Providing sidewalk across the frontage of the site. e. Providing shade trees and a shade tree and utility easement across the frontage of the tract. The proposed building is within a large developed church and private school property. The existing property lines are of sufficient distance where setbacks would not be violated. However, we recommend at least a partial Outbound Survey be provided to insure the proposed tree clearing does not violate any buffer requirements. It should be noted the site lighting is already in place. Only bollard style lighting will be proposed around the new building. The partial topographic survey map submitted reinforces the need for a partial Outbound Survey. Not only are the locations of existing property lines required to insure future tree clearing does not violate any buffers, but an existing trailer may encroach off-site and need to be relocated. Said Survey could be provided for resolution compliance submission should approval be granted. The Board shall take action on the remaining design waivers. 3. The following sign variances are required for this application: a. Number of wall-mounted signs - four (4) are proposed, whereas one (1) per street frontage is allowed. b. Area for Sign "A" - one hundred sixty-two square feet (162 SF) is proposed, whereas fifteen square feet (15 SF) is allowed. c. Lettering Height for Sign "A" - thirty-six and a half inches (36.5") is proposed, whereas eighteen inches (18") is allowed. d. Area for Sign "B" - twenty square feet

(20 SF) is proposed, whereas fifteen square feet (15 SF) is allowed. e. Area for Sign "C" – fifty square feet (50 SF) is proposed, whereas fifteen square feet (15 SF) is allowed. f. Area for Sign "D" – twenty-five square feet (25 SF) is proposed, whereas fifteen square feet (15 SF) is allowed. III. Review Comments A. Site Plan/Circulation/Parking 1. We recommend a rendering be presented at the Public Hearing regarding the future use of the area proposed to be cleared. 2. The Schedule of Bulk Requirements should include existing and proposed building square footage to confirm zoning compliance. The Schedule of Bulk Requirements indicates a building coverage differential of about twice the size of the new school building. The values should be corrected for resolution compliance submission should approval be granted. 3. We recommend a Demolition Plan be added to the site plan set. This will clarify the proposed site work and eliminate some of the plan overwrites. The applicant's engineer has attempted to clarify the demolition work. 4. Additional coordination is required between the site plans and architectural plans. The layout and grading for the proposed building and surround improvements gets quite intricate. There are numerous discrepancies between the plans that need to be addressed. Coordination of dimensions and grades will be required during resolution compliance should approval be granted. 5. Testimony is necessary from the applicant's professionals regarding site operations, such as how bus drop off and parking areas will be used, including but not limited to times, sizes, and types of vehicles anticipated (i.e., buses, vans, cars, others). The applicant's engineer indicates that testimony will be provided at the public hearing regarding site operations, site traffic circulation, and time of operations. 6. No refuse enclosures are depicted on the site plan. Our site investigation on 2/24/12 notes an existing trash enclosure in the western portion of the site which is not fully screened. 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. Any waste receptacle area shall be screened and designed in accordance with Section 18-809E., of the UDO. The applicant's engineer indicates the existing refuse enclosure is proposed to be relocated and conform to the Township Ordinance. The refuse enclosure relocation is shown on the Overall Site Location Map. Construction details will be required for resolution compliance submission should approval be granted. 7. Since an updated Boundary Survey has not been provided, evidence of any existing Sight Triangle Easements at the access driveways should be provided. Testimony on sight triangles should be provided. Easement documents should be provided indicating that the proposed Sight Triangle Easements shown on the previously approved site plan exist. Ocean County Planning Board approval will be required. B. Architectural 1. Architectural plans have been provided for the proposed school building. The set includes floor plans and elevations. The proposed building is two (2) levels with a mechanical mezzanine. Testimony is required that the proposed building is less than the allowable building height of thirty-five feet (35'). Proposed dimensions and square footages shall be added to the architectural plans. Revised architectural plans have been submitted. Proposed dimensions and square footages are still required and can be provided during resolution compliance should approval be given. Testimony is required on the proposed building height. There are conflicting elevations among views of the "Joy Center" south side building face. 2. The location of mechanical equipment has been shown in the courtyard between the existing and proposed school buildings. The sizes and locations of the proposed equipment must be better coordinated between the site plans and architectural plans. The proposed equipment should be adequately screened. Proposed grading is required for the utility ramp. The architectural plans show steps to the courtyard which is not on the site plans. Coordination may be provided during resolution compliance should approval be granted. C. Grading 1. Per review of the existing elevations and per review of site conditions during our 2/24/12 site inspection, the area for the proposed school building generally slopes to the

surrounding paved on-site driveways. The wooded area to be cleared in the western section of the site is lower than improved portion of the site and appears to slope westward, away from the site. The current design is feasible, however a proposed low point is being created in the area to be cleared. Proposed drainage will be required, especially if the area will be used for future recreation fields. The proposed grading and drainage matters may be addressed during resolution compliance should approval be granted. 2. 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. It is our understanding that final grading will be addressed during resolution compliance should approval be granted. D. Storm Water Management 1. A Storm Water Management design for the project is feasible. The Storm Water Management comments below can be addressed during resolution compliance review should approval be granted. The current design is feasible, however based on the amounts of proposed new impervious surface and areas of disturbance; the project qualifies as Major Development. The applicant's engineer shall contact our office to review design parameters prior to submission of revised documents for resolution compliance review should approval be granted. 2. The Storm Water Management Report does not address whether the existing detention basin can handle the increased runoff from the proposed school building. To insure the existing storm water management system is not overtaxed, we recommend all roof drainage from the proposed building be recharged with seepage pits. The Report can be revised for resolution compliance submission to address water quality and reductions in runoff. 3. The Storm Water Management Report needs to address items such as permeability testing and seasonal high water table. In addition, any increase in runoff from the tree clearing area must be considered. Based on soil borings performed for the previous site plan approval, the calculations included in the current Storm Water Management Report use a conservative permeability rate of six inches per hour (6"/hr.). The increase in runoff from the tree clearing area must be addressed for resolution compliance submission. 4. Drainage Area Maps must be provided to assist in the review of the design. Drainage Area Maps may be limited to only the portion of the site being improved. 5. A Storm Water Management Facilities Maintenance Plan is required. 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. The applicant's engineer has confirmed the storm water management system will be operated and maintained by the owner/applicant. Submission of a Storm Water Management Operation and Maintenance Manual shall be provided for resolution compliance review should approval be granted. E. Landscaping 1. A comprehensive landscape plan has been provided. Landscaping should be provided to the satisfaction of the Board. The Board should provide landscaping recommendations, if any. 2. A final review of landscaping can be conducted during compliance, should site plan approval be granted. We will conduct a final review of landscaping for accuracy after resolution compliance submission if approval is granted. F. Lighting 1. A waiver from providing additional site lighting has been requested. Minor relocation of an existing site light is required by the proposed improvements. Otherwise, all existing site lighting in the vicinity will be unaffected. Proposed bollard lighting will be added in front of the school buildings. The Board shall take action on the waiver request from providing additional site lighting. G. Utilities 1. The General Notes should be corrected to indicate water and sewer service will be provided by the Lakewood Township Municipal Utilities Authority. Proposed water service to the future school building including fire service is depicted on the plan. A proposed sanitary sewer lateral for the new school is shown connecting to the existing system in front of the building. The General Notes have been corrected to indicate that water and sewer service is provided by the Lakewood Township Municipal Utilities Authority. H. Signage 1. No signage information is provided in the site plan

submission. A full signage package for free-standing and building-mounted signs identified on the site plans (requiring relief by the Board) must be provided for review and approval as part of the site plan application. Proposed building-mounted signage is shown on the architectural plans. Signage information has been added to the revised site plans and architectural plans. The required sign variances have been illustrated. I. Environmental 1. We recommend that all on-site materials from the proposed demolition activities be removed and disposed in accordance with applicable local and state regulations. A Note shall be added to the plans for resolution compliance submission. 2. A Tree Protection Management Plan must be provided as a condition of approval, including compensatory plantings. The Landscaping Plan shows existing trees will be removed with the construction of the project. The Tree Protection Management Plan shall be revised for resolution compliance submission in accordance with the "New Tree Ordinance" (Chapter XIX, Protection of Trees). 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. Review of construction details may be a condition of approval. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Developers Agreement at the discretion of the Township; b. Township Tree Ordinance; c. Ocean County Planning Board; d. Ocean County Soil Conservation District; and e. All other required outside agency approvals.

Mr. Vogt stated that there are variances requested for signage.

Mr. Thomas J. Hirsch, Esq. on behalf of the applicant. The only variances are the façade signs. A rendering was set up for the Board to see. This is an 18 acre site and we are adding a new building for school and church purposes which is has a foot print of approximately 7,400 square feet so it is a relatively small area of this large campus.

Ms. Ellen Tyler, business administrator was sworn in. She stated that Calvary Lighthouse is a house of worship. They average between 600 and 700 hundred people for Sunday service. They also have Calvary Academy which is one of their main ministries. It has a pre-kindergarten through grade 12. Some of those classrooms are in trailers in the back of the building. They would like to have this new building so the students would no longer have to have class in trailers. The students are bussed or dropped off by car. The drop offs will be exactly the same. They are adding six classrooms as well as a media/computer room for a total of seven. She hopes there will be an increase of enrollment by about 48 students because of the additional classrooms. The area that will be cleared would be used for light recreation. It will be nothing formal, it is not going to be a regular athletic field with bleachers or sprinklers. The sign variances are needed because the Joy Center will be the children's chapel and that will be used on Sundays. Our congregants will be going into a building and then walking or driving their children to a different building on campus so they need to see the Joy Center for the children on a Sunday but the Academy is on the western side and the parents will need to see where that is located. Because the property is over 18 acres and this will be our fourth building so we need to have it clear for the parents and students.

Mr. Banas stepped down for this application.

Mr. James Kennedy, P.E, was worn in and stated that they have no issues with the engineer's review letter.

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

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

Affirmative: Mr. Herzl, Mr. Franklin, Committeeman Ackerman, Mr. Neiman, Mr. Follman, Mr. Rennert, Mr. Schmuckler

- 2. 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 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'. A twenty-four foot (24') wide two-way access aisle is proposed adjacent to the parking spaces with access to Pine Street. A one-way access to the proposed school site is provided from 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 developed project frontage with road improvements. The plans indicate the proposed project would be serviced by well and septic. Residential uses exist to the southeast and southwest of the project site. We have the following comments and recommendations per testimony provided at the 4/3/12 Planning Board Meeting, and comments from our initial review letter dated March 26, 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. 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. The waivers for Site

Features and the Environmental Impact Statement were granted by the Board at the April 3, 2012 Planning Board Meeting. The applicant's professionals indicate a tree survey of the property will be conducted and a Tree Management Plan prepared. 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. Statements of fact. 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. • Maximum Building Coverage – twenty-five percent (25%) permitted, approximately twenty-seven percent (27%) proposed when including the covered main access to the building. The Board shall take action on the required variances. 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 the 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. The Board shall take action on the required relief with respect to buffering. 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. The Board shall take action on the relief for the number of off-street parking spaces. In an attempt to reduce the parking deficiency, the revised plans propose eight (8) perpendicular on-street parking spaces on Charity Tull Avenue which partially encroach into the project site. In addition, the revised plans indicate on-street parallel parking spaces may be provided on the opposite site of Charity Tull Avenue. However, we recommend that the proposed pavement width of Charity Tull Avenue be increased from thirty feet (30') to thirty-two feet (32') for the combination of proposed on-street parking shown in order to provide adequate maneuverability in the long term. Per communications with the applicant's professionals, the applicant agrees with this condition (if approval is granted). 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. The free standing sign has been removed from the plans. The applicant's engineer indicates that building mounted signage in compliance with the ordinance will be proposed and will be included on the architectural plans. 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. The applicant's engineer indicates that a signed and sealed survey will be provided. Said survey may be submitted for resolution compliance review. 2. The General Notes indicate vertical elevation based on an assumed datum. A bench mark should be provided. The bench mark shall be listed in the General Notes and may be provided with resolution compliance submission. 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.). Proposed circulation turning movements have been added to the plans. As a result, the proposed bus drop off should be moved westward to eliminate potential backing across a pedestrian crosswalk. Curb ramps On-street parking should be prohibited along the southeast side of Charity Tull Avenue between the proposed site access and Pine Street to allow room for buses turning onto Charity Tull Avenue. The corrections can be made conditions of approval. 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). The applicant's engineer has indicated that proposed site operations will be addressed at the Public Hearing. 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. The applicant's engineer indicates that testimony will be provided as to the number of staff professionals at the site during school operations. 6. Coordination between the site plans and architectural plans is required for the proposed two-story building, such as access points and handicapped ramps. The applicant's engineer indicates that the architectural plans and site plans will be coordinated during resolution compliance. 7. Proposed dimensions and radii must be completed on the site plan for the sizes and locations of improvements. Missing dimensions can be provided for resolution compliance submission. 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. The revised plans provide a fenced area for trash can storage. A concrete pad with sidewalk access may be added for resolution compliance submission. 9. Regulatory signage should be added to the site plan, such as stop signs, handicap, and directional restriction signs. Regulatory signage has been added to the plans. Stop bars and "no parking" signage can be added for resolution compliance submission. 10. The proposed sidewalk along the site frontages should be five feet (5') wide. The proposed sidewalk length for this project is short enough to not require pedestrian passing lanes. A proposed curb ramp should be added to allow for the future extension of sidewalk on Charity Tull Avenue. This correction can be provided with resolution compliance submission. 11. Proposed sight triangle easements should be addressed throughout the project. Proposed sight triangle easements have been provided. Deeds of easements and descriptions should be provided for review and approval by the Board Attorney and Engineer prior to filing with the Ocean County Clerk. Per communications with the applicant's professionals, the easements will be filed by plat. 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. The proposed bearings, distances, and area provided are correct. Deeds of easements and descriptions should be provided for review and approval by the Board Attorney and Engineer prior to filing with the Ocean County Clerk. Deeds of easements and descriptions may be provided with resolution compliance submission. 13. A proposed play/recreation area is called out on the site plans. However, no other information or details have been provided. The proposed play/recreation area has been moved to the front lawn. The applicant's engineer has indicated that testimony

will be provided on the use. 14. Testimony should be provided on loading and deliveries proposed for the site. The applicant's engineer indicates that proposed deliveries for the site will be addressed at the Public Hearing. 15. 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. As mentioned previously, we recommend the proposed pavement width should be increased to thirty-two feet (32'). The proposed improvements to Charity Tull Avenue can be reviewed and approved by DPW and the Township Engineer with resolution compliance submission. B. Architectural 1. 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. The applicant's professionals indicate testimony will be provided on the uses for the various floors. 2. The applicant's professionals should indicate whether the proposed building will include a sprinkler system. The applicant's professionals will address whether the proposed building will include a sprinkler system at the Public Hearing. 3. We recommend that the location of proposed HVAC equipment be shown. Said equipment should be adequately screened. Final locations for HVAC equipment will be determined for resolution compliance review should approval be granted. Currently, HVAC equipment is proposed to be within an enclosure on the west corner of the building fronting Charity Tull Avenue. 4. We recommend that 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. 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. Proposed walls and curbs should be better identified for grading review. The applicant's engineer has indicated that final grading will be addressed for resolution compliance submission. 2. 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"). The elevation difference between the floors has been corrected. Final grading will be submitted for resolution compliance review. 3. Profiles are required for Charity Tull Avenue and storm sewer. Based on the revised plans, profiles should be provided with the resolution compliance submission for Charity Tull Avenue and the proposed curb for Pine Street. The proposed curb for Pine Street will meet the existing curb in front of adjoining Lot 2. 4. 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. Seasonal high water table information has been added to the plans. Copies of the soil boring logs can be provided with the resolution compliance submission. 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. The applicant's engineer indicates the proposed storm water management system design will be finalized for resolution compliance

submission. 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. The applicant's engineer indicates the permeability information will be provided with resolution compliance submission. 3. A design is required for the storm water collection piping for the roof of the proposed school building. The applicant's engineer indicates that roof collection piping will be designed for resolution compliance submission when final roof leader locations are determined. 4. Predevelopment and Post Development Drainage Area Maps should be provided to assist in the review of the design. The applicant's engineer indicates that maps will be provided with resolution compliance submission. 5. Pipe design calculations should be provided. The applicant's engineer indicates that pipe calculations will be provided with resolution compliance submission. 6. Storm sewer profiles should be added to the plans. The applicant's engineer indicates that storm sewer profiles will be provided with resolution compliance submission. 7. 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. The applicant's engineer indicates the Manual will be provided with 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. The Board should provide landscaping recommendations, if any. The Shade Tree Commission recommends landscaping on the southwest side of the school. 2. A detailed review of the landscape design will be undertaken when plan revisions are submitted. Final landscaping will be reviewed after resolution compliance submission. 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. The applicant's engineer has indicated that a point to point diagram will be provided with resolution compliance submission. 2. The overall lighting design is subject to review and approval by the Board. The Board should provide lighting recommendations, if any. 3. Shielding will be required because of the adjoining residentially owned property. The applicant's engineer agrees that shielding will have to be provided. 4. A detailed review of the lighting design will be undertaken when plan revisions are submitted. Final lighting design will be reviewed in detail with resolution compliance submission. 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. The applicant's engineer indicates no public sewer and water is available in front of the site. The LTMUA recently installed a raw water main on the north side of Pine Street. 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. The free standing sign has been removed from the plans. The applicant's professionals indicate that only building mounted signage in compliance with the sign ordinance will be proposed and included on the architectural plans. I. Environmental 1. 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. The applicant's professionals indicated that a tree survey of the property will be conducted and a Tree Management Plan prepared as a condition of approval. 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. The applicant's engineer indicates that construction details will be provided with resolution compliance submission. 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. Rennert stepped down for this application.

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

Mr. Vogt stated that there are variances for minimum front yard, minimum rear yard and maximum building coverage.

Mr. Abraham Penzer, Esq. on behalf of the applicant stated that the Board had a concern about the parking. They have now changed the plan.

Mr. Lines stated that they are now proposing to extend Charity Tull Avenue to the rear property line of our property for a total of 200 feet. In doing that, they are proposing eight head-in parking spaces on the side of the building which is in addition to the nine parking spaces they have in the front for a total of seventeen designated parking spaces and in addition they have nine available on-street parking spaces.

Mr. Vogt stated that the proposed pavement width on the plans is 30 feet. We recommended that that be increased to 32 feet per communications with the applicant which as been agreed upon.

Mr. Penzer stated that the rest of the items are minor in nature and they agree to all of them.

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

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

Affirmative: Mr. Herzl, Mr. Franklin, Committeeman Ackerman, Mr. Neiman, Mr. Follman, Mr. Banas, Mr. Schmuckler

Mr. Ackerman left the meeting.

The resolution for this application was read and memorialized.

Affirmative: Mr. Herzl, Mr. Franklin, Committeeman Ackerman, Mr. Neiman, Mr. Follman, Mr. Banas, Mr. Schmuckler

- 3. 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. 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 per testimony provided at the 4/3/12 Planning Board Plan Review Meeting and comments from our initial review letter dated March 29, 2012: 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. The Board shall take action on 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. Statements of fact. 2. The Subdivision proposes no street frontage for new Lot 3.06. Statement of fact. 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%). The Board shall take action on the requested variances. 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. 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. The following corrections are required: a. The Lot Width for new Lot 3.05 shall be 59.96 feet. b. The Lot Width for new Lot 3.06 shall be 36.16 feet. c. The Front Yard for new Lot 3.06 shall be 26.77 feet. 2. 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. The easement dimension of 156.37 feet requires correction. 3. 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. The map must be signed by the tax assessor, should subdivision approval be granted. 4. Bearings, distances, and an area shall be provided for the shade tree and utility easement on proposed Lot 3.05. The proposed area shall be corrected to 122.34 square feet. 5. 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. The Board should provide landscaping recommendations, if any. 6. Testimony should be provided on the ten foot (10') wide buffer shown on the Minor Subdivision Plan. Half of the buffer width is shown on an adjacent property. 7. Proposed monuments must be provided and the Legend on the Minor Subdivision Plan corrected accordingly. The Legend still requires correction. "Rebar/cap found" shall be added. 8. Compliance with the Map Filing Law is required. Statement of fact. 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 on behalf of the applicant stated that both of the properties are exactly alike, the house already exists. The reason why the variance is necessary is because since we are making it a zero lot line that's why it created a disparity. The reality is that once you look at them as a duplex there are no variances.

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

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

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

- 4. 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. 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 per testimony provided at the 4/3/12 Planning Board Plan Review Meeting and comments from our initial

review letter dated March 29, 2012: 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. The Board shall take action on 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. Statements of fact. 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. The Board shall take action on the requested variances. 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 aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. III. Review Comments 1. 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. The following corrections are required: a. The Front Yard for new Lot 3.03 shall be 50.03 feet. b. The Rear Yard for new Lot 3.03 shall be 19.94 feet. c. The Front Yard for new Lot 3.04 is incorrect. The Front Yard shall be to the northeast building corner on the zero lot line. d. The Rear Yard for new Lot 3.04 shall be 21.94 feet. e. The Side Yard for new Lot 3.04 shall be 7.89 feet. 2. 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. The proposed easement dimension along the west side of new Lot 3.04 should be 56.09 feet. The half aisle width dimensions should be corrected from eighteen feet (18') to twelve feet (12'). 3. 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. The map must be signed by the tax assessor, should subdivision approval be granted. 4. 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. The proposed areas shall be corrected to 232.83 square feet. 5. 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. The Board should provide landscaping recommendations, if any. 6. Testimony should be provided on the ten foot (10') wide buffer shown on the Minor Subdivision Plan. Half of the buffer width is shown on an adjacent property. 7. Proposed monuments must be provided and the Legend on the Minor Subdivision Plan corrected accordingly. A proposed monument is required at the northwest corner of new Lot 3.04. The Legend still requires correction. 8. Compliance with the Map Filing Law is required. Statement of fact. 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 on behalf of the applicant stated that both of the properties are exactly alike, the house already exists. The reason why the variance is necessary is because since we are making it a zero lot line that's why it created a disparity. The reality is that once you look at them as a duplex there are no variances.

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

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

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

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

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

### **Project Description**

This application is to amend a preliminary and final major subdivision, previously approved by Resolution SD #1562 which was adopted by the Lakewood Township Planning Board on December 19, 2006 and memorialized on January 30, 2007. The original approval created sixty-six (66) lots, using fifty-eight (58) lots for single family low income housing, three (3) lots for recreation, one (1) lot for storm water management, and four (4) lots reserved for future development. The amended application proposes to subdivide a portion of three (3) existing blocks into seventy-four (74) lots, using seventy-one (71) lots for single family or duplex low income housing, and reserving three (3) lots for future development. A storm water basin is to be constructed off-site on a portion of an existing lot adjacent to the subdivision (Block 1155, Lot 1). The remainder of this lot along with Lot 6 in Block 1155, as well as Lots 1 and 10 in Block 1154 will become a multi-family development by Lakewood Housing Partners, which is also before this Board under Site Plan Application Number SP-1975. The subject properties to be residentially developed are located between Vine Avenue and Vermont Avenue south of Oak Street. The proposed storm water management basin is located off-site on the east side of Vermont Avenue, where it intersects with the south side of Oak Street. The site is in the southern portion of the Township, generally southeast of the Vine Avenue and Oak Street intersection. Vine Avenue an improved road with a fifty foot (50') right-of-way and a thirty-four foot (34') pavement width borders the proposed residential portion of the project to the west. Edgecomb Avenue an unimproved road with a fifty foot (50') right-of-way borders the proposed project to the north. Vermont Avenue which borders the project to the east and separates the

proposed residential development area from the proposed multi-family project and storm water management basin 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. Havens Avenue an unimproved road with a fifty foot (50') right-of-way borders the proposed project to the south. Oak Street an improved road with a sixty-six foot (66') right-of-way and a forty foot (40') pavement width borders the proposed off-site storm water management basin to the north. The proposed subdivision would improve four (4) Township streets and create temporary turnarounds at their termini. The four (4) roads to be improved for the proposed project are Havens Avenue, Bradhurst Avenue, Wasdworth Avenue, and Edgecomb Avenue. All of the improved streets will intersect with Vine Avenue. Except for Bradhurst Avenue, all of the temporary turnarounds will be located in the Vermont Avenue right-of-way. All proposed residential lots would front upon the minor streets. The site is currently vacant and wooded. The land is near a high point and generally slopes to the east with existing elevations dropping from one hundred nine feet (109') MSL to seventy-six feet (76') MSL where the off-site storm water management basin borders Oak Street. Proposed storm water management facilities and utilities are associated with this project. Most of the project site discharges runoff to a proposed off-site storm water management basin. Two (2) underground recharge systems are proposed for Havens Avenue. 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. Two (2) or three (3) off-street parking spaces are proposed for each dwelling unit, depending on the proposed number of bedrooms. Two (2) to four (4) bedroom units are specified on the architectural plans. The project is also proposing sidewalk along the frontages of the streets. We have the following comments and recommendations per testimony provided at the 3/6/12 Planning Board Plan Review Meeting and comments from our initial review letter dated March 1, 2012: 1. 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. Statements of fact. 2. The following variances are requested for the duplex dwellings on individual lots: • Minimum Lot Area – Proposed lot areas are three thousand five hundred square feet (3,500 SF), where six thousand square feet (6,000 SF) is required. • Minimum Lot Frontage/Width – Proposed lot frontage/widths are thirty-five feet (35'), where fifty feet (50') is required. • Minimum Front Yard Setback – Proposed front yards are twenty feet (20'), where twenty-five feet (25') is required. The Board shall take action on the requested variances for the duplex dwellings on individual lots. 3. The following variances are requested for the single family dwellings on individual lots: • Minimum Lot Area – Proposed lot areas are three thousand five hundred square feet (3,500 SF), where five thousand square feet (5,000 SF) is required. • Minimum Lot Frontage/Width – Proposed lot frontage/widths are thirty-five feet (35'), where forty-five feet (45') is required. The Board shall take action on the requested variances for the single family dwellings on individual lots. 4. A variance is required for the number of off-street parking spaces for the proposed Type "C" Units. Two (2) off-street parking spaces are provided for each dwelling unit. The Type "C" Unit proposes four (4) bedrooms which require 2.5 off-street parking spaces per dwelling. The plans have been revised to provide three (3) off-street parking spaces for the Type "C" Unit. Therefore, a variance is no longer required for the number of off-street parking spaces proposed for the Type "C" Units. 5. A waiver is required from the construction of sidewalk on portions of the project. No sidewalk is proposed for the entire length of the project where it fronts Vine Avenue and Oak Street. The plans have been revised to propose sidewalk along Vine Avenue. It is our understanding sidewalk will be constructed along Oak Street by Lakewood Housing

Partners under Site Plan Application Number SP-1975, which is also before this Board for approval. Should the Lakewood Housing Partners project not go forward, Homes for All, Incorporated will become responsible for constructing the sidewalk along Oak Street. 6. No recreational facilities have been proposed for the project. 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 Board shall take action on the relief required from providing recreational facilities. 7. 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 A. General 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. The applicant's engineer indicates that roadway improvements were constructed following the original survey that was prepared in 2006. Updated topographic information was incorporated into the base mapping used to prepare the Amended Subdivision Plans. The Plans and Project Notes should be revised to eliminate Block 1154, Lot 1 and Block 1155, Lot 1 from the project since these properties will be part of a separate Site Plan project known as Conifer Village at Oak Street. The proposed storm water management basin will need to be shown as an off-site improvement. 2. Curb and sidewalk is proposed along the minor residential streets of the development. New curb exists along Vine Avenue, some of which would be removed for the proposed street intersections. New curb also exists along Oak Street. Sidewalk does not exist and is not proposed along either Vine Avenue or Oak Street, for which a waiver is required. Sidewalk is also not proposed, but not required, along the sides of the residential streets not being developed. Curb is being provided on both sides of the minor residential streets. As mentioned previously, the plans have been revised to propose sidewalk along Vine Avenue. The proposed right-of-ways intersecting Vine Avenue shall be radial to eliminate the possible need for sidewalk easements. Sidewalk along Oak Street is to be constructed by others. However, as a condition of approval, sidewalk along Oak Street will become the responsibility of Homes for All Incorporated if the adjoining site plan project is not constructed. Proposed sidewalk shall be extended to the temporary cul-de-sac bulbs. The proposed sidewalk shall be widened to five feet (5'), unless pedestrian passing lanes are designed. 3. It is assumed trash and recyclable collection is to be provided by the Township of Lakewood. Each unit shall have an area designated for the storage of trash and recycling containers. This matter is not addressed on either the site plans or architectural plans. The Project Notes on the revised plans indicate that trash and recyclable collection is to be provided by the Township of Lakewood. The revised Architectural Plans indicate designated storage areas for trash and recycling containers is to be provided on the sides of the units. 4. The proposed block and lot numbers shall be approved by the Tax Assessor. The Final Plat shall be signed by the Lakewood Tax Assessor. The applicant's engineer has indicated the Lakewood Tax Assessor has approved the proposed Block and Lot numbers. 5. The requirements in 18-821 (Building Uniformity in Residential Developments) must be addressed. A minimum of eight (8) basic house designs are required for developments consisting over twenty-five (25) homes. The revised architectural plans provide eight (8) basic house designs by adding alternate elevations for the Type "B/B" and "B/C" duplexes. 6. Temporary turnarounds are proposed within the Vermont Avenue right-of-way for all the residential minor streets, except for Bradhurst Avenue. The temporary turnaround for Bradhurst Avenue is proposed on Lot 1.07 in Block 1146, which is one of the lots reserved for future development. The proposed temporary gravel turnarounds have been removed and replaced with temporary asphalt cul-de-sacs having forty foot (40') radii. Based on

the current ownership of Lot 6 in Block 1155, an easement will be required to permit the temporary cul-de-sac construction. B. Plan Review 1. Sight Triangle Easements have been proposed at the intersection of all residentially developed streets. Testimony should be provided as to why the sight triangle easements are not the standard requirements for the Township. The applicant's engineer indicates that proposed sight distances exceeding AASHTO Standards have been used for design on the revised plans. Accordingly, typical layout details are provided on the Overall Site Plan, Sheet 2 of 16. Sight triangle easements are proposed at intersections along Vine Avenue. The applicant's engineer has indicated that sight triangle easements will be required at intersections along Vermont Avenue since a future proposed pavement width of forty feet (40') was agreed to during the plan review of the neighboring Lakewood Housing Partners project. 2. The Project Notes shall address the ownership of the various components of the proposed storm water management system. Project Note #14 on the revised plans indicate the proposed storm water management basin on Lot 1 in Block 1155 is to be privately owned and maintained by the developer (Lakewood Housing Partners). All other components of the storm water management system located within public right-of-ways and/or easements dedicated to Lakewood Township are to be owned and maintained by the Township. The proposed storm water management basin will operate as a regional facility. As conditions of approval, a Homeowners Association would have to be formed to own and operate the proposed storm water management basin should the Lakewood Housing Partners project not be constructed. In addition, the proposed public portion of the proposed storm water management system will have to be reviewed and approved by the Department of Public Works. 3. Dimensions have been provided for all Unit Types, but must be coordinated with the architectural plans. The architectural plans show front offsets for the duplex building boxes, but the site plans do not. The applicant's engineer indicates the building boxes on the subdivision plans represent the largest overall size for each unit type, including covered porches. Plot plans will be required when building permits are applied for. 4. The proposed shade trees, as well as the shade tree and utility easement shall be located behind the water easement along Vine Avenue. The revised plans propose the shade tree and utility easement to straddle the easterly line of the proposed water easement. We recommend the proposed shade tree and utility easement relocated behind the water easement. The proposed corner lots are wide enough to permit the separate easements and off-street parking. C. Architectural 1. Architectural Plans were submitted for review. Per review of the submitted plans, three (3) unit types are proposed. Type "A" is a two (2) bedroom unit, Type "B" is a three (3) bedroom unit, and Type "C" is a four (4) bedroom unit. The proposed duplex buildings combine Types "A/B", "B/B", or "B/C". Revised architectural plans provide alternate elevations for proposed duplex buildings Types "B/B" and "B/C". Therefore, eight (8) basic house designs are proposed to comply with the ordinance. 2. The applicant's professionals should provide testimony regarding the proposed building façade and treatments. We recommend that renderings be provided for the board's review and use prior to the public hearing, at a minimum. The applicant's professionals indicate that testimony and renderings will be provided. D. Grading 1. A detailed review of the grading can be completed after compliance submission; if/when this subdivision is approved. We will review the proposed grading for accuracy and coordination with the adjoining multi-family project during compliance reviews should approval be granted. E. Storm Water Management 1. Proposed storm sewer collection systems have been designed to convey storm water runoff into either proposed recharge systems or an infiltration/detention basin. The proposed recharge systems are located under Havens Avenue. The proposed infiltration/detention basin is located on the south side of Oak Street, east of Vermont Avenue. It is our assumption the ownership of the storm water management system will be the Township, and the applicant's engineer has

already met with the Department of Public Works to review the project. The proposed off-site infiltration/detention basin will be privately owned and maintained. The publicly owned components of storm water management system shall be reviewed and approved by the Department of Public Works. 2. The Storm Water Management Design will be reviewed in detail after compliance submission is made, should approval be granted. We will review the proposed storm water management design for accuracy and coordination with the adjoining multi-family project during compliance reviews should approval be granted. 3. In accordance with Section 18-815B.4., of the UDO, a one-time maintenance fee of forty-two thousand two hundred fifty dollars (\$42,250.00) is required. This is based on twenty-seven (27) proposed single family detached dwellings at a cost of seven hundred fifty dollars (\$750.00) per unit and forty-four (44) proposed single family attached dwellings at a cost of five hundred dollars (\$500.00) per unit. The fee shall be amended depending upon the proposed number of units to be serviced by a publicly owned and operated recharge system. F. Landscaping 1. 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. The Board should provide landscaping recommendations, if any. The Shade Tree Commission recommends a line of coniferous trees along the abutting rear property lines to provide privacy. 2. Landscaping shall be reviewed in detail after compliance submission should subdivision approval be granted. We will review the proposed landscaping design for accuracy and coordination with the adjoining multi-family project during compliance reviews should approval be granted. G. Lighting 1. The Plan indicates seventeen (17) pole mounted fixtures are proposed. According to the Street Light Detail, the proposed height will be eighteen feet (18'). Lighting is not proposed for the temporary cul-de-sacs. 2. A point to point diagram must be provided to verify the adequacy of the proposed lighting. The applicant's engineer indicates a point to point diagram will be provided. The point to point diagram can be supplied during resolution compliance submission should approval be granted. 3. Testimony should be provided regarding street lighting ownership. There is no indication a Homeowners Association is proposed. The applicant's engineer indicates that testimony will be provided regarding streetlight ownership. 4. Lighting shall be reviewed in detail after compliance submission should subdivision approval be granted. Final lighting design will be reviewed with resolution compliance submission should approval be granted. H. Utilities 1. 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. The applicant's engineer has revised the plans to indicate the proposed sanitary sewer main in Oak Street by others is per the final design plans entitled "Oak Street Sanitary Sewer Extension", prepared by Hatch Mott MacDonald, dated February, 2012. The applicant's engineer has provided these "Maple Tree Village" design plans to Hatch Mott MacDonald for utility coordination. I. Signage 1. Proposed regulatory signage has been shown on the plans. Regulatory sign details should be added. A stop sign detail and a stop bar detail have been added to the plans. Corrections to the details and coordination with the plan views are required. J. Environmental 1. 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. The applicant's engineer has agreed to provide a Tree Protection Management Plan in accordance with the current ordinance as a condition of approval. K. 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.

The applicant's engineer indicates that details have been revised to specify a minimum of Class B concrete. Construction details will be reviewed during resolution compliance should approval be granted. L. Final Plat (Major Subdivision) 1. General Note #2 shall correct Block 1145 to 1146. The Final Plat should be revised to eliminate Blocks 1154 and 1155 since they are part of a separate project known as Conifer Village at Oak Street. The last revision date of 3-28-12 should be listed. 2. Compliance with the Map Filing Law is required. Statement of fact. 3. The Final Plat will be reviewed in detail after compliance submission is undertaken for the project, should approval be granted. The Final Plat will be reviewed in detail during compliance, after revisions have been undertaken. 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.

Mr. Vogt stated that there are variances being sought for duplex dwelling on individual lots including minimum lot area, minimum lot frontage and width, minimum front yard setback. Variances are also requested for single family dwellings on individual lots which include minimum lot area and minimum frontage and width. Also there is a variance for the number of off-street parking spaces for the type "c" units.

Mr. John DeVincens on behalf of the applicant. They are proposing to put in a playground adjacent to the John Patrick complex which is approximately a block away.

Mr. Neiman is concerned about the children having to walk a block to the park. He believes there should be a recreation area on site.

Mr. John Ernst, P.E. was sworn in. There are three different unit types including combinations of those unit types. In all of the units we are providing parking in accordance with RSIS relative to the number of bedrooms in each of the units. There are no proposed basements and there are now no variances for parking.

Mr. DeVincens stated that they had requested a waiver of the sidewalk on Oak Street and originally it was indicated that Homes For All should put in that sidewalk because it is adjacent to the property. Actually the sidewalk is not adjacent to the property. There is a good portion of property between the Maple Tree development and Oak Street. However, they understand that the Board does feel the sidewalks are needed and Homes For All will place the sidewalks on Oak Street and that will eliminate the request for that waiver.

An exhibit marked as A-1 is a photograph that shows the three block that are proposed to be developed. The duplexes are the rectangles on the left.

Mr. Banas does not understand why they can have so many variances when they had time to make changes.

Mr. Ernst stated they are well below the density that is afforded in this zone and we are meeting the setbacks requirements between the buildings. The only real variances that we are seeking are lot area, lot width and one front setback on Vine Steet.

Mr. Neiman and Mr. Schmuckler both stressed the need to have a recreation area.

Mr. Jackson stated that this is a different kind of application where there is no developer. This is a not-for-profit application. There is a limitation on the amenities that you can have because the regulations say you can only charge rent or a sale of so much.

Mr. Mike McNeil, chairman for STEPS was sworn in. He stated that they have done other developments without recreational areas and they have done very well. They are just trying to keep the houses affordable for everyone.

Mr. DeVincens reiterated that it is an affordable housing project. The more lots that we give up, the less affordable it becomes. They need it to meet the subsidies, there is absolutely no association. The people have to qualify in order to buy the lots. They are trying to get people into houses that will never be able to afford them again.

Mr. Schmuckler asked how this is different from Lakewood Commons as they have a clubhouse.

Mr. DeVincens stated that they are willing to put in a recreation area on the adjacent lot if that lot is available but the question is who will maintain it as there is no homeowner's association.

Mr. Franklin stated that they are better off going to the park a block away and the residents can put a swing, sandbox, etc. in their yard if they desire.

Mr. Ernst stated they will address some of the technical issues during compliance including lighting, drainage and construction details.

Mr. Neiman asked if there was any way to maintain that the owner stays there and does not rent it out.

Mr. DeVincens stated that there are agreements that would be signed to eliminate that from happening. The streets will be Township owned as well as the basin. The lighting will be provided by JCP&L.

Mr. Vogt stated that they will review the basins and inlets with Public Works.

Ms. Mary Johanessen, AIA, was sworn in. She stated there will be an area designated for trash for each homeowner to have trash adjacent to their home in closest proximity to their driveway. There will be a three sided enclosure approximately two feet by five feet and will have a piece of fence that will screen it from view from the street.

Mr. Ernst stated that there is adequate room between the driveways for the trash cans.

Mr. Schmuckler would like to see no on-street parking signs on trash days.

Mr. Neiman opened the microphone to the public.

Mr. William Hobday, 30 Schoolhouse Lane, was sworn in. He expressed his concerns to keep the affordable housing affordable to all.

Mr. Benstein, 800 Vine Avenue, was sworn in. He is worried what will happen when you tear down the woods and build 71 homes and what it does to the area.

Mr. McNeil stated that he understands some of the concerns. He said that this is about first time home ownership.

Mr. Sanders, 1431 Ardenwood Avenue, was sworn in. He stated that since he has a school within a close proximity that he would like to be on Board on who will be getting these houses.

Mr. DeVincens stated that there is not a Board and it is not done by Homes For All. Rehab Co is in charge of that.

Mr. James Valley, President for Homes For All, was sworn in. The process for affordable housing on the for-sale side is that we hold a lottery. Everybody that applies basically gets into the lottery and their number is drawn at some point. Ervin Cross and Rehab Co. take care of that process. Then each of them has to go through a credit and qualification period to see if they can be certified by the State as a moderate income family. Homes For All has nothing to do with that. They build the houses once they come as a certified family. There is no Board.

Mr. Elliot Zaks, 260 Spruce Street, was sworn in. He states that he owns a lot adjacent to this property and he has not been noticed.

Mr. Kielt explained that the requirement for the attorney is to send it, not to receive it.

Mr. Zaks asked if there would be local preference.

Mr. McNeil stated the preference is Ocean, Monmouth and Mercer counties.

Mr. Zaks believes Lakewood residents should have preference.

Mr. Valley stated that they have tried that in the past but they are required by Federal law because some of the money comes from them that they have a fair marketing plan which includes the three counties. They do encourage and they will be putting out flyers around town.

Mr. Hobday believes the positive criteria outweighs the negative criteria.

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

Mr. Neiman would like to see a tot lot or similar on that vacant adjacent lot.

Mr. DeVincens stated that they are willing to talk to the engineer and work with them.

Mr. Banas stated that he can't make a motion on that because he feels that the land that was given to develop a community of low cost developments should be used totally for that purpose.

Mr. Banas moves to approve the project with the ideas that were projected by Mr. Jackson minus the vacant lot. That lot should be developed for the betterment for the citizens of the community and that is to develop it fully in the intent that it was for.

Mr. DeVincens stated that that lot is not scheduled to be developed.

Mr. Banas understands and he agrees with the Board, seconded by Mr. Rennert.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Follman  
No: Mr. Schmuckler, Mr. Rennert

- 6. 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  
Amended Preliminary & Final Site Plan for seventy-three affordable housing rental units

Mr. Kielt announced that this application will be carried to the May 15, 2012 meeting at the request of the attorney for the applicant. No further notice required.

- 7. SD 1834** (Variance Requested)  
Applicant: Jacob & Karen Craven  
Location: Corner of Ridge Avenue, East Fifth Street & Ridge Fourth Street  
Block 239 Lots 1 & 2  
Minor Subdivision to create two (2) zero lot line lots

### **Project Description**

The applicant seeks minor subdivision approval to subdivide two (2) of three (3) existing lots on a triangular Block. The two (2) existing lots in question totaling about 11,639 square feet (0.267 acres) in area are known as Lots 1 and 2 in Block 239. Proposed Lots 1.01 and 1.02 will become new zero lot line properties for a proposed two-story duplex. The site is developed with existing two-story dwellings. All existing improvements will be removed. Public water and sewer is available. The site is situated in the northern portion of the Township and has multiple street frontages. The tract is located on a triangular Block. Lot 3 on the southeast corner of the Block is not included in the project. Ridge Avenue fronts the northwest side of the project, Ridge Fourth Street fronts the northeast side of the property, and East Fifth Street fronts the south side of the site. All surrounding roads are municipally owned. Ridge Avenue has a thirty-three foot (33') right-of-way with a 23.7 foot pavement width. Ridge Fourth Street has a thirty foot (30') right-of-way with a 21.8 foot pavement width. East Fifth Street has a 42.86 foot right-of-way with a twenty-five foot (25') pavement width. No road widening or right-of-way dedications are proposed. The surrounding area is predominantly residential. Sidewalk and curbing exists along the property frontage. Variances are required to create the proposed subdivision. The property is situated within the B-2 Central Business Zone. We have the following comments

and recommendations per testimony provided at the 3/6/12 Planning Board Plan Review Meeting and comments from our initial review letter dated January 23, 2012: I. Zoning 1. The project is located in the B-2 Central Business Zone District. Zero lot line duplex housing is a permitted use in the zone. The Zoning should be corrected on the plans and Zone Boundary Lines added. The Zone Boundary Lines may be added to the Area Map for clarity of the Minor Subdivision Plan. 2. The right-of-way widths of all surrounding roadways are less than fifty feet (50'). Right-of-way dedications and/or road widening easements must be considered. Right-of-way dedications will have an impact on the bulk requirements of the project. The Board shall take action on whether to require any right-of-way dedications and/or road widening easements. 3. A variance from providing Minimum Lot Area has been requested for proposed Lot 1.01. A 4,393 square foot lot area is proposed, where a five thousand square foot (5,000 SF) lot area is required. However, the proposed combined lot area for the duplex is 11,639 square feet, which exceeds the ten thousand square foot (10,000 SF) minimum lot area required. The Board shall take action on the requested Minimum Lot Area variance for proposed Lot 1.01. 4. Minimum Front Yard Setback variances are required for proposed Lot 1.01. A minimum front yard setback of 12.6 feet is proposed from East Fifth Street, where twenty-five feet (25') is required. Also, the proposed covered access to the unit which is not shown on the minor subdivision plan will encroach upon the twenty-five foot (25') front yard setback from Ridge Fourth Street. The revised plan proposes a 21.20 foot setback from Ridge Fourth Street and a 12.60 foot setback from East Fifth Street. The Board shall take action on the required Minimum Front Yard Setback variances for proposed Lot 1.01. 5. Minimum Front Yard Setback variances are required for proposed Lot 1.02. We calculate a minimum front yard setback of 15.29 feet is proposed from Ridge Avenue, where twenty-five feet (25') is required. Also, the proposed covered access to the unit which is not shown on the minor subdivision plan will encroach upon the twenty-five foot (25') front yard setback from Ridge Fourth Street. The revised plan proposes a 15.29 foot setback from Ridge Avenue and a 23.20 foot setback from Ridge Fourth Street. The Board shall take action on the required Minimum Front Yard Setback variances for proposed Lot 1.02. 6. A Maximum Lot Coverage variance is being requested for proposed Lot 1.01. Including the covered access to the proposed unit, we calculate the lot coverage of proposed Lot 1.01 to be 40.5 percent, where thirty percent (30%) is allowed. We calculate the lot coverage for proposed Lot 1.02 to be 24.6 percent which is within the allowable percentage. The Board shall take action on the requested Maximum Lot Coverage variance for proposed Lot 1.01. It should be noted the proposed Lot Coverage for the combination of proposed Lots 1.01 and 1.02 also exceeds thirty percent (30%). 7. It appears a variance is required for the number of off-street parking spaces. The architectural plans proposed eight (8) bedroom dwellings with future finished basements. Ordinance 2010-62 notes "basements shall be considered two (2) bedrooms in determining the number of bedrooms in a dwelling". Therefore, the total number of bedrooms per dwelling would be increased to ten (10) which requires five (5) off-street parking spaces. Only four (4) off-street parking spaces per dwelling are provided. The applicant's professionals indicate that testimony shall be provided regarding the variance required for the number of off-street parking spaces. The Board shall take action on the variance required for the number of off-street parking spaces. 8. 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. The General Notes reference an Outbound and Topographic Survey. An updated copy of the boundary and topographic survey must be provided since the base map does not reflect the following: a. Existing sidewalk along the Ridge Avenue and Ridge

Fourth Street frontages. b. Completion of existing contour lines, particularly within the surrounding roadways. c. Clarification of what appear to be encroachments of existing improvements from neighboring Lot 3. d. Correction of the existing concrete patio to patio blocks. Some corrections have been made to the base map of the Improvement Plan. An updated boundary and topographic survey will still be required and can be supplied during resolution compliance should approval be granted. 2. Corrections are required to the General Notes. Because of the multiple frontages, rear yard setbacks are not applicable to the proposed lots. Corrections are still required to the General Notes which we can review with the applicant's surveyor. The corrections can be completed during resolution compliance should approval be granted. 3. Existing sidewalk abuts the existing curb along the Ridge Avenue and Ridge Fourth Street frontages of the project. Proposed curb ramps with detectable warning surfaces are required at the Ridge Avenue/Ridge Fourth Street and Ridge Avenue/East Fifth Street intersections. Proposed curb ramps with detectable warning surfaces will also be required at the proposed driveway crossings where the sidewalk abuts the curb. Proposed sidewalk easements may be necessary. Additional curb ramps with detectable warning surfaces, and sidewalk easements, are required along the frontage of Ridge Fourth Street. Proposed curb ramps with detectable warning surfaces and proposed sidewalk easements will be reviewed during resolution compliance should approval be granted. 4. The proposed curb and sidewalk replacement requires modification on the plans. Furthermore, a note shall be added that any existing curb and sidewalk damaged during construction will be replaced as directed by the Township Engineer. Additional proposed curb and sidewalk replacement is required on the plans. The note for replacing damaged curb and sidewalk has been added. 5. We recommend on-street parking be restricted along all site frontages due to the narrowness of the existing roads. We recommend the Board have the applicant petition the Township Committee for restricting on-street parking as a condition of any approvals granted. 6. The plans indicate a minimum of four (4) off-street parking spaces are required for each dwelling. The subdivision plan proposes driveways capable of providing four (4) off-street parking spaces per dwelling. Testimony is required on the number of proposed bedrooms for each duplex unit. Our review of the architectural plans indicates that at least ten (10) bedrooms (eight bedrooms and future finished basement) are proposed for the respective dwellings. Per Township Ordinance 2010-62, five (5) off-street parking spaces are required for ten (10) bedroom dwellings. The applicant's professionals have indicated that testimony will be provided on the number of proposed bedrooms. 7. Future finished basements are proposed for the dwellings on proposed Lots 1.01 and 1.02. The plans indicate that seasonal high water table encountered at one hundred thirteen inches (113") (elev. 41.6) as per a soil boring performed on 12-09-11. The location of the soil boring shall be shown and the required information on the soil boring shall be submitted. Only the location of the soil boring has been added to the Improvement Plan. The results of the soil boring are still required. 8. Proposed site grading should be corrected with respect to proposed contour lines. Some corrections have been made to the Improvement Plan. Final corrections can be submitted during resolution compliance should approval be granted. 9. A sight triangle easement is proposed at the intersection of Ridge Fourth Street and Ridge Avenue. The size of the proposed sight triangle easement should be increased. Furthermore, a sight triangle easement should be proposed at the intersection of Ridge Avenue and East Fifth Street. A Sight Triangle Easement of acceptable dimensions has been provided at the intersection of Ridge Avenue and East Fifth Street. The applicant's engineer shall justify the size of the revised Sight Triangle Easement proposed at the intersection of Ridge Fourth Street and Ridge Avenue. The off-street parking for proposed Lot 1.02 should be adjusted to not conflict with the Sight Triangle Easement. 10. Unless a waiver is granted, proposed shade

tree and utility easements are required along the property's frontages. Survey data must be added and easement areas for the proposed individual lots must be completed. Proposed shade tree and utility easements have been added to the Improvement Plan. The proposed easements must be added to the Minor Subdivision with bearings, distances, and areas provided on a per lot basis. 11. Unless a waiver is granted, shade trees are required for the project. Proposed shade trees shall not be located within any proposed sight triangle easements. Landscaping should be provided to the satisfaction of the Board, and should conform to recommendations from the Township Shade Tree Commission as practicable. Our site investigation noted some existing trees within the site, which have been located on the base map. Some of the existing trees will be removed at time of construction. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan Review for the proposed lots. Eight (8) proposed "Armstrong" Freeman Maples have been added to the Improvement Plan. The Board should provide landscaping recommendations, if any. 12. Testimony is required on the disposition of storm water runoff from development of proposed Lots 1.01 and 1.02. The increase in impervious area does not appear to be significant since the existing lots are already developed. Testimony on storm water management should be provided. 13. Proposed lot numbers must be approved by the tax assessor's office. Statement of fact. 14. Corner markers are required for all outbound corners and proposed subdivision lines intersecting right-of-ways. Three (3) proposed monuments must be added. 15. Compliance with the Map Filing Law is required. Statement of fact. 16. The Concrete Apron Detail must be revised since the sidewalk abuts the curb. Corrections can be provided during resolution compliance should approval be granted. 17. The Depressed Curb at Driveway Detail must be revised since curb ramps are required at all driveway crossings. Corrections can be provided during resolution compliance should approval be granted. 18. The following construction details shall be added: a. Curb Ramps. b. Asphalt Driveways. c. Pavement Repair associated with curb replacement. d. Pavement Repair associated with utility trenches. e. Shade Trees. Additional construction details have been provided. We can review the construction details with the applicant's engineer. All construction details will be finalized during resolution compliance should approval be granted. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance (as applicable); b. Ocean County Planning Board; c. Ocean County Soil Conservation District; and d. All other required outside agency approvals.

Mr. Vogt stated there are variances for minimum front yard setback, minimum lot area as well as lot coverage for proposed lot 1.01 and potential for a variance for the number of off-street parking spaces.

Mr. Jacob and Karen Craven, applicants, were sworn in. She stated that there are currently two old houses on the lot and they would like to make a duplex for their children.

Mr. Glenn Lines, P.E., was sworn in stated that they are providing four parking spaces.

Mr. Banas asked why the two units are offset.

Mr. Lines stated that they tried to increase the frontage on the unit on the corner of Ridge and Ridge 4<sup>th</sup> and get as much space as we could between East 5<sup>th</sup> and the internal unit. So they shifted it forward a little bit to have enough space for parking, etc. All the variances are a function of the odd shape of the lot.

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

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

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

- 8. SD 1837** (Variance Requested)  
Applicant: Park & Second Acquisition, LLC  
Location: Southeast corner of East Second Street & the railroad  
Block 248.01 Lots 63.02 & part of 78  
Amended Preliminary & Final Subdivision to construct 21 townhouse units

### **Project Description**

The applicant is seeking an amended preliminary and final major site plan and subdivision approval. The applicant proposes to construct twenty-one (21) five-bedroom townhouses with unfinished basements on fee simple lots. A common space lot is also proposed on which the site parking, utilities, and improvements are contained. Eighty-four (84) off-street parking spaces are proposed. All spaces are located within an off-street parking lot with access to East Second Street. We have the following comments and recommendations per testimony provided at the 3/6/12 Planning Board Plan Review Meeting and comments from our initial review letter dated February 23, 2012: 1. Zoning 1. The site is situated within the B-4, Wholesale Service Zone. Per Section 18-903 D. 2.b of the UDO, "townhouses" is listed as a conditional use. Therefore, the provisions of Section 18-1010 apply. Statements of fact. 2. The following sign variances have been requested for the project: a. Per Section 18-812 A. 9.b of the UDO, no sign shall be erected closer to the street or property line than fifteen feet (15'). A distance of ten feet (10') is proposed. b. Per Section 18-812 A. 11 of the UDO, signs abutting two (2) lane roads with posted speeds of 15-25 MPH shall be limited to fifteen square feet (15 SF) in area. A variance for a sign face area of up to thirty-five square feet (35 SF) is proposed. The Board shall take action on the requested sign variances. It should be noted the Board previously approved the same sign face area variance for the original project under Resolution SP# 1942. 3. A fifteen foot (15') wide Landscape Buffer is proposed around the perimeter of the site, except for the boundary of the tract adjacent to part of existing Lot 3 in Block 173, which is the railroad property. The buffering section of the UDO requires thirty feet (30') which the Board may reduce to fifteen feet (15') if dense landscape screening is provided. Testimony is required on the perimeter Landscape Buffer. Proposed improvements such as a trash enclosure and storm water management facilities are encroaching upon the Landscape Buffer as currently shown. A fifteen foot (15') wide planted landscape buffer is proposed around the perimeter of the tract adjacent to existing commercial uses, except where proposed improvements such as the trash enclosure and storm water management facilities encroach upon the buffer. Testimony should be provided on the proposed nature of the buffer. The Board shall take action on the proposed reduced buffer width with encroachments. It should be noted the Board previously approved a similar buffer width reduction for the original project under Resolution SP# 1942. 4. According to Section 18-1010 B. 6 of the UDO, each unit shall have an area designated for the storage of trash and recycling containers. A trash and recycling enclosure is proposed within the common area. A General Note indicates "trash and recyclable collection to be provided by the Township of Lakewood". An additional trash and recycling enclosure location has been proposed within the common area. 5. According to Section 18-1010 B. 9 of

the UDO, all areas put into common ownership for common use by all residents shall be owned by a non-profit homeowners association in accordance with the requirements of the Department of Community Affairs and deed restrictions, covenants, and documents as stipulated in Subsections (a-g) of this portion of the Code. Areas and facilities under common ownership will be owned by a homeowner's association. A General Note states that "all areas put into common ownership for common use by all residents shall be owned by the homeowners association". 6. The General Notes indicate the applicant shall comply with recently adopted Ordinance 2010-28 which adds new Section 18-403 Developers Agreements to the UDO. Statement of fact. 7. The applicant must address the positive and negative criteria in support of any required variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. II. Review Comments A. General/Layout/Parking 1. The proposed parking space closest to East Second Street conflicts with the Sight Triangle Easement. Proposed layout revisions are necessary. The proposed Sight Triangle Easement has been revised to eliminate the conflict with the off-street parking. The applicant's engineer shall provide testimony on the standards used for the revised Sight Triangle Easement. 2. Some type of backup area should be proposed at the end of the parking lot aisle. Unit Numbers 7 through 10 in proposed Building #2 have been offset four feet (4') to allow for the design of a backup area at the end of the parking lot. The proposed rear yard setbacks of these units have been reduced from thirty feet (30') to twenty-six feet (26'). 3. The proposed off-street parking consists of a minimum of 9' X 18' parking spaces. The proposed parking configuration consists of perpendicular spaces on a "T-shaped" access drive. Except for two (2) fifteen foot (15') wide one-way access drives around an island for an existing pole, the access drive consists of a two-way, twenty-four foot (24') wide aisle with spaces on both sides. Eighty-four (84) off-street parking spaces are proposed, four (4) of which are van accessible handicapped spaces. The proposed off-street parking has been slightly reconfigured to add a second refuse enclosure to the site. Accordingly, we recommend the size of the proposed island protecting an existing pole in the access drive be reduced to permit better circulation to and from certain parking spaces. 4. Interior sidewalk is proposed throughout the development. A connection to the proposed playground is required. A gate should be provided at the proposed playground access point. All proposed sidewalk should be widened to five feet (5') unless pedestrian passing lanes are designed. The revised plans provide a connection to the playground and a gate at the access point. 5. A proposed refuse enclosure is depicted on the west end of the parking lot. The General Notes indicate the Township will collect the trash and recycling. Approval from the DPW Director is necessary. The waste receptacle area shall be screened on three (3) sides, in accordance with Section 18-809 E of the UDO. The revised plans have added a 12' X 12' refuse enclosure in an attempt to satisfy DPW. Access to the additional enclosure shall be added to the Front Load Truck Vehicle Circulation Plan. Screening relief will be required for the 12' X 12' refuse enclosure. 6. A proposed six foot (6') wide shade tree and utility easement is shown along East Second Street across the frontage of the proposed project. The proposed easement shall be coordinated between the Site Plan and Final Plat. 7. The General Notes state that existing utility poles and overhead electric located on or crossing the site will remain, hence the reason for the amended application. An easement is being provided to Jersey Central Power and Light. Approval will be required from Jersey Central Power and Light. 8. Proposed access to the storm water management basin is from the adjoining property, proposed Lot 78.01, which was part of the previously approved minor subdivision. The proposed access easement shown on the minor subdivision must be reflected on the amended Site Plan and Final Plat. Adding the proposed access easement should be a

condition of approval. B. Architectural 1. Revised architectural plans are required for the amended layout. The applicant should confirm that all proposed townhouse types will continue to be two-story units with unfinished basements not exceeding a height of thirty-five feet (35'). The Site Plans indicate Building #1 will contain six (6) units, Building #2 eight (8) units, and Building #3 seven (7) units. The revised architectural plans are required to confirm Zoning compliance prior to the Public Hearing. Revised architectural plans have not been provided. Any approvals should be conditioned upon the submission of revised architectural plans to confirm Zoning compliance. 2. According to the site plans cantilevered bay windows are proposed. Therefore, variances will not be required for side yard setback. Revised architectural plans are required to confirm variances will not be required. 3. The site plans show basements are proposed with exterior access from stairwells. The site plans indicate the basement floor elevations to be ten feet four inches (10'-4") below the first floor elevations. Revised architectural plans should be coordinated with the site plans. 4. The site plans show locations of air conditioning equipment behind the proposed units. Said equipment has been adequately screened. Revised architectural plans should be coordinated with the site plans. C. Grading 1. A detailed Grading and Drainage Plan is provided on Sheet 3 of 18. A storm sewer collection system is proposed to collect runoff and convey it to a storm water management facility. The revised plans require adjustments to the storm sewer collection system which can be provided during resolution compliance should approval be granted. 2. The grading scheme for the proposed site is feasible but requires revisions. The applicant's engineer shall contact our office. Revisions are required and can be provided during resolution compliance should approval be granted. 3. A detailed review of the Grading Plan can be completed during compliance if/when approved. A detailed grading review will be conducted after compliance submission should approval be granted. D. Storm Water Management 1. Most of the storm sewer is proposed on the common area lot. Drainage easements have been proposed on the affected residential lots to be created by the subdivision. Confirming testimony shall be provided that the Homeowners Association will own and maintain the entire storm sewer system whether it is located on the open space or privately owned lots. Testimony shall also be provided on the accessibility of the system for future maintenance and replacement purposes. The General Notes indicate the Homeowners Association is to own and maintain all components of the storm drainage collection and management system. Storm Drainage Easements to the Homeowners Association shall be provided on privately owned lots. 2. The plans indicate permeability testing will be provided to justify the infiltration rate of the soil beneath the proposed storm water management basin. Permeability testing may be submitted as a condition of approval. 3. The proposed piped outflow from the storm water management basin will connect to an existing storm sewer collection system on neighboring Lot 64. Permission is required from the owner of Lot 64 to allow the proposed connection. Testimony must be provided on the off-site storm sewer connection and documentation will be required during compliance review. 4. The proposed on-site storm water collection system requires some corrections. The applicant's engineer shall contact our office. Corrections to the proposed on-site storm water collection system may be addressed during compliance review. 5. A Storm Water Management Operation & Maintenance Manual will be required per the NJ Storm Water Rule (NJAC 7:8) and Township Code. The Manual may be submitted during compliance review. E. Landscaping 1. Two (2) of the Crepe Myrtle around the proposed trash enclosure should be changed to Leyland Cypress. The corrections may be addressed during resolution compliance should approval be granted. 2. The overall landscape design is subject to review and approval by the Board. Per our site inspection of the property and review of the plans, there are virtually no existing trees worth saving. The Tree Protection Plan indicates no historic extraordinary or specimen trees located

within the project area. The Board shall supply the applicant with proposed landscaping recommendations, if any. 3. The proposed landscaping will be reviewed in detail during compliance if/when approved. A detailed landscaping review will be conducted after resolution compliance submission should approval be granted. F. Lighting 1. A point to point diagram has been provided to verify the adequacy of the proposed lighting. Review of the illumination patterns provided indicates an additional fixture is required at the west end of the parking lot since the minimum foot candle value is 0.1. Corrections to the proposed lighting can be submitted for resolution compliance review should approval be granted. G. Utilities 1. A proposed eight inch (8") water main will be constructed in East Second Street from the intersection of South Park Avenue. This will replace the existing six inch (6") main in East Second Street which will be abandoned. Potable water is proposed to be extended into the site with an eight inch (8") main. A proposed fire hydrant will be installed within the project site and another fire hydrant will be installed on East Second Street across from the project site. Approval from the Lakewood Fire Commissioners should be provided. 2. Testimony should be provided regarding other proposed utilities. Additional underground connections will be required if gas is proposed. Testimony should be provided on other proposed utilities. H. Signage 1. A development identification sign is proposed at ten feet (10') from the right-of-way, less than the required minimum setback of fifteen feet (15') from East Second Street. The construction detail shows a face area in excess of the allowed fifteen square feet (15 SF). Zoning information is provided for the proposed sign indicating the relief required by the Board. Sign variances have been requested. I. Construction Details 1. Construction details are provided with the current design submission. We will review the construction details during compliance if/when approved. Testimony should be provided as to whether any relief from Township or State requirements is sought. J. Final Plat (Major Subdivision) 1. The proposed access easement from adjoining Lot 78.01 must be added. Access to the Storm Water Management Area is dependent upon this easement. 2. Proposed lot numbers must be assigned by the Tax Assessor and the plat signed by the Tax Assessor. The Tax Assessor's signature is required. 3. Compliance with the Map Filing Law is required. Statement of fact. 4. The Final Plat will be reviewed in detail after compliance submission should approval be granted. A final review will be conducted after resolution compliance submission should approval be granted. III. 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. New Jersey American Water will be responsible for constructing potable water and sanitary sewer facilities.

Mr. Brown stated that this application has already been approved by this Board. There were some changes concerning road design, lighting. The variances requested were previously granted and because we redesigned it we are coming back to the Board.

Mr. Graham MacFarlane, P.E., P.P., was sworn in. He stated that this application contains the same number of units that were previously approved by the Board for 21 units. All the units are the same with the exception of one unit on lot 78.09 based upon the changed geometry. The Board asked that we add a third dumpster and they have done that. They were able to maintain the number of parking spaces as well.

The Board would like to see two dumpsters in that space.

Mr. MacFarlane stated that they have 81 parking spaces. There is one variance related to the sign. The sign is the same sign as previously proposed which the Board had approved. They changed the location of the sign which requires a variance. The sign is setback 10 feet where 15 feet is required. He stated that they are not going to be able to change the size of the island in the middle of the drive isle because the plans have already been approved by JCP&L.

Mr. Vogt stated that is fine.

Mr. Neiman opened the microphone to the public, seeing none, he closed to the public.

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

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

## 7. CORRESPONDENCE

## 8. PUBLIC PORTION

## 9. APPROVAL OF MINUTES

A motion was made and seconded to approve.

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

## 10. APPROVAL OF BILLS

A motion was made and seconded to approve.

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

## 11. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted  
Sarah L. Forsyth  
Planning Board Recording Secretary