

I. CERTIFICATION OF COMPLIANCE

Chairman Neiman called the meeting to order at 6:00 p.m. with the Pledge of Allegiance and Mr. Kiert read the Certification of Compliance with the NJ Open Public Meetings Act:

“The time, date and location of this meeting was published in the *Asbury Park Press* and posted on the bulletin board in the office of the Township of Lakewood. Advance written Notice has been filed with the Township Clerk for purpose of public inspection and, a copy of this Agenda has been mailed, faxed or delivered to the following newspapers: *The Asbury Park Press*, and *The Tri-Town News* at least 48 hours in advance. This meeting meets all the criteria of the Open Public Meetings Act.”

2. ROLL CALL

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

3. SWEARING IN OF PROFESSIONALS

Mr. Vogt was sworn in.

4. MEMORIALIZATION OF RESOLUTIONS

1. **SP 1963** (Variance Requested)
Applicant: Lakewood Cheder School
Location: Southwest corner of Clifton Avenue & Courtney Road
Block 101 Lots 1, 3 & 18
Preliminary & Final Major Site Plan for proposed junior high school

Mr. Abraham Penzer, Esq. stated there was a change concerning the 25 parking spaces from new to existing.

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

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

2. **SP 1965** (No Variance Requested)
Applicant: Route 70 Real Estate Holdings
Location: Route 70
Block 1248 Lot 8
Preliminary & Final Major Site Plan approval for a proposed addition to an existing medical building

A motion was made and seconded to approve.

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

3. Resolution approving Planning Board meetings for the year of 2012-2013

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

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

5. NEW BUSINESS

- 1. SD 1820** (Variance Requested)
Applicant: Congregation K'Hal Zichron Yaakov
Location: James Street, west of Hearth Court
Block 284.04 Lots 1 & 41
Minor Subdivision to create three (3) lots

Project Description

The applicant seeks minor subdivision approval to subdivide two (2) existing lots totaling 45,133 square feet (1.036 acres) known as Lots 1 and 41 in Block 284.04 into three (3) proposed residential lots designated as proposed Lots 1.01 – 1.03 on the subdivision plan. Existing Lot 1 is a residential corner lot with a two-story frame dwelling containing 15,930 square feet (0.366 acres). Existing Lot 41 is a wooded vacant parcel, and contains 29,203 square feet (0.670 acres) with frontages on an improved street and an unimproved street. Freshwater Wetlands have been mapped in the rear of existing Lot 41 with a fifty foot (50') transition area. The overall tract technically has frontages on three (3) streets. The existing two-story dwelling on existing Lot 1 will remain and be located on proposed Lot 1.01 which will become a twelve thousand square foot (12,000 SF) lot with the subdivision. This proposed subdivision lot will continue to access Hearth Court. Access would be restricted from the County Road. The existing shed on Lot 1 would be moved to a conforming location on proposed Lot 1.01. Portions of the fence on existing Lot 1 would be removed and placed along the westerly line of proposed Lot 1.01. Both proposed Lots 1.02 and 1.03, containing 15,687 and 16,849 square feet respectively, will front James Street. Turnaround type driveways will be provided for the off-street parking on these lots to prevent backing out onto James Street. Lot width variances for the proposed lots fronting James Street will be required to create this subdivision. The proposed lots are situated within the R-12, Single-Family Residential Zone. The surrounding land uses are a mix of vacant, residential, and industrial uses. We have the following comments and recommendations per testimony provided at the 9/6/11 Planning Board Plan Review Meeting and comments from our initial review letter dated August 16, 2011: 1. Zoning 1. The parcels are located in the R-12 Single-Family Residential Zone District. Single-family detached 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 Width (proposed Lots 1.02 and 1.03, 86.57 feet and 86.56 feet respectively, 90 feet required) – proposed condition. The Board shall take action on the required 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. II. Minor Subdivision Review Comments 1. A Boundary & Topographic Survey has been provided to our office for review. An existing fence encroachment extending onto adjoining Lot 2 shall be addressed. The area of Lot 41 shall be corrected to include the vacated portion of Evelyn Avenue that has been added to the original lot. The Boundary & Topographic Survey has been revised to include the vacated portion of Evelyn Avenue in the area of Lot 41. Topography in front of the vacated portion of Evelyn Court must still be corrected. The existing fence encroachment extending onto adjoining Lot 2 must still be addressed. 2. Testimony should be provided as to whether basements are proposed for the future dwellings on Lots 1.02 and 1.03. If so seasonal high water table information will be required. Parking shall be provided in accordance with parking ordinance 2010-62. The applicant's professionals indicate that testimony on basements will be provided at the public hearing. 3. Road widening improvements are required for James Street and a design should be submitted. The pavement taper shown should be eliminated and the proposed widening should meet the existing pavement which is not shown in front of the vacated portion of Evelyn Court. The plan must be corrected to show the current physical conditions. 4. A proposed handicapped ramp is required at the northwest corner of the Hearth Court and James Street intersection. Construction details should be added to the plan. 5. Testimony is required on the disposition of storm water from development of proposed Lots 1.02 and 1.03. The applicant's professionals indicate that testimony will be provided at the public hearing. Furthermore, proposed storm water management shall be designed for the plot plan submissions. 6. Testimony is required on proposed lot grading. The applicant's professionals indicate that testimony will be provided at the public hearing. Furthermore, proposed lot grading shall be designed for the plot plan submissions. 7. The proposed lot numbers should be assigned by the Tax Assessor and the map signed by the Tax Assessor. The approved map shall be signed by the Tax Assessor. 8. The three (3) dead pine trees located along the James Street frontage of proposed Lot 1.01 shall be removed since they are within the proposed Sight Triangle Easement. A note should be added to the plan. 9. The Secretary's Certification shall be corrected to the "Planning" Board. Other typographical errors should be corrected, including the filing date. The Secretary's Certification has been corrected to the Planning Board. The year "2012" should be listed because of the one hundred ninety (190) days from the "Resolution" adoption. 10. Compliance with the Map Filing Law is required. Statement of fact. 11. Monuments have not been set. Monuments shall be set or bonded before map filing. 12. The Concrete Curb Detail shall eliminate the joint between the curb and pavement since asphalt will be used for the pavement. The joint between the curb and pavement on the Concrete Curb Detail has been removed. The note on the joint filler strip must still be removed. 13. The Typical Road Widening Detail requires corrections. There is no existing curb in the area of the road widening. The proposed road widening cross section should be indicated. 14. Construction details shall be added for driveway aprons and depressed curb. Two (2) details have been added for depressed curb which conflict with each other. 15. If subdivision approval is granted, final review of construction details will be conducted based on the site improvements required by the Board. Statement of fact. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance (as applicable); b. Ocean County Planning Board; c. Ocean County Soil Conservation District; d. New Jersey American Water (sewer and water); and e. All other required outside agency approvals.

Mr. Vogt stated the variance requested is minimum lot width.

Mr. Brian Flannery, P.E. was sworn in. The application is a three lot minor subdivision. All lots conform with area. We need two variances for lot width. Under the review comments on Terry's report, he asked if we will have basements. If we do we will provide soils information prior to the plot plan. With respect to the stormwater we'll provide drywells and grading. There are four spaces per unit. The other comments we will satisfy.

Mr. Neiman asked if any one from the public wished to be heard, seeing no one this portion of the application was closed.

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

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

- 2. SD 1822** (No Variance Requested)
Applicant: Yaakov Mandlebaum
Location: Northwest corner of Marlin Avenue & Salem Street
Block 1159.01 Lot 30
Minor Subdivision to create two (2) lots

Project Description

The applicant proposes to subdivide the existing tract into two (2) separate lots. There is an existing one-story masonry dwelling, garage, and in ground pool on the existing lot, all of which will be removed. Proposed Lot 30.01 would be a fully compliant lot fronting on Marlin Avenue. Proposed Lot 30.02 would be a fully compliant lot with frontage on both Marlin Avenue and Salem Street. Public water and sewer is not available. The site is situated in the southern portion of the Township at the northwest intersection of Marlin Avenue and Salem Street. The surrounding area is predominantly single-family residential. Marlin Avenue is a paved road with about a twenty-five foot (25') wide cart way that has an existing right-of-way width of fifty feet (50'). Salem Street is also a paved road with a pavement width of approximately twenty-six feet (26') and an existing right-of-way width of fifty feet (50'). Curbing and sidewalk does not exist along the property frontage, but is proposed by the applicant (per note #12 on the subdivision plan). The existing 200' X 218', forty-three thousand six hundred square foot (43,600 SF) property falls within the R-20 Single Family Residential Zone. No variances are requested for this proposed subdivision. We have the following comments and recommendations per testimony provided at the 9/6/11 Planning Board Plan Review Meeting and comments from our initial review letter dated August 31, 2011: 1. Waivers 1. The applicant has requested waivers from providing topography, contours, and wooded areas for completeness purposes. Our office has no objection to the granting of these waiver requests for purposes of the minor subdivision approval. The Board shall take action on the requested waivers. 2. The applicant has requested a waiver from depicting the location of existing and proposed wells and septic systems. Per communications with the applicant's professionals, this item will be addressed at time of plot plan review. The Board shall take action on the requested waiver. We support the waiver as

proposed. II. Zoning 1. The property is located within the R-20 Single-Family Residential Zone District. Single-family detached dwellings are a permitted use in the zone. Statements of fact. 2. No variances are requested for this project. Statement of fact. III. Review Comments 1. The existing chain link fence shown between Lots 30 and 31 shall be corrected to a stockade fence. The existing fence shown between Lots 13 and 30 shall be identified as chain link. The fence encroachments at these locations should be addressed. The existing fences have been correctly identified and will be relocated to solve the encroachments. This is satisfactory. 2. The General Notes indicate horizontal and vertical datum is assumed. A bench mark shall be provided. The bench mark used shall be identified on the plan. 3. Per communications with the applicant, basements are proposed for the future dwellings on Lots 30.01 and 30.02. Seasonal high water table information will be required. The applicant's professionals indicate that seasonal high water table information will be provided with the plot plan submissions. This is satisfactory. 4. No shade trees are shown within the proposed six foot (6') wide shade tree and utility easements on the subdivision plan. Shade trees should be provided to the satisfaction of the Board (or a waiver sought). Four (4) shade trees are proposed on the plan. The note shall be corrected to not require the species to be chosen by the Planning Board. Also, the proposed shade trees may be shifted within the easements to provide the required number. 5. General Note # 12 indicates the applicant proposes to install curb and sidewalk along the property frontages of Lots 30.01 and 30.02. Road widening plans, as necessary will be required with the proposed curb and sidewalk design at time of plot plan review. The topography on the survey submitted indicates that drainage will be necessary along Salem Street once the road is widened and curb constructed. 6. General Note # 12 also indicates that drywells will be built for the disposition of storm water from the development of proposed Lots 30.01 and 30.02. Said information will be required at time of plot plan review. This item has been addressed. 7. A Sight Triangle Easement dedicated to Lakewood Township should be provided at the corner of Marlin Avenue and Salem Street. A 25' X 25' Sight Triangle Easement has been added to the plan. The Sight Triangle Easement should be dedicated to the Township of Lakewood. 8. Proposed lot numbers have been assigned by the tax assessor's office and the map shall be signed by the tax assessor. The approved map should be signed by the tax assessor. 9. Monuments have not been set and the Monument Certification has not been signed. Monuments shall be set or bonded prior to the filing of the map. 10. Per communications with the applicant the cost of improvements will be bonded or placed in escrow at time of Building Permit review. Construction details will be required for road widening improvement plans. 11. 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. Township Tree Ordinance (as applicable); b. Ocean County Planning Board; c. Ocean County Soil Conservation District; d. Ocean County Board of Health (well and septic system approvals); and e. All other required outside agency approvals.

Mr. Abraham Penzer stated there are no variances on this application and they agree to all the comments in Terry's letter. He stated there are two waivers they were requesting. Topography, contours, and wooded areas for completeness purposes and location of existing and proposed wells and septic systems. That can be done at the time of plot plan.

Mr. Vogt stated he had no issues with that.

Mr. Neiman opened the microphone to the public, seeing no one from the public this portion of the meeting was closed.

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

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

Abstained: Mr. Rennert

3. SD 1817 (Variance Requested)

Applicant: Berstone Group

Location: Ocean Avenue, east of Oakland Street
Block 548 Lots 31, 270 & 271

Preliminary & Final Major Subdivision to create seven (7) duplexes on fourteen (14) zero lot line lots

Project Description

The applicant is seeking a Zero Lot Line Major Subdivision approval in accordance with Section 18-902F.1.b of the UDO. The applicant proposes the subdivision of four (4) existing lots to create fifteen (15) proposed lots, fourteen (14) residential and one (1) storm water management, with seven (7) duplex structures. The existing four (4) lots of 3.17 acres are known as Lots 30, 31, 270, and 271 in Block 548 are proposed to be subdivided into proposed Lots 31.01 – 31.15 on the Major Subdivision Plan. Proposed storm water management facilities and utilities are associated with this project. The project site discharges runoff to a Special Water Resource Protection Area. Accordingly, a proposed Water Quality Basin to be constructed upstream of a Recharge Basin will provide water quality for all runoff from pavement and lawn surfaces. The proposed Recharge Basin, as well as individual and common recharge systems, will address water quantity. Proposed sanitary sewer will connect to an existing system in Ocean Avenue. Proposed potable water for the subdivision will connect to an existing main on the north side of Ocean Avenue. Four (4) off-street parking spaces are proposed for each duplex unit. The number of bedrooms for the units is not specified on the subdivision plans. The project is also proposing curb and sidewalk throughout. The subject site is located within the R-10 Single Family Residential Zone District. Duplex housing is a permitted use in the zone district. The site is situated within a predominantly residential area. We have the following comments and recommendations per testimony provided at the 9/20/11 Planning Board Public Hearing Meeting where the application was tabled and comments from our most recent review letter dated September 13, 2011: 1. Zoning 1. The site is situated within the R-10, Single-Family Residential Zone District. Per Section 18-902 F. 1. b., of the UDO, "Two Family and Duplex Housing, with a minimum lot size of twelve thousand (12,000) square feet" is listed as a permitted use. Zero lot line subdivisions for duplexes are permitted in the R-10 Zone. Statements of fact. 2. According to our review of the revised Major Subdivision Plan and the zone requirements, the following setback variances are required for the zero lot line subdivision approval requested: • Minimum Rear Yard Setback – Proposed rear yards for the decks on Lots 31.02, 31.03, and 31.11 are 14.4 feet, 14.4 feet, and 10 feet respectively. A rear yard of twenty feet (20') is required. Accordingly, the provided Zoning Requirements on the Final Plat should be revised to reflect the proposed plans conditions. It should be noted that the proposed lot numbers on the Grading Plan, which shows the deck locations, do not match the Final Plat. 3. According to our review of the revised Major Subdivision Plan and the zone requirements, the following building coverage variances are required for the zero lot line subdivision approval requested: • Maximum Building Coverage - The inclusion of decks will create proposed building coverage variances for the

combination of Lots 31.01 & 31.02, 31.03 & 31.04, 31.10 & 31.11, 31.12 & 31.13, and 31.14 & 31.15. The respective proposed coverage percentages are 26.9%, 26.3%, 27.0%, 27.5%, and 25.9%. The maximum allowable building coverage is twenty-five percent (25%). Accordingly, the provided Zoning Requirements on the Final Plat should be revised to reflect the proposed plans conditions. 4. Should the New Jersey Department of Transportation require that right-of-way be dedicated along Ocean Avenue (Route 88), either additional variances or a redesign will be required. Statement of fact. 5. The applicant shall comply with recently adopted Ordinance 2010-28 which adds new Section 18-403 Developers Agreements to the UDO. A General Note has been added to the plans. 6. The applicant shall comply with recently adopted Ordinance 2010-98, Protection of Trees. A General Note shall be added to the plans. 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 General Notes state that Boundary & Topographic information is taken from a plan entitled "Wetlands Delineation Plan of Lots 31, 270, and 271, Block 548", prepared by Maser Associates. A copy of this Plan must be submitted, along with any more recent Surveys. A copy of the approved Wetlands Delineation Plan must still be submitted. A copy of the Survey of Lots 29 and 30 in Block 548 has been submitted since Lot 30 has been added to the project. However, the Boundary for the proposed project must be corrected since it depicts the limits based on the Tax Maps instead of the Survey. 2. Curb and sidewalk is proposed throughout the development. New curb exists along Ocean Avenue, some of which would be removed for the proposed street intersection. Since no right-of-way dedication is proposed along Route 88, sidewalk easements will be required along the Ocean Avenue frontage. Therefore, the proposed shade tree and utility easements shown along the Route 88 frontage should be shifted behind the sidewalk easements. The proposed sidewalk easements have been added and the shade tree and utility easements shifted. The proposed sidewalk easements shall be curved near the intersection to account for the sidewalk curving into the development. 3. A new road name, Waverly Court, has been proposed for the project. A copy of the approval shall be provided. 4. The applicant's professionals indicate the proposed lot numbers have been approved by the Tax Assessor. The Final Plat shall be signed by the Lakewood Tax Assessor. The Plat must be signed prior to filing should approval be granted. 5. The requirements in 18-821 (Building Uniformity in Residential Developments) must be addressed. A minimum of two (2) basic house designs are required for developments consisting of between four (4) and six (6) homes. The applicant's attorney acknowledged that a third basic house design is required since a seventh duplex building is proposed. 6. Per Subsection 18-911 F (2 (a-g)) of the zero lot line ordinance, a written agreement signed by the owner of the property is required, including provisions to address items associated with the use, maintenance, and repair of common areas and facilities associated with the overall property. Said agreement must be filed as part of this application to obtain the zero lot line subdivision approval from Lakewood Township. Statements of fact. B. Plan Review 1. The sum of the proposed lot depths and the right-of-way of Waverly Court is less than the total frontage of the project along Ocean Avenue. The discrepancy must be resolved. The project outbound requires correction. The area of Lot 30 which has been added to the project was based on the tax map instead of the survey. 2. The General Notes shall address the ownership of the various components of the proposed storm water management system. The revised plans propose for the Township to own and maintain all aspects of the storm water management system, except for the individual recharge beds and the common recharge systems which will be owned and maintained by the Homeowners Association.

Accordingly, General Notes # 15 & 16 should be eliminated. Approval will be required from the Department of Public Works and a one time maintenance fee of seven thousand dollars (\$7,000.00) must be paid. We recommend storm manholes be proposed in the right-of-way just behind the sidewalk to define the limits of the storm water management system ownerships. All proposed storm water management facilities upstream from the manholes should be privately owned. 3. Horizontal and Vertical Datum shall be addressed, a benchmark shall be indicated. Datum and benchmark information has yet to be provided. 4. Proposed off-street parking spaces shall be provided with minimum dimensions. The revised plans indicate that all off-street parking spaces shall be a minimum of 9' X 18'. The proposed locations of the spaces on Lot 31.01 should be moved away from the intersection. 5. A Freshwater Wetlands line with a fifty foot (50') transition area is shown along the southwestern edge of the property. The General Notes state that Freshwater Wetlands and Buffer are based upon LOI File # 1514-10-0006.1, Activity # FWW-FWL14-1000001. A copy of the Letter of Interpretation and the approved plan should be submitted. A copy of the Letter of Interpretation has been provided. A copy of the approved plan must still be submitted. 6. A three hundred foot (300') Riparian Buffer crosses proposed Lots 31.06 and 31.07 beyond the proposed cul-de-sac. No improvements, including proposed grading, encroach upon the Riparian Buffer Line. Survey data must be provided to establish the location of the Riparian Buffer Line. The layout has been revised and the Riparian Buffer crosses Lots 31.07-31.09. The location of the Riparian Buffer Line must be tied to the proposed project. 7. Proposed sidewalk width shall be dimensioned along with distances from face of curb and right-of-ways. The respective typical dimensions have been provided for Waverly Court, but not Route 88. C. Grading 1. Detailed grading is provided on a Grading & Drainage Plan which is Sheet 3 of 17. Revised grading is provided on a Grading Plan which is Sheet 3 of 18. A revised storm sewer collection system is proposed to collect runoff and recharge it within a storm water management basin located on Lot 31.07. 2. A walkout basement is proposed for Building #3. A proposed retaining wall also surrounds the rear of this building. The revised plans propose walkout basements for Buildings #3 and #5. Retaining walls are proposed on portions of Lots 31.04 – 31.07. Transition Area reductions are proposed on Lots 31.05 – 31.07. 3. A profile has been provided for proposed Waverly Court. The following revisions are required: a. The proposed grading shall be designed to intersect the existing gutter station and elevation of Ocean Avenue. The proposed 0+00 station of Waverly Court shall be the centerline of Ocean Avenue. The proposed centerline slope for Waverly Court shall start at the intersecting existing gutter station and elevation of Ocean Avenue. b. Proposed horizontal control points should be added. The horizontal control points should include curb returns, points of curvature, points of reverse curvature, and points of tangency. We calculate the top of curb stationing around the cul-de-sac to commence at station 2+49.41. c. Proposed vertical curves must be added. A vertical curve is required near the intersection and at the end of the top of curb stationing to match the vertical curve at the beginning of the top of curb stationing. 4. Off road profiles are required for the proposed storm drainage on private lots. A section through the storm water management basin should also be included. 5. A detailed review of the grading can be completed during compliance submission; if/when this subdivision is approved. It is noted that there are no test pits at the proposed storm water management basin location. Based on the other test pits shown on-site, a two foot (2') separation to seasonal high water table may not be provided. Furthermore, proposed access to both the water quality and recharge portions of the storm water management basin is at twenty percent (20%) and must be approved by Public Works. D. Storm Water Management 1. A proposed storm sewer collection system has been designed to convey storm water runoff into a proposed recharge system. The revised plans propose a storm sewer collection system designed to convey storm water runoff into a proposed

water quality/recharge basin. It is proposed for the Township to own and maintain all aspects of the storm water management system, except for the individual recharge beds and the common recharge systems which will be owned and maintained by the Homeowners Association. If approved, we recommend drainage manholes be proposed behind the sidewalk and within the right-of-way to define ownership limits. DPW approval of the final basin design will be required during compliance (if approved). 2. Our review of the Post Development Drainage Areas indicates corrections are required. Revisions are required which can be reviewed during compliance should approval be granted. We recommend the applicant's engineer contact our office to review the Post Development Drainage Areas. 3. Four (4) soil boring locations have been provided within the proposed project to confirm the seasonal high water table. The permeability rate used in the recharge calculations is acceptable based on the soils information provided. A soil boring for the proposed water quality/recharge basin is required to determine whether there is a two foot (2') separation from the seasonal high water table. 4. Testimony should be provided confirming the roof recharge beds will be owned and maintained by the individual lot owners. The revised plans propose individual roof recharge beds for Lots 31.01, 31.04, 31.05, and 31.15. The revised plans propose common recharge beds for Lots 31.02, 31.03, and 31.09 – 31.14. The revised plans confirm the proposed common recharge beds will be owned and maintained by the Homeowners Association. 5. The proposed roof recharge bed for Lot 31.05 appears too low and will be within the seasonal high water table based on the soils information provided. The revised plans propose recharge beds that should provide adequate separation to the seasonal high water table. 6. The Storm Water Management Report and Design will be reviewed in detail after revisions to the Post Development Drainage Areas are made. Our office can review design nuances with the applicant's engineer. Storm water management design can be finalized during compliance reviews should subdivision approval be granted. 7. A Storm Water Management Operation & Maintenance Manual must be submitted per the NJ Storm Water Rule (NJAC 7:8) and Township Code. Submission of a Storm Water Management Operation & Maintenance Manual may be a condition of approval and shall address the differing ownerships of the proposed systems components. E. Landscaping 1. A Landscaping & Tree Protection Plan has been provided on Sheet 6 of 17. A Landscaping & Tree Protection Plan has been provided on Sheet 7 of 18 of the revised plan set. 2. The overall landscape design is subject to review and approval by the Board and should conform to recommendations from the Shade Tree Commission as practicable. The revised plans propose nine (9) White Oaks and six (6) Red Maples for shade trees on the project. The Board should provide landscaping recommendations, if any. 3. The Tree Protection Plan shows individual trees ten inches (10") or larger. The Tree Save Notes state there are no historic, extraordinary, or specimen trees located within the project area. An inventory of the existing on-site trees has not been provided. Compensatory plantings have not been addressed. The applicant's engineer testified they have to compile some further information to the satisfaction to the Township's tree replacement ordinance. Information to be provided on an inventory and compensatory plantings may be a condition of approval. 4. The Landscape Architectural Notes need to be edited. Statement of fact. 5. Landscaping shall be reviewed in detail during compliance should subdivision approval be granted. Statement of fact. F. Lighting 1. A Lighting Plan has been provided on Sheet 7 of 17. A Lighting Plan has been provided on Sheet 8 of 18 of the revised plan set. 2. A point to point diagram must be provided to verify the adequacy of the proposed lighting. Providing a point to point diagram may be a condition of approval. 3. The reinforcing for the foundation on the Lighting Fixture Detail is partially complete. Reinforcing for the foundation on the Lighting Fixture Detail must be clarified as a condition of approval. G. Environmental 1. Environmental Impact Statement An Environmental Impact Statement (EIS)

report was prepared and submitted for the project, and addresses environmental concerns as applicable. Freshwater Wetlands and a three hundred foot (300') Riparian Buffer have been mapped for the site. A copy of the Letter of Interpretation and the approved plan are required for subdivision approval. Transition Area Averaging is proposed to create this subdivision. A copy of the Letter of Interpretation has been provided. The approved plan must be submitted. 2. Tree Management A Tree Protection Plan has been submitted, but is incomplete. The plan only locates existing trees having a diameter greater than ten inches (10"). An inventory is required, compensatory planting must also be addressed. Testimony was provided on Tree Management that an inventory would be completed and compensatory planting addressed. H. Construction Details 1. Construction details are provided on Sheets 8 through 11 of the plans. The revised plans provide construction details on Sheets 9 through 12. 2. All proposed construction details must comply with applicable Township or NJDOT standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete. All revised details must specify the correct class of concrete. 3. The Pavement Section Detail must be updated to current 2007 NJDOT Standards. The notes must be updated to the 2007 Specification Sections. 4. It is not clear whether the Type "E" Inlet Detail is Overflow Outlet Structure #3. The Type "E" Inlet Detail has been replaced with a Type "A" Inlet Detail. General Note #6 should be clarified and the sump pit dimensioned. 5. The Depressed Curb Detail must be corrected to show an eighteen inch (18") curb height. 6. Elevations shown on the Allan Block Typical Section are not consistent with the plans. 7. A 3.25 foot dimension shown on the Roof Recharge System Detail is not consistent with the plans or the other dimensions provided on the detail. 8. The Typical Detail for Inlets #1A, 3A, 6A, and 8 should be revised to the dimensions of a Type "A" Inlet. The proposed weir should be horizontal, not diagonal. The sump pit should be on the upstream side of the weir. The "in" pipes should be twin eighteen inch (18") HDPE. 9. Construction details must be added for the following: a. Driveways. The above detail must still be provided, as well as any additional details from future plan revisions. 10. Final review of construction details will take place during compliance review, if/when this project is approved by the Board. Final review of the construction details may be a condition of approval since the project has been revised. I. Final Plat (Major Subdivision) 1. The three hundred foot (300') Riparian Buffer Line needs to be tied to the project boundary. It is only graphically represented. 2. A Sidewalk Easement should be proposed for the Ocean Avenue frontages of new Lots 31.01 and 31.12. The proposed Shade Tree and Utility Easement shall be relocated behind the Sidewalk Easement. Proposed survey information should be completed and easement areas provided for the individual lots. A Sidewalk Easement on the revised plans has been proposed for new Lots 31.01 and 31.15. The proposed easements shall be curved near the intersection since the sidewalk will be curved at these locations. The proposed Shade Tree and Utility Easement has been relocated behind the Sidewalk Easement. Proposed survey information must be completed and easements areas provided for the individual lots. 3. Dedications for the proposed easements should be added. Dedications have been provided on the revised plans. Reference to the Lakewood MUA shall be removed. 4. According to the Final Plat dimensions, the width of the property at Ocean Avenue is 227.20 feet. However, an outbound dimension of 227.38 feet is shown. As confirmed with the applicant's engineer, the outbound will be revised. 5. The non-radial line between proposed lots 31.03 and 31.04 shall be labeled. The proposed layout has been revised. Any non-radial lines shall be labeled. 6. The Owner's Certification lists the wrong Blocks and Lots. Lot 30 needs to be added to the "record holders" on the Certification. 7. Compliance with the Map Filing Law is required. Statement of fact. 8. The Final Plat will be reviewed in detail after design revisions are undertaken for the project. The revised map provided is incomplete and must be finalized as a

condition of approval. 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. New Jersey Department of Transportation Access Permit; f. New Jersey Department of Environmental Protection (LOI); g. NJDEP Transition Area Averaging; and h. 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 this application was tabled at a previous public hearing primarily due to concerns with the stormwater system and stormwater management. The applicant met with us and public works and resubmitted. Looking at the plans, they have met most of the concerns.

Mr. Neiman asked that they review the application again due to concerns about a quorum.

Mr. Graham MacFarlane, P.E., P.P. was sworn in. He referred to an aerial map marked as "A1" of the site showing the location of the project fronting on Ocean Avenue. Behind the property is Lake Shenandoah. There are a few homes existing on the property that will be demolished. He spoke about the revised final plat. Based upon input from the Board and the professionals at the last hearing, we have revised the grading plan. The project will include individual recharge beds for some of the homes as well as common recharge beds at four locations. The common recharge beds will be owned and maintained by the homeowner's association. We are proposing dedication of the balance of the system to be constructed in the roadway as well as the detention basin to be owned and maintained by the Township. We are also seeking variances. He referred to "A3" which was discussed at the last meeting. We are requesting variances for rear yard setback on certain lots. In connection with the construction of the decks, we are also seeking necessary variances for building coverage. In total we are going to have about 21.9% building coverage. We are keeping it below the intent of the ordinance. We are in the process of obtaining outside agency approvals. We have satisfied parking in accordance with the ordinance requirements as shown on our grading plan which requires four per individual home, eight per duplex.

Mr. Banas asked if the problem that we had at the previous meeting has been resolved.

Mr. MacFarlane stated the original design was requiring the Township to own and maintain of these systems that are going to be located within the private yards. We sat down with Terry and public works and came up with a system that eliminates the Township taking responsibility of the draining system of the private properties.

Mr. Neiman opened the microphone to the public, seeing no one from the public this portion of the meeting was closed.

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

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

6. CORRESPONDENCE

7. PUBLIC PORTION

8. APPROVAL OF MINUTES

A motion was made and seconded to approve.

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

9. APPROVAL OF BILLS

A motion was made and seconded to approve.

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

10. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Sarah L. Forsyth
Planning Board Recording Secretary