

## 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. Flancbaum, Mr. Herzl, Mr. Isaacson were present.

Mr. Dave Magno, P.E., P.P., was sworn.

## 3. MEMORIALIZATION OF RESOLUTIONS

1. **SD 2440 Edgecomb Parkview II**  
Edgecomb Avenue Block 1019, Lot 3.01  
Preliminary and Final Major Subdivision to create three lots

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

2. **SD 2438 Moses Schwartz**  
102 Ivory Court & 1495 14<sup>th</sup> Street Block 25.05, Lots 46.09 & 47  
Minor Subdivision to realign lot lines

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

3. **SP 2368 Rabbi Moses Krusz**  
Vine Street & Bradhurst Avenue Block 1035, Lots 4.03 & 4.04, Lots 5.01 & 5.02  
Preliminary and Final Major Site Plan for a synagogue

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

## 4. PUBLIC HEARING

5. **SD 2441 Fifth Point Holdings LLC**  
120 Massachusetts Avenue Block 445, Lot 2  
Preliminary and Final Major Subdivision to create 44 lots

Mrs. Morris said this applicant has requested to carry to the July 28<sup>th</sup> meeting and will not be heard tonight. A legal announcement was made.

5. **SP 2360 Yeshiva Tora Chaim**  
999 & 1027 Ridge Avenue Block 190 & 190.03, Lots 57 & 31  
Preliminary and Final Major Site Plan for a dining hall and dormitory

Mr. Herzl said there is opposition on this application. Mr. Penzer is here for the applicant, and Mr. Gasiorowski and Mr. Gertner are here. I recommend that we push it off to the 28<sup>th</sup> so that all parties have a week to sit down and try to work issues out. We will also have more time on the 28<sup>th</sup>, I don't think we will get to it tonight. If all attorneys agree, I would ask it to be heard on the 28<sup>th</sup>.

Mr. Jackson said Mr. Penzer, I understand that's acceptable to you?

Mr. Penzer said yes.

Mr. Herzl said Mr. Gertner and Mr. Gasiorowski, is that ok?

Mr. Gasiorowski said that's satisfactory to me.

Mr. Gertner said yes Mr. Chairman.

Mr. Herzl said let's utilize next week to work out all differences. This is a school that wants to open in September.

A legal announcement was made.

- 1. SD 2442 Joseph Atlas**  
1002 West Kennedy & 4 Teaberry Court Block 27, Lots 1.24 & 48  
Minor Subdivision to adjust lot lines

Mr. Magno said this is a minor subdivision to move a lot line that will require some variances. It's on the corner of Teaberry Court and Kennedy Boulevard West. One property is buying some land from another. The existing dwellings are going to remain on the new lots. Proposed Lot 48.01, which is the corner lot, will need a front yard setback from Teaberry Court. It's 25.41 feet where 30 is required. This is an existing condition. The existing dwelling on that same lot is also nonconforming with respect to side yard setback at 9.91 feet where 10 is required. We will need testimony about whether proposed Lot 48.01 will need a variance for parking. The applicant's professional's letter says the house only has 3 bedrooms and they only need 2 parking spaces. It may or may not need a variance, we will get testimony. For design waivers, the proposed subdivision line is not perpendicular to the Kennedy Boulevard right-of-way so a design waiver is required.

Mr. Herzl said so there are no new variances.

Mr. Magno said correct. They were variances to start with. Changing the lot lines requires bringing up the old variances.

Mr. Herzl said who is the attorney on this application?

Mrs. Morris said I don't think there is one.

Mr. Glenn Lines, professional engineer and professional planner, appeared on behalf of the applicant and was affirmed.

Mr. Jackson confirmed that the Board accepts his credentials.

Mr. Lines said all we are doing is moving a lot line approximately 25 feet from west to east. We are moving it closer to Teaberry Court. The variances that Dave pointed out are for the location of the existing house. We need those to keep the house in its existing location. There is no basement, and it's a small 3 bedroom house so 2 parking spaces are sufficient. One is in the driveway, one is in the garage. The other item is the non perpendicular lot line. It is parallel to the sides to that the lots are basically squared except for Kennedy Boulevard has an odd angle or bend. Other than that, we can address the comments in the letter.

Mr. Herzl asked the Board if there are questions.

Mr. Isaacson asked what the purpose of moving the lot line.

Mr. Lines said originally Mr. Atlas owned both lots. He is selling the corner lot to someone else, but he wants to make his lot which is 1.24 larger so he is moving the lot line over. It's really just so the interior lot can have a larger lot area.

Mr. Isaacson said one comment, not specifically on this, when you bring a lot line moving to the Planning Board it would be great to see where the original one is as well.

Mr. Lines said it is shown on the plans, it's just very faint.

Mr. Sabel said it is on the plan. It's very light.

Mr. Lines said we have to make it light because that's the way you have to show it.

Mr. Magno said I think Glenn testified that the applicant currently owns both lots. I guess the shed that's switching from one lot to the other, that's the reason it's not moving. Because it's the same owner.

Mr. Lines said yes. We will keep it. That's why we showed the setbacks as they are.

Mr. Magno said if the Board has any other landscaping recommendations, otherwise Glenn made it clear he's addressing everything else in the letter.

Mr. Herzl opened to the public.

Mrs. Morris and Mr. Jackson confirmed they received no comments.

Mr. Sabel made a motion to approve and Mr. Garfield seconded. All were in favor.

- 2. SP 2377AA 1626 Massachusetts Ave, LLC**  
1626 Massachusetts Ave                      Block 524.27, Lot 74.02  
Change of Use/Site Plan Exemption to convert a house to a school

Mr. Garfield recused himself from this application.

Mr. Magno said this is for a change of use for a school building. The plan correctly lists the waivers that are required in the notes. They involve design waivers from providing curb and sidewalk along Massachusetts, which happens to be a County highway. From providing onsite curbing, there's a driveway and onsite parking. Design waiver from providing a bus drop off and pick up area. Also a waiver from shade tree and utility easement as well as trees within that easement, and providing landscaping on the property. There are no variances being requested,

though there will be testimony to clarify that is the case. We need testimony on the future use of the school building as outlined on page 3 of our report.

Mr. Adam Pfeffer, Esquire, appeared on behalf of the applicant. He said this is a change of use application to convert an existing building into a school. He had Brian Flannery, professional engineer and professional planner, affirmed.

Mr. Flannery said this is a 4.9 acre parcel on Massachusetts Avenue. The property to the south of us is a school that was approved by this Board early last year. On the north and the west is the common open space of the Fairways development. There is an existing house sitting in the middle of the site and the request is to change the use of that from a residence to a school, both permitted uses. It will have 3 classrooms and 3 offices, requiring 6 parking spaces. Dave's report, with respect to the waivers the request is because this is a minor change in an existing developed site. The property has frontage on Massachusetts Ave, we are asking not to do traditional curb and sidewalk in the right-of-way at this point because I think everyone that looks at this understands that we aren't going to leave just this small building on a 5 acre site for a long time. What we propose, as in the past, is an asphalt sidewalk across the entire frontage. That would be 500' of Massachusetts Avenue where there will now be a sidewalk to provide for pedestrian access. There were questions related to the adequacy of the parking, and as has been done on other applications, we would be agreeable to adding an additional parking space and the high school boys that come are coming by vans which are run by the school. We would provide two loading spaces for those vans in addition, so that everyone can be comfortable that there is adequate circulation and parking.

Mr. Herzl asked to see the circulation plan how the vans would come drop off the kids.

Mr. Flannery said the entrance is off Massachusetts Avenue in the existing driveway, and then there is a circular driveway where the vans would come around. The intent initially was that they would stop behind the parking spaces to unload the students. What we are proposing is that to the east of the existing parking spaces, we can add an additional parking space and a couple of unloading spots for the vans so that there is plenty of room for students and vehicles. It's a 5 acre site, we have plenty of room to add everything the Board wants so that it functions well until it is developed further. We will provide sidewalk connecting the asphalt sidewalk out at Massachusetts up to the site so that there is proper pedestrian access from Massachusetts Avenue. We don't expect any children walking there, but anyone that has to come up would not have to walk in the driveway. They could walk on an asphalt sidewalk that will be provided. Looking at the review letter, page 3 under zoning indicates it's a permitted use. Item 2 is with respect to parking. My testimony is that 6 spaces is adequate, we are proposing to have 7 spaces and two unloading spaces that would be in compliance with all applicable engineering standards, and reviewed and approved by the Board Engineer as part of resolution compliance. The design waivers for the shade tree and utility easement, we would add that along the frontage so that waiver is no longer necessary. With respect to the landscaping and street trees, it's an existing property. I drive by it. It fits in very well. At this point I don't think it would be wise to do any more trees because when further development of the site comes it can be coordinated at that time. We would add the easement. Again, the fourth comment is about providing curb and sidewalk, we are requesting that waiver from providing them in the right-of-way. We would instead provide an asphalt sidewalk along our property for pedestrian access. At the time of future development, I'm sure it would need to be removed but this would provide the school an opportunity to start. We anticipate for this school year 45 students, and by next year we'd have 60. The school will, in the meantime, do some studies to determine what the next step is beyond that.

Mr. Herzl asked about garbage.

Mr. Flannery said that would be roll-out containers that would be rolled out to Massachusetts Avenue, unless DPW wants something else. We will do whatever they want. We could fit a dumpster on the site.

Mr. Herzl said it's a long way to roll it out.

Mr. Flannery said it's good exercise for high school boys. If DPW wants something different, we have plenty of room for that.

Mr. Herzl asked if a truck could make it around that circle.

Mr. Flannery said yes. During resolution compliance, whatever the preference is from DPW, the applicant will prove to the Board Engineer that the circulation works. I wanted to point out the plan does show the existing tree line. The front is cleared, the back near the Fairways open space is wooded to an extent. The property to the north of us is their stormwater basin. The tree line in the back we are not proposing to touch. We don't need any buffer relief because we have plenty of room on the property. The building itself is 193 feet from the property line. The only disturbance we are proposing is a new septic field which would be 100' from the property line. And then the Fairways open space is 30 feet wide. The only disturbance we are going to have is 130 feet from anyone in the Fairways. We are anticipating 45 students this year, 60 next year. They would be brought to the school in 3 vans, and occasionally a parent would drop them off. With respect to the parking, we've indicated we would provide more than is required by Ordinance. We would widen the driveway to the extent necessary if it's decided during resolution compliance that widening is needed. We will provide the wheel stops that are requested. The HVAC equipment will be screened. The shade tree and utility easement we will add. There is no site triangle shown, but as part of resolution compliance we will show that we have adequate site distance in accordance with the AASHTO standards. With respect, we feel what's there is adequate. We can certainly provide a plan during resolution compliance that the Board Engineer can review, which would incorporate some of the existing. Any of the lighting for the parking lot will be on timers. The only lighting that will be on after that is low level security lighting. The plans will be done by Surmonte and will be signed and sealed with all the details RVE needs to review it. We don't have any variances that need an explanation for compliance with the Master Plan. 18-906 on buffering indicates a 20 foot wide buffer is required and as the Board can see the closest place we are is 100 feet. The Master Plan of 2017 on the vision statement says encourage development and redevelopment based on smart growth planning principles, we feel this does this. It also says provide sufficient educational, recreational, and community facilities to meet the future needs. This is providing the educational facility. Page 10 of the Master Plan says continue to support the development of private schools. We feel this is an inherently beneficial use. We are respecting the neighbors. When the school works on their plans to expand in the future, they will reach out to the neighbors and have a conversation so that everything can be done in a neighborly fashion.

Mr. Pfeffer asked Mr. Flannery to identify his exhibits.

Mr. Flannery said A-1 was a tax map sheet 94 and it highlighted the subject property. A-2 is the Change of Use Site Plan that was prepared by Surmonte.

Mr. Stern said threshold question, why are we overseeing a change of use?

Mr. Flannery said 13 years ago the Ordinance said you could change from one permitted use to the other. There were some schools that did that and weren't very neighborly. The governing body said if you're going to change from a residential use to a school, you should notice the neighbors and appear before the Planning Board so there are no unpleasant surprises.

Mr. Stern said why wouldn't it go to the Zoning Board.

Mr. Flannery said the Zoning Board is limited to setback variances on individual residential lots and D variances or use variances. Other than that, it's Planning Board jurisdiction.

Mr. Jackson said Mr. Stern part of the reason for this review as well is to scrutinize it so that the neighbors can view things and make sure that there aren't any variances or overreaches. It also gives us the opportunity to take comments. Sometimes we can satisfy neighbors with increased buffers, parking, setbacks, or a fence. The thought process was bring it in for review, let it get vetted in public. Although it's conforming and permitted, it's still beneficial to air it out in public.

Mr. Stern said Brian, you talked about recreation before. You're going to have 60 teenage boys, where are they going to burn off all their energy.

Mr. Flannery said it's an open grassed site. The plan indicates in the upper side an open space play area, and that's probably close to an acre.

Mr. Stern said so there's no basketball courts or anything, just grass to run around in. My other concern is the detention basin to the north, and there's no fence. If this school decided to sell to a k-8 school and move somewhere else, I have concerns with that huge detention basin with no border.

Mr. Flannery said my professional opinion is that there's no fence along the front of the property, and there's typically none, and Massachusetts Avenue is a major road. I think no matter what school you have in there, if the school was not responsible for the children in making sure they don't wander, the risk of them getting hit by a car dwarfs the risk of walking to the adjacent senior community's stormwater retention facility.

Mr. Stern said you've made this argument before, this one is bad but this one is worse, and therefore that seems to justify it. But I'm not worried about high school boys running into Massachusetts or falling into a retention basin and drowning. What I'm asking, if this school is sold to an elementary school...

Mr. Flannery said we'd be happy to have a condition in the resolution that if the school is sold to an elementary school, they need to install a fence or come back to this Board.

Mr. Stern said let's just have them come back to this Board.

Mr. Herzl said they have to come back regardless if they build any building.

Mr. Stern said if they use the existing building I still have concerns.

Mr. Herzl said Mr. Jackson can we approve this change of use only for a high school.

Mr. Jackson said yes. We can put in the resolution that the Board reviewed this matter on the basis of the ages of the children being later teenage years. The site is not necessarily suited for younger children due to things like retention basins, proximity to the highway. Therefore, the approval is limited to that and based on those facts if the school is sold to a younger group of children this approval will not be valid and the applicant must come back to the Board to review for safety conditions.

Mr. Herzl said thank you.

Mr. Sabel said one of the comments was from the Fire Department, they were not happy about having a minimum 20 foot pathway. They say it's not enough. Brian can you address that?

Mr. Flannery said my opinion is the 20 foot is sufficient. If the Board feels we need 24 feet, we will make it 24 feet.

Mr. Herzl said does the Fire Department have any recommendation for how wide they need for the trucks to turn around?

Mr. Flannery said typically the Fire Department doesn't have to turn around. If there's a fire, they're going to pull to where they can fight the fire and not drive around the circle. My professional opinion, and the Board has an attorney you could ask, is that what's proposed would accommodate emergency vehicles. Again, it's a 5 acre site. If it needs to be bigger, we would listen to the guidance of the Board's Engineer.

Mr. Herzl said the law says the width should be minimum 25'. Inside turning radius.

Mr. Flannery said we would comply with that.

Mr. Magno said you could put in the resolution that a circulation plan be submitted for review during resolution compliance. This way we could check the turning radiuses and see that the emergency vehicle will be able to pass through the site.

Mr. Flannery said we will comply with all the regulations. We have 5 acres. That will be a condition of approval, as Dave indicated we will submit a circulation plan that complies with the applicable regulations.

Mr. Sabel said regarding the pathway to the building, where is that going to be?

Mr. Flannery said it's not on the plan but I thought the Board would want that and the applicant was good with it. My feeling is it should come up the south side of the driveway and then connect to the sidewalk for the building.

Mr. Sabel said so on top of widening that driveway, we will make space for an asphalt sidewalk.

Mr. Flannery said the access coming in I don't think was the issue it was the 25' radius which doesn't apply to this. If it needs to be widened we will widen it and we will add that 4 foot sidewalk.

Mr. Sabel said we had this on a previous application, what happens if and when they bring trailers. Do they have to come back? Do they have to add parking?

Mr. Flannery said if the applicant wants to do trailers, he would go to the Zoning Officer. The Zoning Officer checks if there is sufficient parking and makes sure that the trailer placement doesn't violate any Ordinance conditions. If the Board would like two more parking spaces in case there is ever a trailer, we would be happy to go from 7 to 9.

Mr. Sabel said Dave's review letter mentions questioning the parking spaces. Does the 7 parking spaces include the ADA? 7 teachers, 7 staff, and hopefully nobody is handicapped.

Mr. Flannery said 7 spaces, one of which is ADA compliant. We can add as many parking spaces as seems reasonable. We are happy to make it 9 or 10.

Mr. Herzl said ok. I think we should count the lecture room as one, and have 2 more parking spaces just in case they put two trailers on. If the Board would agree with that.

Mr. Flannery said the applicant is agreeable to 9 parking spaces as part of resolution compliance we will provide that plan.

Mr. Herzl opened to the public.

Mrs. Morris read emails into the record.

I received a NOTICE TO OWNERS on Saturday, July 18, 2020. It referred to 1626 Massachusetts Ave, LLC' application to the Lakewood Planning Board for Change of Use and Site Plan Exemption approval.

According to LAKEWOOD TOWNSHIP PLANNING BOARD PROCEDURES. If the subject application requires a public notice, the following information shall be submitted to the Planning Board office by the Thursday prior to the Public Hearing:

White certified mail receipts; with date of mailing stamped by the post office, mailing the notice of public hearing letter to property owners within 200 feet of the subject premises, utility companies, etc.

The NOTICE TO OWNERS was placed in my mailbox, not mailed. Seems to me that the procedure was not followed. In addition, the NOTICE was received on a Saturday. The Planning Board meeting is to take place on Tuesday, July 21, 2020. Any questions/comments are to be received a minimum of 2 days. That would be on Sunday, July 19, 2020. Seems to me that there was not much time given for the public to respond. Or if anyone would even be reading emails on a Sunday.

I would like to know the legal amount of days a homeowner should be given advising them of nearby construction.

Lastly. Enough is Enough. The planned site would be right next door to another school, which is already being built. The additional school bus traffic will be outrageous. In addition, schools should be built near residential areas where there are school age children....NOT among Adult Communities. As I have seen in the past, that does not seem to penetrate or matter to the Planning Board.

I urge you to deny the applicant's Change of Use and Site Plan Exemption approval and perhaps find a different location.

Thank you  
Lorraine Gallo  
62 Foxwood Road  
Lakewood, NJ

Mrs. Morris said I did reply back to her her that she is not within 200' of the application and therefore she did not receive a legal notice in the mail. She seemed satisfied with that.



Mr. Pfeffer said to confirm, Ally you received copies of proof of notice for this application as required by law, correct?

Mrs. Morris said yes. She continued

From: Judith Buckridge

Board of Directors Fairways at Lakeridge  
1 Fairways Blvd.  
Lakewood, NJ 08701

Members of the Planning Board:

I am writing on behalf of the 1142 residents of the Fairways Community, adjacent to the property at 1626 Massachusetts Ave.

We are a 55+ senior community with single level residential homes. There are also 2 other senior communities opposite this address and adjacent to it on the other side.

We ask you to rethink the use of this land and not grant permission or ANY VARIANCES for a dormitory or another school to be built on this site, as one is still under construction and we haven't even seen the impact of that on our quiet community. The senior living in Lakewood is a generous base of income for the town by means of real estate taxes.

There are NO sidewalks on Massachusetts Ave. for children to walk and there are only 1 story residential homes in the area. Are these school children to be herded on this property like cattle? Will they be let out to wander the neighborhood without supervision? There is NOTHING for them to do in this area. Will there be fencing installed by the builder so they don't trespass onto the private properties nearby? Will this proposed building be another hideous 3 level building sticking out over the lovely 1 story landscaped homes nearby and incongruous with the development planned for this area by Town Boards of past years. My suggestion is for the builder to find property near parks, stores or cultural centers for the youth to develop a well rounded education.

I have noticed many buildings developed over the past few years in this area without forethought to the following: Will the drainage on the land for the proposed property surrounding this building, have all the necessary catch basins and water retention systems? Will they be ample enough to take the water down pour from a storm of great magnitude? Will the builders guarantee not to let any water trespass onto neighboring properties or into the local streets, which would create additional personal and township expenses? Will there be a large buffer zone proposed between the adjoining properties? Will there be bells, lighted basketball or sport usage courts or speaker systems planned for the proposed facility that can be heard 2-3 blocks away? How will this proposed facility disturb the existing land owners that bought here, 10-20 years ago in Lakewood, to enjoy peaceful living? The lower Fairways property values go, with additional buildings being erected nearby, the less the town gains from real estate taxes. If allowed by the planning board, the board become the towns worst enemy.

**Mr. Chairman, I ask you call a 30-60 day delay for the hearing to provide residents of the neighboring and affected communities proper time to review the application.**

**This application constitutes a major variance of local land use. There is an element in municipal land use law that, if an application is not considered in a specific number of days, it is presumed to be approved. I am asking you to waive the requirement, during this most difficult pandemic, and give the neighboring communities time to review the proposed plans. We would waive any requirement for additional notice to the community and we implore the Lakewood Town Planning Board to agree to this delay and avoid a contentious application.**

Respectfully,

Judith Buckridge  
President of the Board  
Fairways at Lakeridge

Mr. Pfeffer said we are a permitted use. We have no variances. We are providing asphalt sidewalks. As far as I know there is no speaker system.

Mr. Herzl said I'm asking you to be a good neighbor. No noise. Kids shouldn't be playing offsite. If we need fencing we will put fencing in.

Mr. Pfeffer said as Brian indicated this is a 5 acre site. There is a field for running around. I disagree that the three-story buildings being built in the area are ugly. There are some very nice buildings going up.

Mr. Herzl said even the play area that you are making, I think you said is 100 feet away from the Fairways.

Mr. Flannery said we are showing a play area here which would be 100' away. The tree line, high school boys will go towards the tree line, that's at least 30 feet and then there is an additional 30 feet of Fairways trees. So there is 60 feet of trees between any neighbor in the vicinity.

Mr. Stern said what is the substance of the play area. How is it different than the grass that is there today.

Mr. Flannery said it's going to be the same. They're high school boys. They can play on the grass. They throw balls around...

Mr. Stern said it's grass today. And its going to eb grass tomorrow. So the only thing that makes it a play area is that you wrote it on the plans.

Mr. Flannery said it makes it a play area because there is an administration to the school, and the faculty says this is where they are going to play.

Mr. Stern said I think it wouldn't be a bad idea to make a basketball court or two, or something.

Mr. Flannery said from the neighbor that we heard, they don't want a basketball court. They make noise and encourage people to stay there later at night. There is nothing in the Ordinance requiring a basketball court or play areas. This is a conforming application for an existing building that is a residential use to change to a school on 5 acres of land.

Mr. Jackson said Mr. Stern, if you believe that recreational amenities is important for the site plan, you can make that a condition of your approval. If the applicant is dissatisfied with that they have their remedy. Right now it's before you, they're asking you to vote for an approval. Don't be afraid to but reasonable conditions on here like you're citing.

Mr. Herzl said let's continue with correspondence.

Mrs. Morris continued.

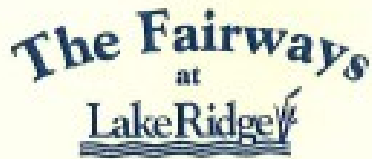
My name is Arye Kranz  
80 Foxwood Rd  
Lakewood NJ 08701  
732-779-8079

i live right in back of this project.  
i completely and totally support the opening of a Yeshiva High School  
in back of my house at 1626 Mass Ave

i would like to know if this project will include a dormitory and will there be Sabbath services this location  
i also want to make sure that no trees will be taken down for this project

TY  
Arye Kranz

Mrs. Morris said this one is a letter from the Fairways Homeowners Association. It's signed by the same woman we heard from before.



## Homeowners Association, Inc.

1 Fairways Boulevard, Lakewood, New Jersey 08701  
Management Office: 732-942-3213 • Fax: 732-942-9222

VIA EMAIL

July 20, 2020

Mr. Yechiel Herzl  
Chairman, Lakewood Planning Board

RE: Public Hearing: Application SP2377AA  
Conversion of Single-Family Home to School  
Block 524.27, Lot 74.02

Dear Chairman Herzl:

On behalf of the residents of the Fairways at Lake Ridge Homeowners Association, I request that you delay the scheduled public hearing for not more than thirty (30) days on the application referenced above for the following reasons.

- A. As you may recall, a school that was located on Massachusetts Avenue and that was adjacent to the Fairways community was relocated as a result of protracted difficulties that included, among other things, problems with improper disposal of waste, misconduct of unsupervised young persons and trespassing on the private property of Fairways residents. While the Association does not project this conduct onto the current applicant, the history is a cause of concern for the residents, particularly those who are adjacent to the property. A thirty-day delay in the hearing, and any board decision, would provide an opportunity for the Association to request a meeting with the applicant and their engineering firm for the purpose of alleviating a number of concerns and addressing a number of questions. The same successful process was used when the application for the construction of the yeshiva on Cross Street was presented. The ultimate goal would be to achieve constructive communication and cooperation and develop a better understanding of the proposed project.
- B. The pandemic has made it exceptionally difficult to review the plans and application materials. The application documents and plans could be reviewed at the proposed meeting.

C. The handwritten notes of the application review meeting indicate "numerous submission waivers" are required. While some of these may be technical in nature, there appear to be open questions about landscaping, location of a playground, location of a dumpster, school bus ingress and egress and the number of parking spaces. All of these have the potential of adversely affecting the quality of life of the Fairways residents if thorough and careful consideration is not given to each of them.

The Association has no objection to waiving any additional requirement pertaining to notice of a rescheduled hearing.

If necessary, by copy of this letter, we request that the applicant waive any limitation on the timely consideration of the application in the interest of holding the proposed meeting.

The Association will offer to host the meeting in its Board Room with a limited number of participants. The anticipated participants would be the applicant, their engineer, one or two Association board members and one or two of the Fairways residents closest to the proposed school.

On behalf of the Association, I look forward to your prompt response. Thank you.

Sincerely,



Judy Buckridge  
President

C: John Jackson  
Ally Morris  
Z S Pira  
Charles Surmonte  
Adam Pfeffer

Mr. Stern said Adam, Brian, would there be any problem with meeting with the homeowners on Monday and then we put this on the agenda for next Tuesday. Have you met with them?

Mr. Flannery said we have not met with them. They don't seem to be getting the fact that it's a permitted use, that the building is already there, and that we are replacing a three-bedroom house with a school. Any delay in this process which results in the school not opening in the Fall is a delay. If we were building something that was impacting them, as I indicated when there's future plans we'd be happy to meet with them but at this point it would be an imposition on the school to wait. And there's nothing to talk about. We aren't knocking down any of their trees, we are staying more than 100 feet away from them, the traffic is coming out to Massachusetts, and it's an inherently beneficial use that's in accordance with the Master Plan.

Mr. Stern said Brian, there's a substance and there's process. And I don't have a problem with the substance here and I'll support it, but it seems to me that it would be a prudent idea to meet with the homeowners. You're not really changing the building that much. So we put it on for two weeks.

Mr. Pfeffer said I'll be the bad guy here. The letter did come in, I did have an opportunity to review it. I then emailed Ally and she did forward on an invitation to enter into this virtual meeting room to the Association. A representative could have been here to address any of the questions. We sent them the invitation, this is not like they can just watch it and they have to email additional questions. We feel we've addressed all the comments from both the technical hearing and the Board's comments from this evening.

Mr. Herzl said I agree. I'm going through all the correspondence, Brian basically testified to all of it. It's only temporary and there's no variances over here. I think it's a benefit to help a school, I think every day is crucial.

Mr. Jackson asked when the time period is to act on this application.

Mrs. Morris said October or November.

Mr. Jackson said I understand the pressures that go with a school, but this will be here for a long time. I know you're trying to have some dialog with the neighbors. The Board does not have to decide this tonight, or until October.

Mr. Stern said what happens in October.

Mr. Jackson said there is a time period in which the Board has to act on an application.

Mr. Herzl said we try to help schools, and the school has to be open by September.

Mrs. Morris said I'd recommend we read the rest of the comments, there are a couple more.

Mr. Stern said let's table this.

Mr. Herzl said let her finish.

Mrs. Morris continued

Dear sirs,

I would like you to be aware that I support the application for 1626 Massachusetts Avenue, Lakewood NJ 08701, Block 524.27 Lot 74.02.

I hope you approve this application.

Regards,

Zoltan Hershkowitz  
12 Holly Court  
Lakewood, NJ 08701  
(908) 770-3270

Applicant 1626 Mass Ave.  
Block 524.27 Lot 74.02

My name is Geoffrey Paige  
40 Foxwood Rd. Lakewood NJ. 08701  
Phone # 845.300.0803

I am writing to you to express my support for the building  
of a Yeshiva on the above mentioned property. This will enhance  
the value of the neighborhood.

Thank you

Hi.

It's a terrible time for the applicant to request a sidewalk waiver, because the charter school right  
next door is right now in the process of installing their sidewalk.

There is no way these guys can get a sidewalk waiver.

Additionally, please ask them to address the fire district denial of their application. This application  
must widen their driveway to safely accommodate fire apparatus.

Thanks

Moshe Zeines  
112 Elmhurst Blvd, Lakewood, NJ 08701

Mr. Herzl said and they agreed to it.

Mrs. Morris said there is one more.

Hi.

The circular driveway currently has lots of very low hanging trees over it, making it a scary drive for  
vans to drive through it.

Will the applicant clear up some of the trees?

Shlomo Stein  
Hearthstone Drive

Mr. Herzl asked Mr. Jackson if he received anything else.

Mr. Jackson said I have the same feed as Ms. Morris. There are no more.

Mr. Herzl closed it to the public and asked for a motion.

Mr. Stern said I'm not going to stand against the whole Board. But we got a letter of a group that represents 1,000 people and they want to meet. And even if they don't change a thing, them being heard is important. For their voice to be heard. I imagine if we had a public meeting right now there would be a lot of people in the room. I would request that the applicant meet with the homeowners association as quickly as possible.

Mr. Herzl said is that your motion?

Mr. Stern said yeah.

Mr. Herzl asked for a second.

Mr. Sabel said can we compromise and maybe allow them to do the change but no additional trailers or such until they come back to the Board or have a meeting?

Mr. Stern said no I have no problem with the substance of this application. I'm in favor of it. These people are asking to sit down and talk, I think they should sit down and talk.

Mrs. Morris said I apologize, I'm sorry to interrupt, but I have additional public comments that I had overlooked.

Mr. Herzl said we will go through it in a second. Mr. Stern, I think they were noticed ten days before. There was ample time for them to reach out, they knew who the attorney was, if they wanted to meet. To bring it up now...

Mr. Stern said Mr. Pfeffer, you never got this letter? Did they reach out to you or Brian?

Mr. Pfeffer said Ally forwarded me the letter yesterday, today, and by the time I saw it, today we had a conversation. I did reach out and I did email back the woman on the email. I emailed her directly and I cc'd Ally and asked her to please provide her the invitation for this meeting so she could be here right now and make her comments on the record and have the opportunity to cross examine. We're not trying to be bad neighbors, we aren't really changing anything on the site.

Mr. Stern said you are changing the use substantially.

Mr. Pfeffer said to a permitted use.

Mr. Stern said I said I'm for the application. It's not a matter of substance, it's an issue of being a good neighbor.

Mr. Herzl reopened to the public.

Mrs. Morris read

Block # 524.27

Lot # 74.02

As someone who lives closeby, I hope you will approve this project.

Thank you,

Chaya Esther Einhorn



56 Foxwood Rd, Lakewood, NJ 08701  
718-854-3506

Department: Planning / Engineering

From: abraham hollander

Phone: 9178253254

Email: [superavrumie@aol.com](mailto:superavrumie@aol.com)

Comments: I HERBY WOULD LIKE TO STATE THAT I HAVE NO ISSUES WITH THIS  
PROPOSED

PROJECT

Hi

My name is Anshel Davis and I live on 24 sandhurst Rd, Lakewood in fairways. I heard about the yeshiva possibly coming to 1626 Massachusetts Avenue (block524.27 lot 74.02)and I am totally for it and I believe it will be an asset for the neighborhood and community.

Please move forward with this great idea .

Yours truly  
Anshel Davis

Mr. Herzl closed to the public. Adam, would you agree with what Mr. Sabel says, that it's just a temporary change of use and you will not add any trailers before you come back to the Board.

Mr. Pfeffer said was that a motion? There was a motion and no second, correct?

Mr. Herzl said there was no second. And then Mr. Sabel asked if you would agree to his comments.

Mr. Sabel said I'm just trying to compromise between Mr. Stern and the applicant.

Mr. Jackson said what we had is we had a motion and Mr. Sabel is asking if Mr. Stern would consider modifying that motion to include no trailers until after you meet and go back to the Board.

Mr. Stern said so Chaim, you're asking me to modify my motion. The substance of my motion is that they should meet with the neighbor. Are you...

Mr. Herzl said Mr. Stern from what I understand is they will meet the neighbors. If we approve them tonight it's just for the existing building. Any trailers they would have to meet the neighbors and come back to us.

Mr. Stern said I would be in favor of that.

Mr. Isaacson said I would like the motion to include curb and sidewalk and no waiver for blacktop.

Mr. Flancbaum said I have no idea what the motion is. Can someone please make a clear motion.

Mr. Sabel said I believe I can clarify. We're going to make a motion to approve the application with no additional trailers until they come back in front of the Board. As Mr. Isaacson requested, we're going to put cement sidewalk and normal curb on Massachusetts. We had a discussion about a recreational area, I'm not sure how Bruce...

Mr. Stern said Chaim, leave that.

Mr. Sabel said ok I'm ignoring that. The applicant's planner agreed to do 9 parking spots for the building itself, without the trailers, and they would add a pathway from the building to Massachusetts either asphalt or concrete but we're doing concrete on Massachusetts...

Mr. Herzl said if it's only temporary we should allow them to do asphalt.

Mr. Sabel said I'm ok with that but I would like to see it on a plan.

Mr. Flancbaum said are we talking about asphalt from the street to the building?

Mr. Sabel said Mr. Isaacson suggested concrete curb and sidewalk on Massachusetts, and I'm agreeing that we should do asphalt from the road to the building.

Mr. Flancbaum seconded.

Mr. Flannery said I'd like to add some information so the Board knows what they're voting on. If you require the concrete curb and sidewalk, the school will not be opening in September because we need County approval for that and that will not occur before September.

Mr. Herzl said Brian, if we put concrete and curbs on your property...

Mr. Flannery said you can't put the curb on our property because the curb has to be on the road. You can do concrete sidewalk on our property, not curb. We would need County approval, never going to happen in time for September.

Mr. Herzl said Mr. Sabel, will you agree to have concrete sidewalks and no curbs.

Mr. Sabel said I suggest we ask Mr. Isaacson.

Mr. Isaacson said explain to me, if you put in an application for curb, and the County doesn't approve it, you can't get a change of use?

Mr. Flannery said in order to get approval to put curb and sidewalk along Massachusetts Avenue, we have to submit an application to the County Engineer. They're going to want profiles of the road 500 feet in each direction. They're going to review it several times and they're going to tell us to move it, put drainage here... They don't move quickly. They don't care if the kids are in this school in September. They have their way of doing things and it doesn't change in Lakewood. The school would not be opening this year.

Mr. Flancbaum said I think what we should do in order for them to get a CO, let them put asphalt in the front and apply for curb and sidewalk.

Mr. Flannery said we agree that we will not put any trailers in until there is curb and sidewalk.

Mr. Sabel said that was not my motion. My motion was based on Mr. Stern's recommendation that you would meet with the neighbors and come back to us. That was not our intent.

Mr. Flannery said I was offering a compromise with respect to the concrete curb in the right-of-way so that the school can open in September.

Mr. Sabel said this was my motion based on Mr. Isaacson's and Mr. Stern's requests. If I don't have a second then I'll retract that motion.

Mr. Flancbaum said can I make a recommendation? I seconded the motion. I whole heartedly agree there should be curb and sidewalk along Massachusetts. We shouldn't start making exemptions. But in order for the school to open up in September, I would be amenable to them doing something temporary along Massachusetts in the form of asphalt. They are going to bond for the curb and sidewalk anyway. Or alternatively, let them apply for the curb and sidewalk. I don't know if they can get a temporary CO.

Mr. Stern said no your first idea was the best Justin. Let them get open, put some asphalt in, and if they want to do anything more we make sure they get it done.

Mr. Flancbaum said yeah they're going to bond for the curb and sidewalk so let's do it that way.

Mr. Stern said Brian, we want them open in September. We're not trying to throw roadblocks. But I think what you're hearing is we want to get some sidewalks and we'd like you to meet with the neighbors. That's it.

Mr. Herzl said let's go back to Mr. Sabel. Are you agreeing with the way Justin made the motion?

Mr. Sabel said yes, and I just want to start over to clarify. Regarding sidewalks, we agree to asphalt for now, bond for concrete and curb and submit an application to the County. Submit proof to the Board Engineer it was submitted. Asphalt to the building. No trailers whatsoever until they meet with the neighbors and come back to us, 9 parking spots, no buses, high school only no elementary school, clearing the trees.

Mr. Herzl said they said no clearing the trees.

Mr. Sabel said no, on top of the driveway.

Mr. Herzl asked for a second.

Mr. Flancbaum seconded.

Mrs. Morris said hold on, I'm writing down the last comment which was clear the trees that are overhanging the driveway. That was a comment from the public.

Mr. Sabel said we forgot to mention the Fire Department recommendation on making it wider.

Mr. Herzl said Brian agreed to that. That's part of the record. Justin, you second that too, correct?

Mr. Flancbaum said I second that. All were in favor.

Mr. Jackson said I want to clarify something with the Board and I will direct this to Mr. Sabel. I presumed and I understood when you said they have to come back before trailers, that's not a new application. That's merely a

matter of meeting with the neighbors, giving them the courtesy, and then having this back on the agenda and we can discuss the trailers at that time. That's not a whole new process or later application, it's kind of a continuation of this application. Is that what you envisioned?

Mr. Stern said I'd certainly like to see that happen sooner rather than later. Meet with them as soon as possible, and then have them send a letter back and let us know how the meeting went.

Mr. Herzl said I agree with that too. We are trying to help a school but also would like to be a good neighbor.

Mr. Sabel said I guess the come back as correspondence?

Mr. Jackson said since we are virtual, well it could be on correspondence. I think we should announce it and carry it for consideration of the trailers on a date to be determined tonight and the applicant can ask for a further adjournment if they're not able to set up a meeting with them by then.

Mr. Pfeffer said we don't even have a request for trailers. I believe there was a question from a Board member, Brian's testimony was in the event we want to go for trailers and expand...

Mr. Jackson said I misunderstood that. So you're not asking for trailers at this time.

Mr. Pfeffer said not at all. The question was asked what would happen if we wanted to get trailers, and Brian said we'd have to get a zoning certificate, we'd have to show we comply with the parking, and Brian then offered I'll give you the extra parking in case.

Mr. Jackson said ok, so that would then be on correspondence and it would just be an administrative thing.

Mr. Pfeffer said we will see you in a year or two when the school grows.

Mr. Sabel said the reason we did this is because as-is the building is done, it's standing. The yeshiva is going to be there in two months. We want the school open but we don't want to upset the neighbors by having trailers and additional classrooms there.

Mr. Pfeffer said we aren't arguing and we aren't objecting, I just wanted to clarify because John was going to notice it for another meeting and we don't have plans for that now. That's all.

**3. SP 2354 RBM Properties, LLC**  
1985 Rutgers University Boulevard      Block 1609, Lots 28.02 & 28.03  
Preliminary and Final Major Site Plan for a building addition

Mr. Garfield returned for this application.

Mr. Magno said this is a major site plan along Rutgers Boulevard for a building addition on the north east side of a large warehouse, mostly warehouse, building. They're looking to add 44,000 sf of building area. It needs a number of submission waivers. First question on the submission waivers is where do we stand on a letter of interpretation absence on this site. On the southwest side there is a stream and wetlands and I don't know if that affects your drainage or not at this point.

Mr. Ruel Topas, Esquire appeared on behalf of the applicant. He had Mr. Bill Stevens, professional engineer and professional planner, affirmed.

Mr. Stevens said we reviewed the RV review letter and we checked in the field. We don't believe there are wetlands on the subject property nor are we doing any work in that area. We are willing however to get a presence/absence from the DEP showing there are no wetlands on the property.

Mr. Magno said that obviously would be a condition of approval. I think all your other submission waivers are reasonable at this point and our report lists the items that would have to be made conditions of approval afterwards.

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

Mr. Magno said on to zoning, no bulk variances have been requested however it appears they're gonna need a variance for the number of off-street parking spaces. The Ordinance requires one space for every 250 sf and by our count they are slightly deficient. They would need 280 spaces and they have 272. And then there are a few design waivers. There is no sidewalk along Rutgers Boulevard and none is proposed.

Mr. Herzl said are there any other sidewalks in the area.

Mr. Magno said not on the adjacent properties. It's a little bit hit or miss out there. There may be some on some of the properties across the street but it is sporadic.

Mr. Herzl said the way I see it, it is sporadic now but it's all going to connect shortly.

Mr. Magno said ok. The other design waivers they need is a perimeter buffer. 25 feet is required and they don't have that in all locations. Also a design waiver for parking within 20 feet of the right-of-way.

Mr. Herzl said thank you.

Mr. Topas said good evening. For the most part the issues here are technical, I will let Mr. Stevens address those.

Mr. Stevens said one of the points in the RV review letter under zoning talks about the uses in the building. Currently there are 4 users. There is a company called Modular Closet, a company called Rubbercycle, a company called NJPD Plumbing, and a company called MG Stone. I don't know how familiar the Board is with these companies but the last one I mentioned is of particular importance to this. They do granite counter tops and table tops, giant pieces of stone. They want to have this addition so they can store stone inside. We aren't looking to add additional users here, just covered space for the tenant currently there now to store his stone inside. Right now he is storing the overflow of stone outside and from what I understand it's just not good for the granite to be outside once it's polished. It's a warehouse for storage space inside.

Mr. Herzl said there are no new tenants, so technically you don't need any more parking from what's existing.

Mr. Stevens said that would be correct. As Mr. Magno said, we are not asking for any variances. The proposal for this addition is conforming. Where we are building this addition is currently pavement, so we really aren't adding any additional impervious, although we are looking to reconfigure some of the parking areas to make them work better. We are not adding parking spaces, we are keeping the parking spaces the same. However there is a mistake on my drawings, I forgot the Township had changed the parking requirements from 1 per 300 to 1 per 250 square feet. So I went through and looked at that, and find that there are a couple areas in the paving where we can go in and restripe the additional 8 spaces we need in that area where the addition is going.

Mr. Herzl said so your testimony is that you can be variance free with respect to parking.

Mr. Stevens said we will restripe to provide 280 spaces, yes.

Mr. Herzl said and you would provide that during resolution compliance.

Mr. Stevens said yes.

Mr. Herzl said do you agree with everything else on the report?

Mr. Stevens said other than that, we can address all the comments in the RV review letter.

Mr. Herzl asked for questions from the Board.

Mr. Sabel said in the back where the loading zone is right now, it shows trailers with a container and a front piece. You're proposing to put parking spots there. Is that possible?

Mr. Stevens said in the back by the loading area?

Mr. Sabel said I see cars parked there already by that U.

Mr. Stevens said correct, right now there is parking there. We are proposing to move the parking back about 15 or 18 feet so there would be more room in there to maneuver trailers. But we aren't changing the parking, we are making the loading area larger.

Mr. Sabel said and there will be enough room for two-way travel.

Mr. Stevens said it works now, we aren't proposing to change the configuration but we are making it better because the driveway, instead of going out to Rutgers like it does now, it's going to go out through the adjoining property out to Rutgers. So it's an easier movement for trucks to make.

Mr. Sabel said you are taking away 9 feet because you're adding 61 spaces over there. Behind the existing building on the other corner. You're adding 61 spaces where there currently isn't. You're taking 9 feet from the width of that drive.

Mr. Stevens said those spaces technically are there, we took that information from the original site plans and surveys for this building. So we aren't changing that, it's not a proposal. Actually the only thing we are doing is making it better by widening it by about 15 feet.

Mr. Sabel said are you putting striping throughout?

Mr. Stevens said yes we are going to restripe the spaces.

Mr. Sabel said we have to address the sidewalk Mr. Chairman. You brought it up. The entire Rutgers University Boulevard? That's the question. That's a lot.

Mr. Topas said Mr. Stevens, what length of curb and sidewalk would that be.

Mr. Stevens said the entire frontage of this property is significant.

Mr. Sabel said are there any schools on that strip of land?

Mr. Stevens said I'm estimating it's closing on 2,000 feet.

Mr. Herzl said Mr. Stevens, what's adjacent to this building. Is there any pedestrian traffic?

Mr. Isaacson said I know Oros Bais Yaakov is on that block. I don't know if there are any other schools.

Mr. Herzl said Mr. Isaacson, you know the area. What would you recommend regarding sidewalks.

Mr. Isaacson said I recommend we make every owner in Lakewood put sidewalk where there isn't.

Mr. Herzl said that's 2,000 feet, that's a lot to ask.

Mr. Isaacson said I understand.

Mr. Herzl said I'm asking since you know the area if there's a compromise, is there any area that's more important.

Mr. Isaacson said I know the area, I would guess the side near the school, which would be the right side of the building if you're facing it. But it's hard to say.

Mr. Sabel said in the past we've compromised with asphalt in the industrial park. We did that with the yeshiva down the block.

Mr. Herzl said I'm ok with that, I know the Mayor also told me he's ok with asphalt in the industrial park.

Mr. Sabel said it's actually at the corner of Rutgers and Swarthmore that we approved it.

Mr. Herzl said Mr. Sabel, to do asphalt on 2,000 feet I think will cost them less than concrete on a few hundred feet. You can do much more if we do asphalt. I think we should open up to the public.

Mrs. Morris said I don't have any comments.

Mr. Isaacson said the entire Rutgers is curbed, so we are really only discussing sidewalk.

Mr. Herzl closed to the public.

Mr. Sabel said can we confirm that everything has curb?

Mr. Stevens said the entire frontage of the property has curb. There are no sidewalks adjoining it or opposite it on any portion of Rutgers. There is one piece of sidewalk in front of the yeshiva, which is two buildings to the right if we were facing the building.

Mr. Herzl said the yeshiva has asphalt or concrete?

Mr. Stevens said it has sidewalk, it appears to be concrete. There is only one building that has it and it is not adjacent to this one. It's just a lot for someone to do, who has a warehouse and is trying to keep a viable business in the industrial park here.

Mr. Herzl said my question is if you have curbs and we do an asphalt walk around the building.

Mr. Sabel said it's about \$15,000.

Mr. Herzl said I see the applicant here, he can speak.

Mr. Robert Gestetner appeared and was affirmed. He said I believe there is one building on Rutgers that has a sidewalk, and if all my neighbors would join it would make sense. I don't mind doing pavement, like you said doing asphalt, but what's the point if no one else on Rutgers is doing it.

Mr. Herzl said eventually, anyone who is building over there is going to have to do it.

Mr. Gestetner said Rutgers is all built up.

Mr. Sabel said but they are being converted one at a time, one warehouse at a time.

Mr. Topas's audio glitched and there was delay while the Board Administrator tried to fix it.

Mr. Sabel asked Mr. Stevens, you said you're changing the traffic flow from one direction to another?

Mr. Stevens said right now, the parking on either end doesn't connect. We are building a driveway through to connect those so you can drive from one end to the other. It's going to improve the circulation in the front. In the rear, we are going to take the truck access which currently wraps around where the building addition is going to go, and we are going to put that onto the pavement on the adjoining property. So the truck traffic and the car traffic is going to be improved.

Mr. Sabel said thank you for that.

Mr. Topas rejoined the meeting. He said I got done making a very fine speech and find out that no one got to benefit.

Mr. Herzl joked you have to speak in English next time.

Mr. Topas said ok. I was trying to add to the dialogue about the sidewalk. It seems to me that the appropriate time that the sidewalks would make sense would be if in the future these buildings were converted to schools. Otherwise they are buildings that do not have, as a general rule, any pedestrian traffic. They are industrial, manufacturing, warehouse. Pedestrian traffic is very limited. I would further point out, as more of the buildings are converted to schools it might become germane, but with only one school there that has curb and sidewalk it doesn't seem to make a whole lot of sense and it seems to be a very heavy burden to lay on this particular application and we respectfully ask that you consider the waiver.

Mr. Sabel said I don't think this building is going to become a school any time soon. But the other two buildings between them have the potential down the road and then it's never going to be connected. We do understand the burden, and that's why it was suggested to do asphalt which will cost them maybe \$15,000, \$8 per square foot. There is already curb, I think it's fair to ask but I'm only one of 5 or 6.



Mr. Garfield said what is currently under where you want to put the warehouse. Is it grass or asphalt?

Mr. Stevens said it's basically a paved parking lot.

Mr. Sabel made a motion to approve the application with asphalt sidewalk throughout the property.

Mr. Flancbaum seconded. All were in favor.

**4. SP 2211A Bnos Melech of Lakewood Inc.**  
550 James Street Block 364, Lot 1  
Amended Preliminary and Final Major Site Plan for a school and gym

Mr. Magno said this application is for an amended site plan for an additional school building. I believe it is a high school building behind the existing school. Also, the addition of a gymnasium building as well. This project has a few submission waivers that are required. Traffic study, the applicant indicated that they are requesting the waiver because right now you can't get accurate traffic counts which is reasonable with the pandemic. Submission waivers for offsite features within 200, we are ok with that. The topography goes far enough. The last one is for Environmental Impact Statement, and since the site is already developed we are ok with that one as well. You should act on those requests first.

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

Mr. Magno said for zoning, this is in the M-1 industrial zone and it is a permitted use. It needs a front yard setback variance and actually it's an existing condition and it's a new variance in a sense that the M-1 requirements have changed. The front yard setback is 109 feet whereas 140 feet is now required. The new building in the back requires a rear yard setback variance. It is set 10.69 feet from the rear where 30 feet is required. Side yard setback variance, 12.24 feet whereas the minimum is 30 feet required. Combined side yard setback variance, the revised plans have a combined of 27.58 feet where 70 feet is required. Buffer relief, 10 feet is required in this zone and the improvements go within 10 feet of the property line. The next item, we will need testimony on the bus loading and unloading. The revised plans only give us one legitimate space and I think the plans can be revised to provide more but we will need testimony as to how many are actually needed. And then for signage, identification sign has not been shown however there are signs on the site which we don't know if they already have permits, if they're going to the Zoning Board, that's going to have to be addressed in testimony because we can't tell you right now if there is any relief needed. As far as design waivers, there is one and that's for street trees along James Street. And as far as review comments, we will need testimony on the new building itself. The maximum number of staff for the site, testimony confirming no parking variance is needed. There are quite a few spaces proposed but we don't know what the existing building has so we can't confirm the numbers. Right now, the front building is operating under a TCO, the engineers and professionals can address the status on getting that to be permanent. I don't know if they have any renderings to show, if they do they should provide that as an exhibit. As far as landscaping, if the Board has any recommendations that should be discussed now. Those are the hot points.

Mrs. Miriam Weinstein, Esquire, appeared on behalf of the applicant. She said I want to confirm that this application is an amendment to a previously-approved application, which called for building both a girls elementary school and a high school in phases. The first phase was building the elementary school, which was built and is in use. The second phase, which was already approved, actually called for construction of the high school building. That plan was approved by this Board in December of 2016. And it called for a two-story high school building. After they got the high school operational, it's currently operating out of the elementary school, both the elementary and

high school are currently on this site in that one building. What they discovered is that a two-story building is not going to be that functional for a high school, and their preference is to have all classes on the same floor. So we came back with this plan for a single-story building. The new plan also calls for a gym addition for the elementary school. All of this is to be accomplished without requesting a parking variance. We will present testimony showing how that is sufficient. We will also go through bus staging, loading and unloading. I just want the Board to understand this was a fully approved school for both buildings, and we are merely here tonight to change the two-story building into a one-story. It does change the setbacks slightly. And to add a gym to the existing elementary school building. But the site is fully functional right now with the elementary school and the high school, with school buses, for many years now. She had Glenn Lines, professional engineer and professional planner, affirmed.

Mr. Lines said as Mrs. Weinstein pointed out, we are modifying our original approval to go from a two-story high school building to a single-story. The number of classrooms has been reduced. The original plan had 25, we are reducing the number of classrooms to 16. To do that, we ended up with increasing the variances we need for the school. So you have two side yard setbacks and a rear. The setback on the east side goes from 12.31 feet to 12.24 feet, a little less than an inch difference. The rear, which is up against the railroad tracks, that goes from 18.08 feet to 10.59, and on the west side it goes from 18.02 to 15.34. So that's really the increase in the variances we need. The building itself goes from two-stories, 53,319 sf, now it's going to be 41,616 all on one floor. As far as parking, counting the existing building and the new school, the new school gets counted under the Ordinance as 3 spaces per classroom and one space per office and tutor room. We come up with required of 176 and we originally had 206, we now have 207. We have an excess of 30, and that's in addition to the fact that the Ordinance requires 3 per every classroom and 1 per office. There's a lot of overlap in the parking requirements, you ordinarily only have 1 teacher per classroom. But this gives parking for tutors, aides, parents. So we do comply.

Mr. Herzl said is there any change to the circulation on the site plan.

Mr. Lines said none. Garbage is all the same, circulation is the same.

Mr. Herzl said are you increasing any students? Or is it mainly for the gym?

Mrs. Weinstein said it's for the gym. Obviously the number of students in Lakewood tends to go up every year, but this is not for any kind of tremendous influx in students, no.

Mr. Herzl said so you have adequate room should you need an extra bus.

Mr. Lines said yes.

Mr. Isaacson said I don't understand when you say there's not a major increase in students, do you mean from the proposed plan back in 2016?

Mrs. Weinstein said there's obviously more students than in 2016, I don't think they even had four full classes of the high school then. In general, this plan is not because they are planning to add more students to the school. Just the normal amount of additions that get added each year in Lakewood. So there are more students than in 2016, but not significantly more than in 2020. This site is already operating as both an elementary school and a high school for 2016, 2017, 2018, 2019, and 2020.

Mr. Isaacson said so how many students are housed in the current building?

Mrs. Weinstein said I believe it's somewhere around 1,000 for both the elementary and the high school in the one building.

Mr. Isaacson said and the new structure will add an additional...?

Mrs. Weinstein said the new structure is not adding students, it's just moving the high school out of the elementary school building, which doesn't really have room for it.

Mr. Isaacson said allow me to rephrase. How many students can fit into the current structure, and how many more students can fit into the proposed structures.

Mr. Lines said the new high school at 25 students per class, 16 classrooms...

Mrs. Weinstein said that's 400. In the new high school building they can fit 400 students, and I believe they have about 371 currently.

Mr. Isaacson said so currently there are 1,000 students, and with this new building there is the capability for 1,400 students. Is that correct?

Mr. Lines said that sounds close to the correct number, yes.

Mr. Isaacson said is this facility going to have a basement?

Mr. Lines said no.

Mr. Isaacson said so there is no plans for a wedding hall here?

Mr. Lines said no, there are no plans for a wedding hall in the new building. It doesn't have a basement, it's a single-story building, built on a slab.

Mr. Isaacson said and there's no place for a simcha at all.

Mr. Lines said no, there's no basement at all. It's all classrooms, an all-purpose room, I think it has a gymnasium.

Mr. Isaacson said are they proposing to make any simchas in this building?

Mrs. Weinstein said no.

Mr. Herzl asked if there is anything else in the report that Glenn wants to go through or if he agrees with the rest of it.

Mr. Lines said I don't have any problem with any of the comments.

Mr. Flancbaum said Glenn, can you just talk about the parking calculation again?

Mr. Lines said the parking calculation is based on 3 spaces per classroom, and 1 space per office or tutor room. So based on the number of classrooms and tutor rooms, it works out to 176 required spaces.

Mr. Flancbaum said and that's between the existing space and the new building?

Mr. Lines said both buildings. Both require 176 by the Ordinance and we are at 207.

Mr. Herzl said thank you. He opened to the public.

Mrs. Morris and Mr. Jackson confirmed there was none.

Mr. Herzl asked for a motion.

Mr. Flancbaum said there is no curb and sidewalk waiver with this, was there?

Mr. Lines said there is proposed sidewalk on the plan.

Mr. Sabel said he was muted before and still has questions. He said on Mr. Isaacson's concerns, we have two rooms. One is 7,000 one is 5,000 square feet. We have a kitchen that is leading off of these rooms, we have sufficient bathrooms. How do we know this is not going to end up being a simcha hall and what can we do to prevent it.

Mr. Herzl said first of all, even if it is a simcha hall they are testifying they have adequate parking. They have much more than they need. They need 176 and they're giving 207. Glenn, should you use that room for a hall, how many parking spaces would you need.

Mr. Lines said I can't imagine you would need more than 50, 60 spaces. But you'd have to do it when the school's not open.

Mr. Flancbaum said I think this is moot. He said he's not using it as a simcha hall. They put that on the record.

Mr. Herzl said Mr. Sabel just asked, if they do use it, what do we do?

Mr. Flancbaum said it's perjury. He said under oath that he's not doing it, so why get into that?

Mr. Sabel said can we get a sidewalk from James Street to the main building and the back building?

Mr. Lines said there's sidewalk basically around the grammar school, all the way around the school to the back, and there's a crosswalk across the parking lot, then a sidewalk across an island, and another crosswalk, and that gets you back to the high school. If it's a matter of adding another 100' of sidewalk to get from James Street to the one piece, we can definitely add that.

Mr. Herzl said ok thank you. I think Rabbi Hess would like to say something.

Rabbi Zev Hess appeared and was affirmed. He said I want to be truthful. I am the dean of the high school and the elementary school. I'm a little disturbed, I don't know who this is that wants to put me in jail if I make a simcha in that big room. It's not proposed for a simcha room, but if I happen to make a simcha there I don't think I should be thrown in jail. It's a high school for girls that desperately need a school.

Mr. Herzl said your testimony from your professionals is you are not using the hall. Are you saying you want to use the hall?

Rabbi Hess said I'm saying it's for the girls for whatever they need. If I happen to make a party there, don't throw me in jail.

Mrs. Weinstein said is your intention to use that room as a simcha room, or it's a room that's used for the school?

Rabbi Hess said it's used for the school, but if someone wants to make a party there, I don't want to be thrown in jail.

Mr. Herzl said any school function, if you have anything there in the school, that's allowed. That's not a simcha.

Rabbi Hess said if my son gets engaged or my daughter gets engaged, and I want to have something there, I don't want to have an issue. And I think it's wrong for someone to bring that up.

Mr. Herzl said your testimony has to be that if you want to use it, say that you want to use it. Your testimony until now was that you aren't using it. If you're going to use it, we have to make sure you have enough parking.

Rabbi Hess said we have plenty of parking and there's no issue with parking there. Go to other places where there's issues with parking. I have plenty of parking all over the place. I don't have an issue with parking. There are other places with issues with parking.

Mr. Flancbaum said as the Planning Board, we are trying to determine what you want to do inside the building. That's why we asked if there's going to be a simcha hall. Your professionals stated on the record that there's not going to be a simcha hall. If you're saying that you want to utilize it for a simcha hall, then I think the other members' question of whether or not there is adequate parking for that is legitimate. I understand your testimony that you feel you have enough parking if you want to make a simcha in the building, so I think we should go back to your professional and ask him also his professional opinion if you would make a simcha inside, which is fine if that's what you're telling us, we just wanted to know, that's all. If your intent is to use the building as a simcha hall, I think we should go back to your professional and we should ask Glenn. Glenn, do you think there is adequate parking to utilize that building as a simcha hall?

Mr. Herzl said before that, I think we should ask how big that room is and how many people fit in there. We know how much parking we have.

Mr. Lines said 7,600 square feet multi-purpose room. So at one person per 25 square feet...

Mr. Herzl said is it one per 25 or one per 15?

Mr. Lines said you're looking at 500 people, that's at one per 15, I think that's kinda crazy. And we have 207 spaces. So we still have plenty of parking for anything that could go on there.

Mr. Sabel said Glenn, how many people can you fit into 6,000 square feet. Or rather 7,000.

Mr. Lines said the square footage of the room is 7,500 square feet. And at one person per every 15 square feet, that comes out to 500 people.

Mr. Sabel said and we have the gym room as well, we can utilize. We aren't going to jail, we are asking questions.

Mr. Herzl said Rabbi Hess, do you agree that you have 207 parking spaces and you won't make a simcha more than 250 people or 300? Because you have couples. 500, you don't have the parking. What number do you feel will be the maximum that you will make a simcha there and that you have the parking for.

Rabbi Hess said you tell me, is there parking for 350?

Mr. Herzl said if you have couples and everyone comes together, you have 207 spaces so you have up to 400. Glenn are you there?

Mr. Lines said yes, at 2 per car, 400 people, you have a few extra spaces.

Mr. Herzl said would you agree maximum of 400 since that's the parking you have?

Rabbi Hess said yes.

Mr. Herzl said ok that means you can't make a wedding with 500 people.

Rabbi Hess said I'm not looking to make a wedding. My goal is not for a simcha hall. But before he said this would be perjury if I have a simcha. I don't want that. I'm doing everything legally.

Mr. Herzl said we just want it on the record.

Mr. Flancbaum said we're just trying to get the record straight. Nobody was accusing anyone of anything.

Mr. Herzl said ok so your testimony is you are not making an official simcha hall. Should you use it, you're limiting yourself to a maximum of 400 people in the building. Is that correct?

Rabbi Hess said correct.

Mr. Jackson said the one concern I have is the application here is not for a simcha hall.

Mr. Herzl said I understand.

Mr. Jackson said but to say you can have 400 people at a simcha hall, that's a completely different application than he applied for.

Mr. Herzl said what I'm saying is they don't have an official simcha hall, but like every other school they do rent out their dining room or lunch room and they make parties over there. I'm just limiting parties if they do rent it out to 400.

Mr. Jackson said and how many parking spaces are there again?

Mr. Herzl said 207. Assuming you have couples come, so that's roughly 400 people. Again we are not making a simcha hall over here. But should the school use it or rent it out for a party, they can't have more than 400 people. We want to make sure we have enough parking. Is that agreeable to the Board members?

Mr. Sabel said technically he has 1,200 square feet of empty space. That's about 800 people. Just putting it on the record.

Mr. Herzl said I think we limited it to 400 maximum he's allowed to bring in there. The applicant agreed to that number because that's how much parking we have. Based on that, I would ask for a motion.

Mr. Sabel made a motion to approve, with a sidewalk throughout the entire site from the front James Street to the two buildings, and no rentable simcha hall.

Mr. Garfield and Mr. Flancbaum seconded. All were in favor.

Mr. Sabel made a motion to approve and Mr. Meyer seconded. All were in favor.

Mr. Jackson said I just want to clarify with everyone, that motion was no simcha hall. Not 400 people, not 300 people, not 100 people. No simcha hall.

Mr. Sabel said no rentable simcha hall.

Mr. Flancbaum said if the applicant makes a function, they can do so.

Mr. Jackson said school events, right.

Mr. Sabel said non-rentable should include not more than 400 people, obviously.

Mr. Flancbaum said correct, that's the way I understood the motion.

**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