

1. FLAG SALUTE & CERTIFICATION OF COMPLIANCE

Ally Morris 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 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. REORGANIZATION

A. OATH OF OFFICE

- Class I Member-one-year appointment to December 31, 2020 – Raymond Coles (not present)
- Class II Member-one-year appointment to December 31, 2020 – Justin Flancbaum
- Mayor's Designee to serve to December 31, 2020 – Moshe Raitzik
- Class III Member-one-year appointment to December 31, 2020 – Albert Akerman
- Class IV Member-four-year appointment (four-year appointment) – Eli Rennert, Yechiel Herzl, & Bruce Stern
- Planning Board Member alternatives (two-year appointment) – Jacob Meyer

B. ELECTION OF OFFICERS FOR THE CALENDAR YEAR OF 2018

- Chairman - Yechiel Herzl
- Vice Chairman - Eli Rennert
- Secretary – Ally Morris

C. SELECTION OF CONSULTANTS AND OTHER PERSONNEL

- Attorney - John J. Jackson, Esq., King, Kitrick, Jackson & McWeeney, LLC
- Planner - Mr. Terence Vogt, P.E., P.P., C.M.E., Remington & Vernick Engineers
- Engineer - Mr. Terence Vogt, P.E., P.P., C.M.E., Remington & Vernick Engineers

3. ROLL CALL & SWEARING IN OF PROFESSIONALS

Mr. Stern, Mr. Sabel, Mr. Flancbaum, Mr. Herzl, Mr. Meyer, Mr. Raitzik were present.

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

4. MEMORIALIZATION OF RESOLUTIONS

1. SD 2082A MC Tuscany II Property, LLC

E County Line Rd Block 194; 195; 196; 197; 198, Lots 1 & 4; 1-3; 1-5; 3, 5, & 8; 10
Amended Preliminary and Final Major Subdivision to revise tract boundaries and setback variances

This resolution was tabled to the next meeting.

2. SP 2310 The Parke at Lakewood, LLC

752 & 688 Cross Street Block 524; 524.23, Lots 2.03 & 77.02; 1
General Development Plan for a Planned Unit Development

This resolution was tabbed to the next meeting.

- 6. SP 2344 Mesivta Ahavas Hatorah**
355 & 363 Chestnut Street Block 1096, Lots 1 & 2
Preliminary & Final Major Site Plan for a school with dormitories

This resolution was tabled. Mr. Jackson said I spoke to Ms. Weinstein and I prepared a memorandum for the Board regarding whether a waiver is necessary for improving the street frontages. Ms. Weinstein has agreed to carry this matter and make an amendment to seek the waiver.

Mrs. Miriam Weinstein, Esquire, appeared on behalf of the applicant. She said we are going to re-notice and without conceding to what's in John's memo, which I haven't seen, we are going to agree to re-notice. The notice is going to state that the Board heard this on December 3rd, approved the Site Plan, however the resolution was not passed and we are going to be seeking a waiver from improving the three unimproved rights-of-way that abut the property. The hearing would be only with regard to granting the waiver.

Mr. Herzl said I tend to agree. We listened to and voted on the whole application. If nothing else is changing on this project, the Board should consider just the waiver.

Mr. Jackson said correct. The Board did not address whether a waiver was required. It's essentially a loose end that needs to be tied up and the Board can consider just that item.

Mrs. Weinstein said my notice will make that clear.

Mr. Rennert said if you may not get the waiver, the Board may want to look at ingress/egress or make changes.

Mr. Flancbaum said at that meeting the applicant referenced a fair share Ordinance. I personally like that idea.

Mrs. Weinstein said so does the applicant.

Mr. Jackson said I looked into that closely, that has some repercussions. There are separate sections of the Ordinance that a waiver is required and was not granted. Therefore there is no waiver given. The contribution refers specifically to off-tract improvements. Under the MLUL the half-width of the roadway that adjoins the parcel is considered on-tract. The Board was under the mistaken impression that the roadway was considered an off-tract improvement. That's a critical distinction, that half of the roadway is not off-tract.

Mr. Flancbaum said then what would be considered off-tract that could have a fair share contribution?

Mr. Jackson said it could be something nearby, it could be the other half of the roadway, etcetera.

Mr. Vogt said it could be the other side of the road, it could be that there has to be improvements two blocks up the street. Or a signal that everything in the area is going to contribute to. As John indicated both the MLUL and the UDO make the distinction of on-tract including the adjoining roadways.

Mr. Jackson said I take responsibility for that I wasn't as precise as the last meeting.

Mr. Flancbaum said I like the contribution. If you grant the waiver you get nothing.

Mrs. Weinstein said I believe the Board has the leeway of doing what they did last time, which is saying the applicant is responsible for their pro-rata share. If that's what the Board wants to do.

Mr. Jackson said you'd need a waiver for now, and then put the money aside in the meantime.

Mr. Rennert said last time you said that this applicant wouldn't be required to submit a fee based on that Ordinance.

Mrs. Weinstein said correct, in this case the applicant isn't using those roads because they are entering this property strictly from Chestnut.

Mr. Flancbaum said when they are improved, they will use them, they just don't need them now.

Mr. Jackson said I know Bricktown has a pedestrian general safety fund for sidewalks. Maybe we need an Ordinance like that.

Mr. Vogt said you could say that one of the conditions could be that the Board is still interested in the contribution.

Mr. Jackson said I'll have to check the validity of that.

Mrs. Weinstein said we will request the waiver and discuss it at the next meeting.

Mr. Rennert left.

Mrs. Jackson said I'd like to thank Mrs. Weinstein and her client for working on this with us. They cooperated well and I want to publicly thank them for that.

Mrs. Weinstein said we'd like to try to cooperate. She asked for and was given a copy of Mr. Jackson's memo.

Mrs. Morris stated our next meeting is January 21st and she expects this to be heard then.

- 3. SP 1838D NJ Hand, Inc.**
Towers Street & Vine Avenue Block 807-809, Lots 1; 1 & 2; 1 & 2
Preliminary and Final Major Site Plan for Phase 6 of the Lakewood Commons for 65 affordable units
and a recreation building

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

- 4. SD 2117 Meyer Gross**
1844, 1852, & 1880 New Central Avenue Block 11.02, Lots 9, 10, & 27
Extension of Major Subdivision to create 5 lots

A motion was made and seconded to approve. All were in favor. Mr. Sable and Mr. Raitzik abstained.

- 5. SD 2407 Akiva Meyer**
1575 & 1591 Salem Street Block 1159.02, Lots 2 & 3
Minor Subdivision to create three lots

A motion was made and seconded to approve. All were in favor. Mr. Sable and Mr. Raitzik abstained.

- 7. SD 2413 Congregation Ohr Yisroel Saba Kadisha Druzhin Inc**
County Line Road East Block 190, Lot 73.25
Minor Subdivision to create three lots

A motion was made and seconded to approve. All were in favor. Mr. Sable and Mr. Raitzik abstained.

- 8. SP 2318 Congregation Ohr Yisroel Saba Kadisha Druzhin Inc**
County Line Road East Block 190, Lot 73.25
Preliminary & Final Major Site Plan for a synagogue

A motion was made and seconded to approve. All were in favor. Mr. Sable and Mr. Raitzik abstained.

- 9. SP 2349 Little People Childcare**
222 South Clover Street Block 536, Lots 133 & 137
Preliminary & Final Major Site Plan for a daycare

Mr. Herzl asked about the condition subject to Terry agreeing that the parking works. Mr. Meyer brought up that there are State regulations regarding the number of teachers per students and I think it's essential we ensure there is enough parking for that number.

Mr. Jackson said we can table that resolution until we figure that out. Mr. Sable also asked that we try to get the resolutions done more in advance of the meetings and we will make every effort to do that.

Mrs. Morris read from the resolution, "the number of parking spaces shall be provided to the satisfaction of the Board Engineer and Attorney during resolution compliance." I believe the intent was that the Board Engineer confirm during compliance that a variance is not necessary.

Mr. Herzl said I think we have to add that it's subject to that it's going to work regarding drop off.

Mr. Vogt said if we can get a copy of the State ordinance we can look at the architectural plans to see if the ratios work in relation to the State regulations. We do that occasionally in resolution compliance to make sure it still meets code.

Mr. Jackson said what I'm adding is the Board Engineer will look closely at the circulation patterns to make sure that it works safely and is in compliance with the State regulations for institutions of the sort.

Mr. Stern said and Mr. Meyer brought up that there are specific State regulations, maybe under DYFUS code, regarding the number of staff vs children. The real question we had was on the lack of calculations. We are asking Terry to go back and look at the regulations and do the calculations and say does this work.

Mr. Herzl said in the future we are going to look at that and the applicant should put it on the plan.

Mr. Jackson said in the future applicants should be aware that if the Board doesn't have this information and isn't comfortable with it, their choice is to not act that night or to deny or adjourn.

The Board voiced agreement with that.

Mr. Stern asked to add specific reference to the State regulation in the resolution.

Mr. Flancbaum said the anecdotal testimony regarding limiting the ages of students and number of students per family needs to be cut out. If it complies, it complies.

Mr. Vogt said our goal is to get all of that information prior to the hearing on future projects.

Mr. Jackson said so I'm adding that the Board Engineer will look closely at the circulation patterns to make sure that it works safely and is in compliance with the State regulations for institutions of the sort. The Board Engineer will confirm that the applicant meets the criteria for the number of faculty for the number of students according to the State regulations.

Mr. Stern said I would find the actual chapter and verse of the State regs. It's the childcare regulations.

Ms. Morris said I'm sure we can pull it.

A motion was made and seconded to approve the resolution with that addition. All were in favor. Mr. Sable, Mr. Raitzik, and Mr. Meyer abstained.

Mr. Stern said part of our challenge dealing with this is that our current Ordinances as they relate to childcare centers are vague. Can we ask Terry to work on suggesting some language to the Township to change that?

Mr. Vogt said that's an excellent idea. I would make the request to the Committee to undertake an investigate to develop an appropriate daycare ordinance and they can use whoever they choose to do the study with the intent of forming an ordinance.

Mr. Stern said don't we usually make the suggestions.

Mrs. Morris said the Committee will put together a formal ordinance that says these are the changes we propose, and it will come to the Board for review.

Mr. Jackson said the Board's opportunity to do that is during the Master Plan review. Generally, the ordinances come from top down, but there is nothing prohibiting the Board from making recommendations. In this instance, a month ago I talked to the Mayor about Mr. Herzl's concerns regarding this. The Mayor was very favorable to that. He had no objection to the planner looking at that. They can make arrangements to get a planner that has expertise in daycares.

Mr. Stern said so what's the next step.

Mrs. Morris said I can draft a letter to the Committee with the Board's desires, or if you want something more formal Mr. Jackson can do it.

Mr. Stern said no, you can do it.

The Board agreed on sending the letter through Mrs. Morris.

5. PUBLIC HEARING

6. *SP 2340 Ave of the States Office Urban Renewal LLC*

*Avenue of the States Block 961, Lots 2.02, 2.03, & 2.07
Preliminary & Final Major Site Plan for an office building
Notice provided for this application was insufficient and the project cannot be heard. New notice shall be provided for the January 21, 2020, public hearing.*

Mrs. Morris said the notice on this application was deficient, it did not reference all of the potential properties that are part of this application. New notice will be provided by the applicant for the January 21st meeting.

4. SP 2290 Yeshiva Chemdas Hatorah

317 Cross Street Block 440, Lots 7.02, 56, & 60
Preliminary and Final Major Site Plan for a school campus

Mr. Adam Pfeffer, Esquire, appeared on behalf of the applicant. He indicated they would like to carry to January 21st as well, and that if it was not able to be heard that night they would re-notice. He would let the Board know before the meeting if they are not proceeding that evening.

Mr. Jackson said he had conversations with Mr. Doyle and Mr. Flannery regarding this.

Mrs. Morris made the legal announcement to carry the application to the January 21, 2020, public hearing at 6PM.

Mr. Herzl said before we continue with the public hearing we have one more issue we should include in our letter to the governing body.

Mr. Flancbaum said we should ask them to look into additional parking for simcha halls.

Mr. Herzl said especially for schools.

Mr. Flancbaum said and catering facilities and stuff like that, especially for schools where there are no additional parking requirements for those things.

Mr. Jackson said I was alluding to that earlier. The concern is, a school has seating capacity for 200 people in a dining hall and that can be used as a simcha hall and the parking is inadequate.

Mr. Herzl said the parking right now is one per classroom. When you have a big dining hall, it's not going to work.

Mr. Jackson said we just want to make sure that it has adequate parking so that when they do have an event there's enough.

Mr. Raitzik said we can limit the use to personal school use, so that if they're going to be renting it out we can make the contingency on having more parking.

Mr. Jackson said the reality is you can put all the conditions in the world out there, but if you build it they will come. It's hard to enforce. The point is to recognize reality and make sure there's enough parking.

Mr. Herzl said shuls have regulations for a simcha hall in the basement of a shul where they need more parking. They should work with the same idea.

Mr. Jackson said we should work with a planner, and I think Mr. Vogt is probably one of the leading experts in the State on this topic. Hopefully he can make a recommendation, but we can put that in the letter as well.

Mr. Herzl asked if the Board agreed on adding that to the letter to the governing body. The Board agreed.

Mr. Sable said we've talked about banquet halls too.

Mrs. Morris said I agreed, there is no separate parking requirement for stand-alone banquet halls either. The Board may want to include that in your recommendation.

The Board agreed.

- 1. SP 2319AA Mark Abraham**
490 East Kennedy Boulevard Block 142, Lot 16
Change of Use/Site Plan Exemption to convert existing house to an office

Mr. Vogt said the application requires waivers for landscaping and lighting, provision of shade tree and utility easements, and trash and recyclable storage... The Board can act upon those now or hear the application first.

Mr. Herzl asked if he recommends granting those.

Mr. Vogt said you may want to hear the application. Under zoning, there is relief for perimeter buffer setback. Because the buffer is in the 800 section, which is design standards, it can be interpreted as a waiver rather than a variance. For schools and synagogues, it's in the 900 section which is a variance. We recommend relief. That's the only relief.

Mr. Brian Flannery, P.E., P.P., appeared on behalf of the applicant and was sworn. He said as indicated this is for the conversion of a 1500 square foot house into an office in the OT zone on Kennedy Boulevard. A-1 is the change of use plan and A-2 is sheet 37 of the tax map that shows where this is across from Covington Square. This is an ideal use for the area, it has sufficient parking, it's an existing situation, there are sidewalks, we have trees and landscaping. There's really no site improvements that are needed. In the report, the submission waivers, we will provide lighting in accordance with ordinance standards for their parking area. It won't spill over to neighboring properties and lights the parking area sufficiently. Some neighbors are residential and some are offices. The ordinance stipulates lighting levels and we will comply.

Mr. Vogt said we recommend timers so that it deactivates when the site isn't in use.

Mr. Flannery said absolutely, that's what the applicant wants. It's going to be an accounting office, they do a lot of their work off-site, so it's a low intensity use. You can see from the plan it's a few offices. 5 employees are anticipated, its low impact and perfect for the OT zone.

Mr. Jackson said the Board could specify times or hours for the timers.

Mr. Herzl said I think on the whole parking lot it should be lit, but around the building should be minimal security lighting.

Mr. Flannery said we would defer to the Township Engineer that the lighting meets typical standards.

Mr. Jackson said other Boards specify lights for signage and the high hats in the parking lot. I don't know if the Board wants to think about that.

Mr. Flannery said I recommend leaving it up to Mr. Vogt.

Mrs. Morris said FYI for the Board, the commercial neighbor on one side came in to look at the plans today and had zero concerns about this site as proposed.

Mr. Herzl said this is a commercial piece next to residential?

M. Flannery said OT is transitional. It allows the existing residences to remain but really is mostly new offices.

Mr. Herzl said regarding the waivers...

Mr. Flannery said they are going to have one trash can they will roll out to the street. My experience has been that Public Works can pick that up, if they don't like that they'll have to get a private company. That's for trash and recycling. Landscaping, nothing is changing. There are nice trees and bushes and in my opinion nothing else needs to be done.

Mr. Herzl asked in the area of the neighboring residential property, what's there?

Mr. Flannery said there are bushes and trees in between and will remain as they are.

Mr. Raitzik asked Mrs. Morris if she's heard from the residential neighbors.

Mrs. Morris said no, I often don't hear from them now that the plans are available online.

Mr. Raitzik said they're just using the building as it is and not changing anything except adding lighting.

Mr. Flannery said yes, there are no changes except some minimal security lighting at night and instead of people sleeping there, people will go in and work.

Mr. Herzl asked if there's anything in the report he doesn't agree with.

Mr. Flannery said no, there is no bulk variance relief, the buffer relief we are asking for but it's an existing situation with a low-intensity use. it's a less intense use with an accounting office than it is with residential. I gave testimony on all the things that need testimony. We would comply with all of the conditions.

Mr. Sable said is it currently occupied as an accounting office now?

Mr. Flannery said yes, it is.

Mr. Sable asked how many employees currently.

Mr. Flannery said 4.

Mr. Sable asked how many parking spaces.

Mr. Flannery said 9.

Mr. Shloma Klein appeared and was affirmed. He asked if you have this approved, if the guy wants to go build another floor of offices does he have to come back to the Board if he complies with parking.

Mr. Flannery said in order to put on a second floor he would need more parking so he would have to come back for Site Plan approval.

M. Sable said how much more parking.

Mr. Flannery said we need 8 for the first floor, we'd need another 8. That's 16 and we only have 9.

Mr. Herzl said could they fit 16.

Mr. Flannery said if they needed to, they could work something out. But there's no intention to do that.

Mr. Raitzik asked about the basement and its purpose.

Mr. Herzl said it's existing for storage.

Mr. Flannery said yes, existing unfinished basement.

Mr. Klein said when someone comes in with a change of use, and once you get that you could add more parking and change ingress and then you could build in the basement. Or knock the whole thing down and build again. Once you have that change of use you don't have to come back to the Board. I don't know if that's the case here. You have to look at the whole thing, not only what he's doing here but the potential you could do with the change.

Mr. Sable said I'm not sure how this parking is gonna work.

Mr. Flannery said it is stacked parking.

Mr. Stern said why don't we put the existing asphalt on the left onto the right too.

Mr. Flannery said what's there existing works. The Ordinance said you need 8, the applicant said the most he's going to have is 5 employees. There is existing asphalt that 9 cars can stack on.

Mr. Herzl said how does that work.

Mr. Flannery said you have 5 across the front, and then room for 4 to stack but its not going to be used here. Usually the person who gets there first parks in the back. If that wasn't the case, someone would have to move out of the way.

Mr. Sable said per Google Maps it shows 5 parking spots. It doesn't show 4 in the front.

Mr. Stern said there's a big tree.

Mr. Flannery said I drove out there today and the pavement is there. The tree isn't there anymore.

Mr. Sable asked to have the applicant confirm that.

Mr. Flannery said I was there today, the parking...

Mr. Stern asked when did they pave it.

modern duplexes which is what we are looking to build here. It is fully conforming with the Ordinance. We are seeking a minor subdivision to create the duplex lots. We also prepared a development plan showing how the duplex would work with parking and turnaround driveways. They will have units with less than 7 bedrooms so it does comply with the parking requirement.

Mr. Herzl said sidewalks in the front?

Mr. Stevens said yes.

Mr. Herzl said and garbage would be picked up by the Township, roll out containers.

Mr. Stevens said yes.

Mr. Herzl said do you agree to everything else in the report.

Mr. Stevens said yes.

Mr. Sable asked about parking and how this differs from other duplexes.

Mr. Vogt said we want to put on the record that they are not seeking a waiver. When they come in for plot plan review they'll have to comply with the Ordinance based on number of bedrooms. Or if they don't they'll have to come back. What I hear is they intend to comply with the Ordinance at time of plot plan review.

Mr. Stevens said correct we are proposing units with less than 7 bedrooms so we comply with the requirements. Rabbi Rothschild has built other duplexes in the area. Typically they are 5 bedrooms. 7 bedrooms throughout the entire structure, including the basement. Including everything not more than 7 and we will comply with the Ordinance.

Mr. Herzl said the Ordinance goes up to 7 bedrooms.

Mr. Vogt said for four, yes, its typically verified at plot plan review. The applicant is usually notified by the Township Engineer that they have to confirm or go back to the Board.

Mr. Sable said that's an easy fix, they can call it a playroom or a luggage room or book room.

Mrs. Morris said there are a lot of strategies that are attempted but I assure you the Township Engineer whom I share an office with is very thorough. When there is anything that meets a certain square footage with a door and a window, then it's considered a bedroom regardless of whether it's labeled a sewing room or a playroom or whatever.

Mr. Herzl said I know Rabbi Rothchild, he builds well and will agree to whatever he says. They said 7 rooms all together.

Mr. Sable said if it's a basement they have to put in fire sprinklers.

Mr. Stern said is it four spaces per duplex?

Mr. Stevens said yes, stacked.

Mr. Stern said so there is a unit below, 2 stalls for upstairs and 2 for downstairs.

Mr. Stevens said we are required to have 4 stalls and that is what we are proposing. We also have turnarounds located at either end of the driveway so there is room for additional parking if it's necessary. The residents have to work out for themselves who will park where.

Mr. Stern said a total of 8 between the two duplexes.

Mr. Stevens said that's correct.

Mr. Raitzik asked about overhead wires in front of the property.

Mr. Stevens said they are across the street.

Mr. Sable said previous DOT applications, you could only have one entry from the road.

Mr. Stevens said correct we only have one entry. Its' going to be one driveway. We do need a DOT permit for this.

Mr. Herzl opened to the public.

Mr. Shloma Klein appeared and was affirmed. He said I see the Board is giving the application some questions, trying to give the applicant a hard time. This is a by-right application. This application they decided to ask all these questions. I just want to say that Rabbi Rothschild is one of the most special people I've ever met. Coming from me, that's a lot. If there were more people like him, earth would be a better place. Even if he came with an apartment building with no parking, I would give him anything.

Mr. Stern said I think Rabbi Rothschild should just infer us asking questions... we are just doing our job.

Mr. Stevens said I can agree with that. That was good testimony.

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

Mr. Jackson said sidewalks will be provided, there shall be Township garbage pickup, screening will be provided per plans, and at building permit they will comply with parking requirements and will have no more than 7 bedrooms per housing unit.

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

2. SD 2063 Eli Schwab
Joe Parker Road Block 189.16, Lot 157
Extension of Minor Subdivision to create three lots

Mr. Meyer returned to the dais and Mr. Raitzik left.

Mr. Vogt said we aren't aware of any changes to the application, this is solely an extension.

Mr. Lines said we've been going back and forth with the County right-of-way dedications and it's a tedious process. We'd like a one-year extension but think we will be done sooner.

Mr. Sable asked if there were any variances.

Mr. Lines said we had the parking and the sidewalk, I think there was an area variance maybe. I didn't review the application prior to this meeting.

Mr. Herzl said everyone is coming and asking for extensions on every application. can't we extend the timeframe if it isn't feasible to do it in the time we give them?

Mr. Jackson said I will look into that at the time we do the resolution and give the maximum amount of time. I will investigate that and give the Board a memo.

Mr. Sable said that's not my concern. I just want to review the resolution and make sure there's no significant variances.

Mrs. Morris said I think I only gave you the extension resolution, there's already been four or five extensions.

Mr. Sable said the original one...

Mr. Jackson said Mr. Sable you raise a good point that some of these extensions are discretionary and you don't have to give them. What the criteria usually is, is that they're held up for something.

Mr. Herzl said what Ally is saying is that this one has had a lot of extensions. Is it the same issue?

Mrs. Morris said there was a lot area variance at 12,000 square feet.

Mr. Jackson said this is something the applicant should tell us, do you want to carry this and next time they can tell us chapter and verse...

Mr. Herzl said it sounds like a lot, 5 extensions.

Mr. Lines said I did not review the file before I came. As long as our time isn't going to expire before the next meeting, I don't have a problem coming back.

Mr. Jackson said I'll tell you what, I'll prepare the resolution then based on an adequate explanation.

Mr. Lines said I'll go through and see why...

Mr. Sable said we can check, the resolutions have a date.

Mrs. Morris said the original approval is from 2015.

Mr. Sable said when does it expire.

Mrs. Morris said it was approved 2015, and then extensions through June 2017, then June 2018, then June 2019. In July 2019 they came back and it was extended again through December 30, 2019. Now they're back for another year. So it's already expired. I do not believe that's a problem, I believe they can come back and ask for extensions retroactively.

Mr. Jackson said I have to look at that closely, I don't know how many extensions they can have for a minor subdivision. They have to have a reason, and outside agency that held them up or something, it can't just be that they didn't do what they were supposed to. Most Boards take a very liberal view towards this but there are criteria.

Mrs. Morris said I think we've questioned this and I don't think minor subdivisions have a limit. I think it's two one-year extensions for a site plan.

Mr. Herzl said Mr. Jackson it's expired already anyway. Let's get some clarity.

Mr. Jackson said I don't think the Board will prejudice the applicant just on the fact that I don't know the answer tonight. I'll analyze it. It gets tricky, it's different for a site plan and a subdivision. A site plan never expires.

Mr. Herzl said unless there's a zone change.

Mr. Jackson said right. Subdivisions that are perfected, they're protected obviously. Minor subdivisions have a pretty tight timeframe, it's like 180 days. And it lists the number of extensions we're allowed to give I just don't know it off-hand.

Mr. Herzl said so what do we do.

Mr. Sable said we push it off. Just for two weeks.

Mrs. Morris said ok.

Mr. Herzl said ok. Can we put it on for the next meeting.

Mrs. Morris said yes. Extensions don't require legal notice. I'll list it under public hearing again and we can have the resolution ready that night.

3. SP 2138 Flea Market Developers LLC

117 Route 70 & Locust Street

Block 1077, Lots 22 & 23

Extension of Preliminary and Final Major Subdivision and Site Plan for a mixed-use development

Mr. Adam Pfeffer, Esquire, appeared on behalf of the applicant. He said this is due to expire on January 20th. It is a larger application that came in before the Board. It's 140-some units. We came in previously for our first extension and are working on third party outside approvals.

Mr. Herzl said you need CAFRA for this?

Mr. Vogt said there is a CAFRA approval, and a lot of back and forth with the DOT on Route 70.

Mr. Pfeffer said on a project this size, a lot of issues can come up. They are working through it. We are asking for a one-year extension. I believe that once we start building, the approval is satisfied. They are going to be starting in the coming months so we only need the one-year extension.

Mr. Meyer made a motion to approve the extension and Mr. Flancbaum seconded. All were in favor.

Mr. Sable said we have a problem, this side of the dais is left out. We can't view that screen. Can we ask the governing body for another screen on this side?

Mr. Stern asked about getting paper copies of the applications and plans in advance of the meetings. Viewing the ginormous maps on a little laptop is difficult. We are printing them out anyway.

Mrs. Morris said I'm not printing them, the applicant is providing them. It used to be that we had plans for all the Board members that they could pick up at their leisure. Over the past several years we have moved away from sacrificing so many trees and have gone to just the 5 stacks provided at the meeting. If the Board is in agreement and wants to revert to how we used to do it, we can.

Mr. Stern said if we can have them print out the copies, could you arrange for them to be delivered or mailed.

Mrs. Morris said I'd have to check with my boss and the Township on the cost to get approval for that. It has been the specific intent to go more paperless.

Mr. Flancbaum said yea, nobody is printing more paper.

Mr. Stern said I get that. But these are really big and I have old eyes.

Mrs. Morris said I think it's commendable that you want to review the plans before the meeting. I think in the past we had Boards who weren't likely to do that. There has to be a middle ground.

Mr. Herzl asked if it's available for Board members to pick up copies.

Mr. Stern said we are busy enough and aren't getting paid. If I could ask for them to be overnighted to me over the weekend...

Mrs. Morris said we should poll the Board on who is interested in that, it may only be you. I think Mr. Raitzik has asked about this before because he has limited access to his emails. For all I know it's only you two.

Mr. Herzl asked if today's agenda was online. He didn't get it.

Mrs. Morris said yes. And she showed on the screens how to access it.

Mr. Flancbaum said Bruce just wants a big copy. Can I make a suggestion, when you have the folders online can you add the applicant names?

Mrs. Morris said yes.

Mr. Stern asked when Mrs. Morris gets the application stuff.

Mrs. Morris said weeks in advance. I could have feasibly brought the items for the 21st tonight. I can bring them the meeting prior.

Mr. Stern said that'd be good.

Mr. Herzl asked if she needs to get extra copies then.

Mr. Stern said I'll bring it back, I'll take that obligation.

Mrs. Morris said I'll find out if Mr. Raitzik wants them too.

Mr. Herzl asked how many copies she gets.

Mrs. Morris said I keep 5. I have 5 available for you guys, the sixth goes to Terry, and after the meeting I keep one of those five for the file.

Mr. Herzl said so the applicant submits 6.

Mrs. Morris said I tried to cut you down by one stack once, and I think Mr. Flancbaum gave me a hard time. I'll stick with the five for now and Mr. Stern can bring his copies to the meeting.

Mr. Stern said yes, I will do that.

6. APPROVAL OF MINUTES

7. APPROVAL OF BILLS

8. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Ally Morris
Planning Board Recording Secretary