

## 1. FLAG SALUTE & CERTIFICATION OF COMPLIANCE

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

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

## 2. ROLL CALL & SWEARING IN OF PROFESSIONALS

Mr. Garfield, Mr. Stern, Mr. Sabel, Mr. Herzl, Mr. Rennert, Mr. Meyer were present.

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

## 3. MEMORIALIZATION OF RESOLUTIONS

- 1. SD 2444 GSG Crossmass, LLC**  
Cross Street Block 466-469  
Preliminary and Final Major Subdivision to create 61 lots

Mr. Sabel asked if the resolution included sidewalk on both sides of Trudy out to Cross Street.

The Board reviewed the resolution, the minutes from the public hearing, and the Board Administrator’s notes from the public hearing and confirmed sidewalk was required on both sides of Trudy out to Cross Street.

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

- 2. SD 2426 David Holtz**  
1466 & 1484 Read Place Block 855.03, Lots 17 & 20  
Minor Subdivision to create five lots

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

- 3. SD 2464 Lakewood Municipal Utilities Authority**  
New Hampshire Avenue Block 563 & 549.02, Lots 1 & 1  
Courtesy Review of a Minor Subdivision and Site Plan

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

- 4. SD 2456 104 Caranetta, LLC**  
104, 120 Caranetta Avenue Block 86, Lots 11.01, 11.02, & 12.01  
Minor Subdivision to adjust lot lines

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

- 5. SD 2458 Orview Investments, LLC**

726 Marlin Ave & 727 Albert Ave                      Block 1159.01, Lots 20 & 22  
Minor Subdivision to create 3 lots

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

6.        **SP 2395 Meoros Bais Yaakov Inc**  
Rockaway Avenue    Block 1143 & 1150, Lots 1 & 1  
Preliminary & Final Major Site Plan for a school

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

#### 4.        **PUBLIC HEARING**

2.        **SP 2399 475 Oberlin Owner LLC**  
475 Oberlin Avenue    Block 1601, Lot 3  
Preliminary and Final Major Site Plan for an office building

Mrs. Morris said this applicant has requested to carry this application to the February 2, 2021, public hearing with no further notice.

A legal announcement was made as to the same.

1.        **SP 2405 Tivoli at Lakewood LLC**  
Pinehurst Drive    Block 189.03, Lot 166  
Preliminary and Final Major Site Plan for apartment buildings

Mrs. Morris said I believe this is for apartment buildings on a site that was previously developed and may have had a fire at some point I think.

Mr. Vogt said from our letter dated January 4, 2021, submission waivers are required for submission to Ocean County Planning, a traffic study, and an EIS. We can support the waivers for reasons stipulated in our letter.

A motion was made and seconded to support the submission waiver requests in accordance with the engineer's recommendations. All were in favor.

Mr. Vogt said continuing under zoning, apartment buildings are permitted in the zone. There is a variance for a side yard setback of 16.61 feet where 25 feet is required. And under design waivers, a waiver is required for non-radial side lot lines, from providing street trees along Joe Parker Road, and from providing landscaping for the proposed new complex.

Mr. Herzl asked about a past fire.

Mr. Vogt said per my understanding yes. It's literally from a 50-year-old application, from 1971. And there is a small chance there are site plans in the basement of town hall but with COVID we aren't able to retrieve them at this time. I have no objection to just hearing this as a new application. We aren't going to recover the old application.

Mr. Herzl said ok, so we are looking at it as a new application.

Mr. Jackson said yes, the application is a lot different from what was there.

Mr. Herzl said ok it's a different footprint.

Mr. Michael Stanzione, Esquire, appeared on behalf of the applicant. He presented Mr. Glenn Lines.

Mr. Lines, professional engineer and professional planner, appeared and was affirmed. He said as far as the submission waivers, the letter indicated they were partial and that we would be doing them after the application. We'd like to make those waivers for submission completely. The first one is submission to the County Planning Board. There are no improvements on the County Road, and the site was previously developed. There's no change that would affect the traffic substantially. Also the property does not front on a County road. It's completely isolated within other lots so we don't actually have any frontage that would require us to get County approval and the location where the development is approximately where the block and lot number are on the parcel, and that's about 200' from New Hampshire where the access comes in. So we'd request that be a permanent waiver. Second waiver was traffic study. We are proposing 8 additional apartments as part of this application, between what burnt down, what's being removed. So out of 365 we are adding 8, which is a 2.1% increase in units and I believe that...

Mr. Herzl said what's there now? It's totally burnt down?

Mr. Lines said no, it's not. I will get to that. The last waiver is the Environmental Impact Study, we'd like a full waiver on that because the area has been developed before we are really just putting the buildings back where they were. Regard to zoning, there is an error in our plans. The front page says 16.61 foot side yard setback and on the site plan sheet it shows 15 feet. So we are requesting a 15' side yard setback. Back to our site plan, we need site plan approval to construct three apartment buildings.

Mr. Rennert asked to have it pointed out where the 15' setback is.

Mrs. Morris circled it with her cursor on the image of the site plan on the screen.

Mr. Lines said that used to be 16.61'. What we're doing is putting in a new foundation for the building, and we are trying to make the two buildings even. The other building is 15.11 feet so we are just trying to make this 15 to make them line up. Our application is we are constructing the building you see on the screen now and a parking lot to add additional parking. And then we are proposing two buildings along the main road and rebuilding the parking which you can see there in gray.

Mr. Vogt said the last plans I have revised to December 1<sup>st</sup> of 2020 are showing the 16 and change setback that is referenced in our letter. Do you have revised plans that we don't have?

Mr. Lines said I know these are the plans we submitted to the Board...

Mrs. Morris said I understand why you are confused. Lines sent me an exhibit that is revised through January 6<sup>th</sup>. This has not been reviewed by Terry.

Mr. Vogt said I just wanted it on the record because the plans we reviewed were only revised to December and they had the 16'. Mr. Lines has put the request on the record, that's fine.

Mr. Herzl said he's asking for 15.

Mr. Vogt said correct.

Mr. Lines said yes.

Mr. Vogt said if the Board approves, it will be 15'.

Mr. Herzl said correct.

Mr. Lines asked Mrs. Morris to put up the existing conditions plan from the December plan set. He said back in around 2000, the five gray buildings on this plan were destroyed by fire. The two buildings on the left/west side has been reconstructed on the existing foundation and that building is complete and almost ready for occupancy. We are proposing to remove the other 3 foundations, move the building... one building on the east side, closer to the other building. And there's two existing apartment buildings on the south side, and there's a gray foundation, and there's also a garage. All four of those structures will also be removed. On the site plan, our application is to build 3 new apartment buildings and provide additional parking on the east side of the easterly building and provide 12 additional spaces on the south side. The two buildings on the south will be, the total of two units being demolished and the two new buildings will have 34 units...

Mr. Stanzione said to clarify, the new building on the east side is getting shifted over to make room for more parking spaces.

Mr. Lines said yes.

Mr. Stanzione said that's the reason it can't be built on the existing foundation.

Mr. Lines said right.

Mr. Herzl said is there any variance on parking?

Mr. Lines said no. We've lost 46 units during the fire, we are demolishing 8 more which is a total of 54. We are proposing to construct...

Mr. Abe Auerbach appeared and was affirmed. He said as a recap, there was a fire on 28 units. They're being knocked down. We're moving the foundation, rebuilding those, and sliding it. Same thing, just to allow for more parking. We have more than enough parking, we just want to add parking because we feel it's the right thing to do, at an additional expense. As opposed to the buildings in the front, we are actually adding a total of approximately 8 units but we are adding more than enough parking to provide for the full site. There are two existing structures in the front that are proposed to be knocked down and reconstructed. To make a long story short, we are adding 8-9 units and we have more than enough parking, 12 extra spaces, to provide all which is needed.

Mr. Herzl said thank you. Mr. Lines do you have anything more to add?

Mr. Lines said we are taking down 54 apartments and we are building 62.

Mr. Herzl said sidewalks all around?

Mr. Lines said yes.

Mr. Herzl said and garbage is DPW?

Mr. Auerbach said I think it's private pick up. That's not changing.

Mr. Jackson asked about site ownership and the neighboring units.

Mr. Auerbach said it's one block and lot, it's all the same owner there is no shared infrastructure.

Mr. Jackson said ok then we don't need to worry about cross access easements or parking easements. Now Tivoli LLC, I have a couple questions maybe you can answer them now from Mr. Zeines. He says how many apartments will there be total in the three buildings. Are they one or two bedrooms apartments. Is there a sidewalk between each of the buildings, and how many parking spaces are there in total for these apartments. I thought the Board members would want to know all that.

Mrs. Morris said Chairman do you want me to pull up that email and open to the public?

Mr. Herzl said yes please.

Mrs. Morris pulled up the email that was just read. She said Mr. Zucker wants to speak, I'm not sure if he's the applicant or public.

Mr. Michael Zucker of Tivoli and Lakewood, LLC, appeared and was affirmed. He said the reason we are taking down the other two buildings is to improve the street scape of the frontage over there. To improve it with what we are trying to accomplish over there. If you look at the first building that we built, we put a lot of investment into the exterior of the building, that it should look good and improve the neighborhood. I think you're going to see the product is going to continue to improve the neighborhood. We plan on doing other work to the existing buildings there as well, to continue to improve the area. In reference to the parking, there is more than enough over there. We allowed some of our commercial neighbors to use the parking during daytime. We have parking straight down Pinehurst Road which is a tremendous amount of parking that hasn't been used all this time. There is no parking issue in that area.

Mr. Herzl said thank you. Are there any questions from the Board?

Mr. Sabel said the parking he is calculating, 140 spots, is that including on the sides of the old building? Or this is just dedicated to the new building?

Mr. Lines said those are just the spots in front of the new building and across Pineview Avenue. It doesn't count any of the parking spaces that are near or in front of any of the other buildings. It's only those spaces that are within convenient walking distance to their apartment.

Mr. Sabel said it doesn't create a parking variance for any of the other buildings.

Mr. Lines said no, actually based on the number of apartments we are adding 12 additional spaces that are above and beyond the parking requirements for our building, that has nothing to do with the rest of the site. Just these three buildings.

Mr. Sabel said I see the calculation on the plans. They're using the parking that's adjacent to the Tower Vision building on Google Maps, all the way to the right.

Mrs. Morris brought up the site plan.

Mr. Lines said we aren't using that parking. Only the parking counts that have the two circles around them, not the one circles such as near that building on the right. I didn't count any of those, only the ones with the double circle that are convenient walking distance to these three buildings.

Mr. Jackson asked if we have an aerial. And how big of an area is the entire complex. The survey that you showed at the beginning, what would that look like from the air?

Mrs. Morris switched from the site plan to the aerial submitted by the applicant.

Mr. Auerbach said as you seen on your screen over here, all this parking which you see now is existing and constructed and is empty, it's the old parking from the old infrastructure that's just staying. Whatever is highlighted there in light gray, that's the additional parking, well the bottom is some existing, but all the gray we are adding parking to facilitate these extra units. But all this parking is and was designed exclusively for all the units that burnt down.

Mr. Herzl said Mr. Auerbach, was there originally where the buildings are standing, that's where the parking lot was?

Mr. Auerbach said that's correct. All the existing parking which you see on your screen is there and is staying there. What you see in the gray is being modified to add additional parking, but it's only increasing the parking. All this parking has stayed empty over the years. There are individual parking lots throughout the complex for each building. This lot as you can see is empty because those buildings are gone.

Mr. Herzl said and how many bedrooms are these units?

Mr. Auerbach said half ones, half twos.

Mr. Herzl said is there any open area for kids to play?

Mr. Auerbach said yes there is a substantial area between the buildings where the kids can play safely away from cars. Just open space, typical for apartments of this size. This is not a development where there are five-bedroom houses where you are going to have kids of all ages, these are small apartments.

Mr. Herzl said that's why I asked you, I wanted on the record that it's only one or two bedrooms. You have some little kids and they can play in the middle.

Mr. Zucker said there is also a tot lot further down the road near the clubhouse. And there are no basements being built here as well.

Mr. Herzl said thank you.

Mr. Jackson said I want to share my screen, I have Google Earth. Can you see my cursor here on the complex near Pinehurst?

Mrs. Morris said are you upside down? Which way is north?

Mr. Vogt said thank you Ally.

Mr. Lines said you can see the first U shape in the upper left-hand corner. The second set of u-shaped buildings is on the left side. Then you have all that parking, and then these three white concrete slabs are the buildings that caught fire. There's two brown roofed buildings we are demolishing and a garage in the middle of those we are demolishing. Then the last apartment building that's existing all the way on the right before the golf course.

Mr. Jackson said so where you're building is kind of self-contained. You share this parking lot, but these units over here are kind of like a different community, right?

Mr. Lines said well they share the parking lots in between the units.

Mr. Herzl said in between the U is where you have the open space on each set of buildings?

Mr. Lines said where those trees are, yes.

Mr. Herzl said you have that on the left and on the right, on both sets of buildings, for the kids to play.

Mr. Lines said no it's just, well there's a front lawn in front of each building and then between the buildings where those trees are...

Mr. Herzl said ok.

Mr. Sabel said where the trees are in the middle, aren't they putting the new building there?

Mrs. Morris put up the site plan.

Mr. Auerbach said incorrect, there is still 51 feet by the length of the building that is still going to be open space.

Mr. Jackson asked what those squares are in that area, to the left of the cursor. They aren't storm drains or anything like that?

Mr. Auerbach said I'm not sure, even if they are it's all going to be flat, it's typical open area. I don't think there's that many drains in there. Maybe one.

Mr. Vogt said they might be patios or decks.

Mr. Auerbach said but that's 51' by two hundred whatever it is, it's quite a bit of open space there for everyone to play.

Mr. Sabel said thank you. Complex number one is being built up again on the same spot?

Mr. Auerbach said yes.

Mr. Sabel said comparing complex number one to number two, on number two you indicated very clearly where the entrances are, where the sidewalk is going to be... I'm sure it's going to be a mirror image on the other side.

Mr. Auerbach said that was already built. 28 units, foot for foot what used to be there. Now we are coming in for complex number two and we are shifting it a few feet in. The reason why you're seeing all the details is because we are focusing on what's being constructed now.

Mr. Sabel said thank you for clarifying.

Mr. Herzl asked if there were any more public comments.

Mrs. Morris and Mr. Jackson said no that's it.

Mr. Sabel said a sidewalk comment. The sidewalk from complexes four and three, on the right side, should be connected to the other sidewalk. All the way at the bottom right. And if you continue that sidewalk to the north, and then turn west, connecting there to the building as well. Can we do that?

Mr. Lines said if you'd like it we can add it.

Mr. Auerbach said if it makes you happy we can do it.

Mr. Sabel said between buildings 3 and 4, can we do a walkway to that big building?

Mr. Auerbach said no I want to keep people where they are supposed to be. That's meant for people walking, not for bikes and rollerblades.

Mr. Herzl asked for a motion.

Mr. Sabel said are we required to do two separate entrances, like RSIS in and out?

Mr. Vogt said this facility well predates RSIS. I believe that was 1996, and this goes back to the early 70's.

Mr. Jackson said does that even apply to multi-family, RSIS?

Mr. Vogt said I'm honestly not sure.

Mr. Sabel said they are coming in with a new application.

Mr. Stanzione said the application is for within the compound that already exists.

Mr. Vogt said they are using existing access which well predates RSIS.

Mr. Rennert said can you talk about the submission waivers that they want a full waiver on and make sure you're ok with that?

Mr. Vogt said they're relatively minor. Submission to the Planning Board, Glenn if you could give us a letter for the file as to why it's exempt, that's fine. Traffic Study I believe Glenn has given testimony. If the Board wants any further information obviously, that's something you can ask for. And finally the EIS is pretty straightforward in my opinion because this is all previously disturbed area.

Mr. Rennert said ok.

Mr. Herzl asked for a motion.

Mr. Rennert made a motion to approve as presented and to grant the waivers. Mr. Garfield seconded. All were in favor.

Mr. Sabel said Mr. Rennert, your motion was including the sidewalk additions?

Mr. Rennert said yes.

Mr. Herzl said yes, they agreed to it.

**5. APPROVAL OF MINUTES**

**6. APPROVAL OF BILLS**

**7. ADJOURNMENT**

The meeting was hereby adjourned. All were in favor.

Respectfully submitted  
Ally Morris  
Planning Board Recording Secretary