

**LAKWOOD PLANNING BOARD
MINUTES
FEBRUARY 27, 2007**

I. CERTIFICATION OF COMPLIANCE

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

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

2. ROLL CALL

Mr. Herzl, Mr. Franklin, Committeeman Miller, Mr. Banas, Mr. Klein

3. SWEARING IN OF PROFESSIONALS

Mr. Peters and Mr. Truscott were sworn in.

Mr. Kielt stated the only changes to the agenda is the memorialization of resolution for SD#1566 which will be held until the applicant’s attorney obtains a copy of the transcript.

4. OLD BUSINESS

- 1. SD # 1537 (VARIANCE REQUESTED)**
APPLICANT: NJ HAND
Location: corner of Spruce Street & Sherman Avenue (south of Pine Street)
Block 834 Lot 1
Extension of previously approved Minor Subdivision

Mr. Kielt said they needed a extension of time to file the map in the County
Mr. Penzer said Mr. Zaks agreed to swap some of his land for this project and the engineer dropped the ball.

Motion was made by Mr. Miller, seconded by Mr. Herzl, to grant a one year extension

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Committeeman Miller; yes,
Mr. Banas; yes, Mr. Klein; yes

2. SD # 1538 (VARIANCE REQUESTED)

APPLICANT: NJ HAND

Location: corner of Read Street & Funston Avenue (south of Pine Street)
Block 833 Lot 2

Extension of previously approved Minor Subdivision

Mr. Kielt said they needed an extension of time to file the map in the County
Mr. Penzer said Mr. Zaks agreed to swap some of his land for this project and the engineer dropped the ball.

Motion was made by Mr. Miller, seconded by Mr. Herzl, to grant a one year extension

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Committeeman Miller; yes,
Mr. Banas; yes, Mr. Klein; yes

5. NEW BUSINESS

1. SD # 1567 (VARIANCE REQUESTED)

APPLICANT: KELLI DALRYMPLE

Location: Whitesville Road and Lafayette Boulevard
Block 252 Lot 4.02

Minor Subdivision to create two lots

Mr. Peters stated the applicant is seeking minor subdivision approval of Block 252, Lot 4.02. The subdivision proposes to divide one existing lot into two new lots. The subject property is located at the intersection of Whitesville Road, unimproved Lafayette Boulevard, and unimproved Third Avenue. The property is currently vacant. No new dwellings are proposed at this time. A variance will be required for the minimum lot width, Lot 4.03 proposes 77.53 feet where 90 feet are required. Outside agency approval will be required from the Ocean County Planning Board. The applicant shall provide testimony on the future use of the lots. If homes are proposed, the applicant shall address parking requirements. A note has been added stating that the lots will be deed restricted to Whitesville Road only. A note has been added stating that five (5) foot buffer should be imposed along the rear lot line of proposed lots prior to issuance of a Certificate of Occupancy to screen them from Lafayette Boulevard if the street is constructed in the future. The applicant shall show the location of this buffer on the plan. A note has been added stating that prior to issuance of a certificate of occupancy, the developer will install curb and sidewalk at the discretion of the township engineer. The applicant shall show the location of all curb and sidewalk on the plan. The Clerk's street certification is missing and shall be added to the plan.

Mr. Truscott read from a letter dated December 18, 2006. The applicant is seeking minor subdivision and variance approval to create two (2) lots from Block 252, Lot 4.02. The subject parcel is located in the R-12 Zone and has frontage on both Whitesville Road and Lafayette Boulevard, and both lots, which are known as proposed Lots 4.03 and 4.04, will

also have frontage on both streets. The parcel is vacant and 0.59 acres in area. The subject site is located at the intersection of Third Avenue, Whitesville Road and Lafayette Boulevard. The surrounding land use is generally residential. The current application was previously reviewed by our office on October 27, 2006, and subsequently discussed at the October 31, 2006 plan review meeting of the Planning Board. This review includes reference to changes made to the plan since October 31, 2006. As noted above, the lot is located in the R-12 Residential Zone District. Single-family residences are a permitted use in this zone. The following variance is required: A variance is requested for a lot width of 77.5 feet on Whitesville Road and 94.4 feet on Lafayette Boulevard for proposed Lot 4.03, when a minimum of 90 feet is required. The applicant must address the positive and negative criteria for the requested variance. Proposed Lots 4.03 and 4.04 have frontage on both Whitesville Road and Lafayette Boulevard. The general notes on the plan indicate that access to the proposed lots will be from Whitesville Road. The applicant should revise the plans to include a depiction of the driveway access to each lot in plan-view. In addition, the dual-frontage character of proposed Lots 4.03 and 4.04 precipitates the need for a landscaped buffer of at least five (5) feet on the secondary frontage in accordance with Chapter 18, Section 805(F). The applicant has revised the plan by adding a general note that, prior to the issuance of a certificate of occupancy, the developer shall provide a five (5) foot wide landscape buffer in the rear of proposed Lots 4.03 and 4.04. The plan should also be modified to include a plan-view illustration of the landscape buffer. A tabularized inventory of all proposed plantings should also be provided. All site improvements shall comply with the NJ RSIS. The plan has been amended to include a general note, which indicates that, prior to the issuance of a certificate of occupancy, curb, sidewalk and shade trees will be installed at the direction of the Township Engineer. It is our recommendation that the plans be modified to include proposals for such improvements. Any revision should include construction and planting details for the review of the Board and Township Engineer. The list of property owners that is shown on the plans must be updated or verified as current. The applicant has submitted evidence from the Tax Assessor's office that indicates approval of the proposed lot numbers. Off-street parking for any dwellings on the subject lots must be in compliance with the RSIS. The applicant has provided an RSIS parking calculation table on the revised plans, which indicates that the number of bedrooms is unknown, and 2.5 spaces are both required and proposed per unit. This conforms to the standards that are presented in the RSIS. If, however, it later becomes clear that any one of the units will have more than four (4) bedrooms, the plans must be revised to reflect conformance to the RSIS. Outside agency approvals that will be required include: Ocean County Planning Board; Soil Conservation District; and, Ocean County Board of Health.

Abe Penzer, Esq. appeared on behalf of the applicant. He stated the applicant will be living on one lot and selling the other lot and they will provide parking spaces for 4 bedrooms on that lot. Mr. Banas asked if a basement was being put in and was told yes. Brian Flannery was sworn in as engineer. He stated they do not have any house plans at this time, but he expects there will be a basement and they agreed to put 4 parking spaces in each lot. They agree with all the comments in the professional's reports and will provide the information requested. The lot width is 86% of the required lot width and the lot areas on both lots exceed what is required. The future use of the lots will front on Whitesville Road and they will request the Township Committee vacate Lafayette Boulevard because the surrounding property is owned by the Township and is in the Crystal Lake Preserve

Zone and will never be developed. Mr. Banas asked why they couldn't extend the line lot 4.03 a little bit to make it less obvious than 12,001 sf. and Mr. Flannery said they were trying to preserve the building envelope on the triangular lot on the corner and thought this was a good balance. These lots back in to the Crystal Lake Preserve. Mr. Banas asked about the water and Mr. Flannery said public water is available. Mr. Flannery stated Trident Environmental looked at this property and there are no wetlands or wetland buffers on this property.

Mr. Jackson questioned the testimony given for C-2 variance yet Mr. Penzer testified it was a C-1 variance and Mr. Flannery said they are seeking relief on both variances since they are so similar.

Mr. Banas opened the microphone to the public.

Seeing no one come forward, Mr. Banas closed this portion to the public.

Motion was made by Mr. Klein, seconded by Mr. Herzl, to approve the application with the conditions requested

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Committeeman Miller; yes, Mr. Banas; yes, Mr. Akerman; yes, Mr. Klein; yes

2. SD # 1551A (NO VARIANCE REQUESTED)

APPLICANT: SOUTH LAKE PARK C/O SAM BROWN

Location: Hope Chapel Road, Buchanan Street, Adams Street, Hope Hill Lane and Oliver Street

Block 5 Lots 5 & 1.01

Block 11 Lots 5, 16, 21, 22, 35, 97, 101

Preliminary and Final Major Subdivision

Mr. Peters stated the applicant has requested Major Subdivision approval to divide 12 residential Lots into 18 new Lots, with three (3) existing dwellings to remain, 14 Lots for proposed residential dwellings, and one open space lot. The properties are known as Block 11, Lots 139-156. The properties are located between Adams Street, Hope Chapel Road, and Hope Hill Lane in the R-15 Zoning District. The zoning table indicates no variances are requested. The Applicant has reduced some of the proposed Lots based on Section 908 – Reduction of Residential Lot Requirements for Recreational Purposes. Proposed Lot 151, which is situated primarily within the wetlands and wetlands buffer areas will be dedicated to the Township for open space. As per Section 18-908.B.5, the Board shall determine whether proposed recreational area is suitable to be a recreation area. The Applicant has not requested any variances, but it appears the following variances will be required: Lot Area: 15,000 square feet are required; the Applicant is permitted a 15% reduction to the minimum lot area of 12,750 square feet. A variance would be required if the recreation area is not deemed acceptable. The following lots are larger than 12,750 SF, but smaller than 15,000 SF: Lots 139, 140, 143, and 144. Proposed Lots 139, 140, and 143 have existing dwellings situated on them. The Applicant has requested lot width variances for Lots 141, 142, 144 and 155. The zoning table shall be

updated to show the proposed lot width. A minimum of 90 feet is required. The Applicant has requested front yard setback variances for Lots 139 and 140. The applicant has proposed 15.7 and 15.8 feet where 30 feet is required, both are existing condition. The number of Lots requiring variances may increase if the Applicant is not approved for the Reduction of Residential Lot Requirements. The Applicant will be required to obtain all outside agency approvals. These will include; Ocean County Planning Board, Ocean County Soil Conservation District, and NJDEP permits for Wetlands Buffer Disturbance, Water Main Extension. The Applicant should provide testimony on the distance that the proposed development is from the closest existing public sanitary sewer connection. Furthermore, per N.J.A.C. 5:21-6.1(c) if a public sanitary sewer system will be provided to the area within the next six years, the board may require the Applicant to install a capped system within the road right-of-way. The Applicant has requested a design waiver for the lot layouts as many of the lot lines are not perpendicular to cart ways. The board may wish to consider having the applicant improve Adams Street leading to the development in order to meet Township and R.S.I.S. standards. The Applicant shall provide testimony to the identity of the "others" proposing improvements to McKinley Avenue and Garfield Street as well as the time table of those improvements. The applicant shall provide testimony on the ownership of the proposed roadway whether it will be public or private. The Planning Board may wish to require the applicant to make the roadway private due to the underground stormwater management system. If the roadway and stormwater system will be privately owned, the applicant will be required to form a homeowners association to maintain them. The applicant shall provide the homeowners association documents for review by the Planning Board Engineer and Solicitor. The Applicant should provide existing water courses and floodplains on Tree Protection Management Plan, if the existing water courses and floodplains are located on site. The Applicant should provided Architectural drawings per UDO 18-1112.C.21. The plans should show the utility connections, both water and septic, to the residences. We defer review of the water system to the New Jersey American Water Company. The Applicant should show area on plans where directional drilling will be done in regarding to wetland protection during the construction of septic system. The Applicant has provided soil logs. Soil permeability test results within the footprint of the infiltration system shall be provided. The Applicant shall pre-treat all stormwater runoff from paved areas, prior to discharging it to the infiltration system. The Applicant seeks a dominium exception for the two year storm reduction requirement. The stormwater reductions have not been met because the grading of portions of the side do not allow for the runoff to be captured by the infiltration system. I-2 mix base course shall be provided instead of mix I-1 for all roadway constructions. Three inches base course should be used and the typical roadway section should be changed accordingly in the construction details plan. The Applicant has provided copies of the Letter of Interpretation and Freshwater Wetland general permit number 10. We request a stamped, signed and sealed copy of the plans associated with each be provided to our office.

Mr. Truscott read from a letter dated February 14, 2007. The applicant seeks preliminary and final major subdivision approval to create fourteen (14) new residential lots and one (1) open space lot in accordance with Section 908 of the Lakewood Unified Development Ordinance (UDO) (Reduction of Residential Lot Requirements for Recreational Purposes). Associated street, utilities, and stormwater management facilities are also proposed. A total of eighteen (18) lots are involved with this subdivision; three of the lots have existing dwellings. The lot lines of the existing residential lots are being adjusted by the proposed

subdivision. The subject parcel is 7.8 acres in area and located in the northwestern portion of the Township. The majority of the tract is vacant and is located in the vicinity of Hope Chapel Road with frontages on improved sections of Hope Chapel Lane, Hope Hill Lane, and Adams Street, and both improved and unimproved sections of Buchanan Street, McKinley Avenue and Oliver Street. The surrounding land uses are single-family residences and vacant land. The applicant has submitted revised plans subsequent to the December 5, 2006 Plan Review meeting to address the comments of the Board and its professionals. The tract is located in the R-15 Residential Zone. Single-family residences are a permitted use in this zone. Variances are requested for the lot width of Lots 141, 142, 144, and 155. One hundred feet is required. The proposed lot widths are 50 feet (Lot 141); 85 feet (Lot 142); 80 feet (Lot 144); and 90 feet (Lot 155). A surveyor's certification should be submitted of the proposed lot widths to provide the exact dimensions for the public hearing. Variances are also required for the existing front yard setback of 15.7 feet on Lot 139 and 15.8 feet on Lot 140. The required front yard setback is 30 feet. The positive and negative criteria for the requested variances should be addressed. As noted above, the applicant proposes to subdivide the subject tract in accordance with the "Reduction of Residential Lot Requirements for Recreational Purposes" Section of the Lakewood UDO. The section allows a reduction of the lot area up to 15% (12,750 square feet in the R-15 Zone and reduction of the lot width up to 10% (90 feet in the R-15 Zone). Section 908.B.8. requires that the reduction of lot area and width requirement may be permitted, provided the maximum gross residential of 2.5 dwelling units per acre (for the R-15 Zone) are not exceeded. The tract is 7.8 acres in area and the proposed number of dwelling units (existing and proposed) is 17. The proposed density is 2.2 units per acre, which complies with the above requirement. The provisions of Section 908 allowing the lot area and width reductions require the following: "the land resulting from the reduction in lot size shall be set aside for park, playground and other recreational purposes." The applicant has submitted a chart listing the cumulative total of the reduced lot sizes in comparison to the open space lot (#151). The area of lot reduction – four lots is 4,531 square feet. The open space lot is 43,595 square feet in area. The applicant should clarify which lots, if any, are subject to width reduction under its proposal. The land being set aside for park, playground, or other recreational purposes is to be dedicated and deeded to the Township for recreational purposes. A summary of the two (2) acceptable methods of conveyance are put forth in Section 18-808 (Provisions for Park and Recreation Areas) of the Lakewood UDO, and are as follows: Dedication of title in fee simple to the Township, or Conveyance of title to a conservancy, corporation, homeowners association, funded community trust, condominium corporation, individual or other legal entity, provided that the continued (recreational) use of such land for the intended purpose in perpetuity. The applicant should clarify how the open space will be conveyed. We note that the majority of new Lot 151 is classified as freshwater wetlands and wetlands transition area. Such areas may not be disturbed in accordance with NJ Department of Environmental Protection regulations. The feasibility of such lands for useable open space and recreation may be restricted. Section 908.B.5. of the UDO provides: "the soil, drainage, slope and location of the proposed recreation area shall be deemed suitable by the Board for recreational purposes. The applicant should address this issue with the Planning Board. The proposed open space area complies with Paragraphs 6 and 7 of Section 908.B which address access to a public right-of-way and minimum one-acre land area. The portions of the rights-of-way of Buchanan Street and McKinley Avenue to be vacated will require approval of the Township Committee. We note that Lots 152 and 153 do not have frontage on a fully

improved street. Please clarify or revise the plans. The applicant should provide specific written and verbal testimony concerning the proposed improvements to McKinley Avenue "by others." The information should indicate if the improvements are approved or under review and if the improvements are bonded. The applicant should provide testimony concerning the adequacy of the road access of Adams Street to the proposed development. We note that a sidewalk is not indicated on the Adams Street frontage of new Lot 150. The requirements of Section 18-821 of the UDO (Building Uniformity in Residential Developments) must be addressed at the construction phase of the development. A minimum of four (4) basic house designs is required for developments between seven and fifteen homes. Off-street parking for each of the new single-family dwellings and site improvements must be in compliance with the NJRSIS. Proposed Lot 154 is constrained by freshwater wetlands transition area and restricts the rear yard area of the proposed lot. The applicant must indicate if the driveway of proposed lot 140 on Hope Chapel Rd will require an access easement. A Woodland Management Plan has been submitted. The requirements of Section 803A. of the UDO (Tree Protection) should be addressed during construction. The final plat should reflect the zoning requirements and the requested variances.

Samuel Brown, Esq. appeared on behalf of the applicant. This application is for 18 new lots, 3 existing dwellings, 14 new lots and 1 open space lot. A lot of the environmental features have been preserved and positioned relative to this project. The residents of this development will have full advantage of the environmental features of the surrounding area as the result of smart planning. Brian Flannery is the engineer for the applicant. A-1 is a rendered version of sheet 3 of the plans submitted showing the roadway layout and A-2 is an aerial photograph of the area with yellow being the limits of development and boundary were marked into exhibit. In reference to Mr. Slachetka's letter, there are 4 existing homes on site that will remain. He explained the layout of the homes and one lot at the terminus of Buchanan Street left vacant for future development. Buchanan Street is improved up to that lot approximately 20 ft wide with no curbs and sidewalks. There is an easement for sanitary sewer for that lot. Lot 152 has been added to the subdivision. Mr. Franklin said they needed to put a cul de sac at the end of lot 153 for his trucks to turn around. Mr. Flannery said putting a cul de sac on that lot would make it unbuildable. Mr. Flannery would like to leave that lot for now and deal with it in the future. Mr. Banas has trouble with that. He said at this time the applicant is suggesting that lot 12 be used as a cul de sac and Mr. Flannery said no, that presently there is a problem there (no cul de sac at the end of that street) and they are not going to add to the problem because they are not asking to put any more houses there, so the status quo will be maintained. In the future they can help to resolve the situation to make it a buildable lot. Mr. Banas said he could not see how lot 153 can be considered in this project; they are not ready to put in a building envelope there, etc. just suggesting that the boundaries be established and Mr. Banas didn't think they were ready for that. Mr. Flannery said after meeting with the neighbors and re-aligning the lots, this was the only way without making it open space. Only 4 lots need variances, (short by 4,500 sf) and the remainder are 15,000 sf which conform. In addition, there is 45,000 sf being designated as open space. Lot 153 is a fully conforming lot containing 15,000 sf. and Mr. Flannery said not more than 100 ft. of that is wetlands. The lot widths are being requested because of the comments of the professionals and is quite complicated where the measurements are concerned. According to the definitions he used (lot 141-87.36ft, lot 142-95.81 ft, lot 144-83.05 ft. and lot 155- 89.65 ft) each lot is

very close to the 90 ft. requirement. If you use the other definition where you look at it from one side to another those widths are smaller (lot 141-80.33 ft., lot 142-73.12 ft, lot 144-100 ft. and lot 155-82.12 ft.) Mr. Banas said there must be one way of doing it. Mr. Flannery said the one way he professes is the first number based on the ordinance. Mr. Truscott said basically it is the width of the lot at the setback line and he scaled it off Mr. Flannery's plans. Mr. Flannery used lot 141 as a good example; Mr. Slachetka's report said the lot width is 50 ft. (which is across the front) and if you look at the definition which states the mean horizontal distance between the side lot lines measured at right angles to its depth (average between the side setback lines) and he took it from the most northerly line to the corresponding parallel southerly line and that is where he came up with the 80 ft. Mr. Banas said he wanted a simple way of doing it and Mr. Flannery said on standard lots this is not a problem but lot 141 is not a standard lot and this is what the UDO states. Mr. Flannery said they are requesting a variance for these lots and if you look at these lots and think they make sense, you grant the variance. Mr. Jackson recommended the board look at it in the context of if they like it or not, and whether it makes sense or not, then grant the variance based upon the most conservative reading of the ordinance because that protects the applicant. Mr. Banas said what he envisions here is they are going to develop this whole thing over again at the next application which is similar to what they have here. He said they should have a description of how to measure the problem. Mr. Jackson said sometime the geometry of the lot is not what is contemplated by the ordinance. Mr. Miller said generally you don't have a lot shaped like this and what Mr. Jackson is recommending is looking at the lot the way it is and grant the variance if you like what you see. Mr. Kielt stated the way Mr. Flannery explained it was the correct way and the board agreed to look at it that way. Mr. Jackson asked that Mr. Flannery provide documents with the correct calculations of the variances if they are granted by the board. Mr. Flannery continued to respond to the comments made by the professionals and said the front yard variances are existing conditions. He testified on the positive aspects to granting the variances and said there are no negative criteria in his opinion. Mr. Franklin it would not be beneficial for the township to take over the basin and streets and Mr. Brown agreed it would be maintained by a homeowners association. Mr. Banas said if they approve lot 153 without an envelope and this was granted, Buchanan Street would have to be developed and that would be in their recommendation for approval and the applicant agreed. Lot 10 received approval by the Zoning board and they will improved the roadway per their approval, which explains the "by others" comment from the review letter. This applicant would agree to bond that roadway so that this developer would be responsible to build that road if it is not built by the owner of lot 10. The sidewalk on Adams Street was omitted and will be added to the plans. The building uniformity clause of the UDO will be complied with. These are all going to be custom lots; there will be more than 4 models, so they will be custom homes. The driveway on proposed lot 140 will be revised to stay on their own lot. Mr. Banas is concerned about the monuments and where there is wetlands and Mr. Flannery agreed to put monuments along the wetlands buffer. In reference to Mr. Peters report, they agree to comply with the recommendations. The reason there is no architectural is because they are custom lots. In summation, Mr. Flannery felt there are a small amount of variances that it is his opinion the board can grant them without any detriment to the zone ordinance. The density is 2 ½ units less than the ordinance allows and they have met with the neighbors and feel this application is the best suited.

Mr. Miller said this application has been scaled back based on the neighbors concerns, and one of their concerns is that when the houses are built, the air conditioning units be placed behind or on the side of the homes and not on tops of roofs and if there could be some sort of bushes around the garbage containers.

Mr. Jackson was concerned that the attorney for the objectors was not present (Mr. Liston) and was told there was a death in his family, but Mr. Brown stated these plans were a result of meetings with the neighbors and their concerns. One or more of the neighbors are in the audience and they are satisfied with the revised plans.

Mr. Banas opened the microphone to the public.

Larry Simons, 7 Schoolhouse Court, was sworn in. He said the agenda shows no variances, yet consistently there was testimony that there are variances. Mr. Kiert stated this application has been around a long time, and when the application changes sometimes the agenda does not reflect the changes, but the reports from the professionals are correct.

Noreen Gill, Coventry Drive, was sworn in. She asked about the septic systems being these are going to be custom built, we don't know if the number of bedrooms, if there are basements, etc. and wondered if the septic would be located. Mr. Flannery said they could be in the front, side or rear and the soils were suitable. If they could put in a public sewer, they would do that.

William Charleston, 11 Hope Hill Lane, was sworn in. He would like to think that Mr. Brown would use discretion when they start tearing into these woods as to not infringe on the wetlands and woods. He has some concerns, this directionally drilled septic line on lot 142 will pass directly behind his lot in the back and his well which is 8 ft. in from the back left hand corner. Mr. Flannery said he is optimistic that they will get the easements and be able to make public sewer work but in the event that does not happen the Ocean County Health Department enforces the state rules with respect to that. They will have to show where his well is and have enough separation to not have any adverse impact on his well. He also said there has been some development on Hope Chapel Road and in making this development, the stormwater run off comes down that street and into a holding basin and reroutes it down Hope Hill Lane to a few basins there and back to that same holding basin. Once that basin reaches its height, it overflows and runs under Hope Hill Lane, it comes through his property, which has an easement and there is a vent in that 20 inch pipe and you can hear that water roaring through there. It commences down to those woods that we are talking about developing and the wetlands under discussion and it runs right across your lot 151 which is "suitable for recreation" That recreation might be duck hunting and water sports, but that is all it would be good for. There would have to be some improvements made. His other concern is there are 9 or 10 houses in the area off Hope Chapel Road which are 3 years being completed. It doesn't take 3 years to build a house and some of these places have become eyesores; there is construction debris, piles of dirt with weeds growing out of it, house half done etc. If it is going to be in his backyard, he would rather not have a hulk of a house sitting there for 3 years waiting to be completed.

Ronald Goldenbaum, 36 Buchanan Street, was sworn in. This is an environmentally

sensitive area. The wetlands will eventually drain into Lake Carasaljo which goes into the Metedeconk River that eventually goes into Barnegat Bay. Septic systems seem to be the way to go in this development. These grounds can only take so much without upsetting the apple cart. This is a big ravine back there (Buchanan Street) and this whole area is surrounded by the wetlands. He is firmly against this application because of the environmentally sensitive area it is and if it is developed the whole community is going to pay somewhere down the line because there is wildlife (deer and turkey) and the board should take a long look at this. The pinelands are almost gone. Mr. Banas said nature has a way of taking care of any pollutants in the water as it flows. He believes it is 500 ft. and that distance is enough to purify it along the line, so there is concern but no need to fear. As it relates to building, Mr. Banas feels any comments made by Mr. Brown earlier, every attempt will be made to take of the trees and the environment as much as possible, unfortunately, the individual land owner that purchases the land has the right to develop his own property and the board must provide that right.

Gerry Ballwanz, Governors Road, was sworn in. She asked if there was an environmental impact statement that was required or will it be done and was told they had one. She also asked what acreage of trees were going to be removed from this area and was told by Mr. Flannery stated somewhere in the vicinity of 60% of the area would be cleared, so if you have 7 acre site that is 4 acres worth of trees. She said you do have this conflict with the wetlands, and maybe they would have to pay for that later. She hates to see development go in where you have all this pristine wetlands.

Diane Charleston, 11 Hope Hill Lane, was sworn in. She has a concern about the possibility of soil erosion during development and said during the construction of the development up the street on Shonny Drive, the whole area was clear cut and all the trees were taken down and the whole hill was leveled. Throughout the entire time of construction, all of the soil was eroding and running into the wetland area downhill from Shonny Drive, under the easement of her property and for the period of 2 years, you could see the soil running into the wetlands. Her concern is if there will be some sort of soil erosion plan that will be in place during construction to keep soil from running from the backyards of these homes that border on the wetlands which will destroy them. Who will be monitoring that leach field area should it back up as they are prone to do? (It runs behind her home) Mr. Banas asked Mr. Flannery to answer and he stated this project is required to get a soil erosion and sediment control plan certified by the OC Soils Conservation District and if there is soil running into the wetlands that is breaking the law and the OCSCD call be called and they will cite the developers and shut down. She said you can cut down trees and plant 4-5 ft. trees and it will take 20-30-40 years for them to mature and achieve what has been destroyed. Not only will the present residents of the area benefit from having this area left as natural as possible, but the future residents will benefit from it, so she implores the developers to whenever possible to preserve the trees and the nature of the land.

Seeing no one else, this portion was closed to the public.

Mr. Brown made a closing remark and said this is the use of the property at its best. The developer is respecting the terrain and environment and the neighbors. He recommends the board approve this.

Motion was made by Mr. Miller, seconded by Mr. Akerman, to approve the application with all the stipulations heard tonight as stated including the sidewalks. He implored the developer to save as many trees as possible and work to obtain the easements necessary for public sewer and water.

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Committeeman Miller; yes, Mr. Banas; yes, Mr. Akerman; yes, Mr. Klein; yes

3. SD # 1542 (NO VARIANCE REQUESTED)

APPLICANT: RYE OAKS LLC

Location: Ocean Avenue (Route 88) east of railroad
Block 536 Lots 1, 2 & 4

Preliminary & Final Major Subdivision for 40 townhouses and 1 retail center

Mr. Peters stated the applicant is seeking major preliminary and final subdivision and site plan approval for 38 townhouse units, a two story commercial building with retail and office space, a community center, parking areas, a tot lot, and a stormwater management basin. The existing property fronts on Ocean Avenue (NJSH 88) and access Ocean Ave at two (2) locations, east and west of two (2) existing dwellings that are not part of the subdivision and will remain. The eastern and southern property lines are adjacent to the Metedeconk River Conservation Area. The west side of the property is bounded by the New Jersey Southern Branch – Main stem C.R.R. Company of New Jersey. The existing property, which consists of three (3) lots: Lots 1, 2 & 4, is predominantly open except for a wooded area in the southwest area of the property and a smaller wooded area on the east side of the property. There are a number of existing buildings on the property that will be removed; including the existing dwellings located at the northeast and northwest corners of the property that front on Ocean Avenue. The open area of the site is composed of asphalt and gravel areas previously utilized for parking. The property is located in a Wholesale Service zone, B-4, which permits retail and office uses. Townhouses are also permitted as a conditional use. The applicant will be required to obtain outside agency approvals from Ocean County Planning Board, Ocean County Soil Conservation District, NJDOT, and an NJDEP permit for TWA. Evidence of approvals should be made a condition of final subdivision approval. Review of the NJDEP I-Map shows wetlands may be present along the southern limits of the property. The applicant shall obtain from the NJDEP a Letter of Interpretation (LOI) or a wetlands absences determination. An access drive from Ocean Avenue to this development will be located along the east property line. A separate driveway from Ocean Avenue will be provided for the retail building, the width of which shall be shown. Approval of the driveway locations is subject to the applicant obtaining permits from NJDOT. The applicant will be required to form a homeowners' association for maintenance of the public portions of the development. Homeowners' association documents shall be provided for review by the Planning Board Engineer and Planner. The documents shall address ownership and maintenance of the stormwater management system, roadway, community building, tot lot, and all other public portions of the site. The documents shall also include a schedule of when the public amenities will be completed in terms of number of certificates of occupancy. The applicant shall provide testimony as to what type business will utilize the retail and office space proposed and how trash will be handled. Depending on the proposed uses of the office space, the number

of required parking spaces may increase. Uses such as offices for doctors, dentists, and service uses require additional parking spaces. Legend Circle can accommodate school busses, fire trucks and trash trucks moving counterclockwise around the circle. There is a bank of eight parking spaces along Legend Circle on the northern end of the project that is located on the lot for the commercial use. These parking spaces will require an easement. The easement language shall be provided for review by the Planning Board Solicitor and the legal description shall be provided for review by the Planning Board Engineer. The easements shall be finalized as a condition of final approval. The applicant shall confirm the name of the road; "Legend Circle" is not a duplicate name within Lakewood Township. The Layout Plan indicates a stockade fence proposed along a portion of the rear property line, the west property line, and the south and west sides of the retail parking lot. The detail shows a chain link fence. This discrepancy should be resolved. The board should determine what type of fence will be installed around the detention basin. We have safety concerns with having the basin totally screened from public view. The proposed turn around area on the stub off of Legend Circle is too small for trucks to turn around. A truck can pull into the space provided but there is not enough room for the truck to back out and make a full turn. A detail for a gabion retaining wall conduit outlet protection has been provided. The elevations shown for this are over twenty feet higher than any point on the site, indicating that it is for a different project. The applicant shall either indicate the location of the gabion wall on the plans or remove the detail. The Applicant has shown a 3" thick asphalt concrete base in the concrete curb and pavement detail. However the Trench Repair Detail still shows a 2.5" asphalt concrete base. The Applicant should modify and show the 3" thick base in the Trench Repair Detail. A soil boring shall be taken within the basin area, which shall indicate the seasonal high groundwater elevation. Permeability results shall also be provided to demonstrate an adequate infiltrates rate will be provided. The Homeowners Association will be responsible for maintenance of the basin and drainage appurtenances which shall be confirmed in testimony and documented in the association by laws. The remaining comments are technical in nature.

Mr. Truscott read from a letter dated February 15, 2007. The applicant seeks preliminary and final major subdivision and major site plan approval to construct a 38-unit townhouse development and separate retail building 5.2-acre site in the Wholesale Service Zone District (B-4). Additional site improvements include parking, stormwater collection and management facilities, a community center within the development, utility services, landscaping and lighting. Access to the development from Ocean Avenue will be provided via a private road, called "Legend Circle." Currently, the site is used as a junkyard/automobile storage facility and contains wooded areas on the western side of the site. The site plan has been revised subsequent to the December 5, 2005 Plan Review meeting. The site is located in the B-4 Wholesale Service Zone District which permits various retail uses as permitted uses and the construction of townhouses as a conditional use (Chapter 18-903). No bulk variances are requested; however, several undersized and/or nonconforming lots are proposed for dedication to the homeowners association for open space and stormwater management and recreation. Therefore, the following variances are required: Lot 1.41 (dedicated for open space): Lot area of 7,367 square feet is proposed, and a minimum of 20,000 square feet is required; lot width of 16.87 feet, and a minimum of 125 feet is required. Lot 1, Block 536.01 (dedicated for open space and community center): Lot area of 11,228 square feet is proposed, and a minimum of 20,000 square feet is required; lot width of 104 feet, and a minimum of 125 feet is required. Lot 1.16 (dedicated as a detention basin): Lot area of 15,560 is proposed, and a minimum of 20,000 square

feet is required. The positive and negative criteria for the requested bulk variances should be addressed. The architectural plans show a building elevation that depicts a townhouse development that is 2.5 stories. In addition to the four bedrooms provided, the floor plans indicate that each unit will have a children's study and a habitable living space with a full bathroom in the attic, both of which can easily be converted into fifth and sixth bedrooms. These additional bedrooms would increase the parking requirements for each unit to 2.7 spaces per unit, less than the three (3) spaces proposed. Of greater concern is the unfinished basement with a separate entrance which can theoretically be converted to a separate living unit. The minimum additional parking required for this second (basement apartment) unit is 1.8 spaces, which added to what is already minimally required (2.4 spaces for a 4 bedroom townhouse) is greater than the 3 spaces currently provided ($1.8 + 2.5 = 4.3$ spaces). Additional renderings are required of the proposed buildings side and rear elevations as well as the placement of HVAC equipment if the applicant plans to include said equipment on the roof of the proposed buildings (Chapter 18-1010.B.8.). As required by Chapter 18-1010.B.6., the applicant is required to obtain Department of Public Works approval for the proposed location and size of the individual trash and recycling enclosures for the townhouse development. The applicant is proposing a total of 114 parking spaces (or 3 spaces per unit) for the 38 dwelling units. Similar to other Planning Board applications, the number of bedrooms per unit is greater than the NJ Residential Site Improvement Standards (RSIS) chart (Table 4.4). Therefore, the Planning Board must establish a sufficient parking ratio based on the number of bedrooms in each unit consistent with the RSIS, the project site location and local conditions. In prior applications, the Planning Board has extended the RSIS parking standard to require 2.5 parking spaces for a 4-bedroom townhouse unit and 2.7 spaces for a 6-bedroom townhouse unit. In addition, the Planning Board has required parking to address potential occupancy of the basement. The Planning Board must determine the appropriate parking requirements for the proposed townhouses, which could have as many as 6 bedrooms each, if the third level is considered. We recommend the Board require expert traffic engineering testimony to provide the necessary data for an informed decision. Parking for the community center is a minimum 3 spaces; the applicant has provided one (1) handicapped space in addition to the three (3) required. A total of 27 parking spaces are required for the commercial building proposed for Lot 1.01, an irregularly-shaped lot with frontage on Route 88. As currently designed, nineteen (19) spaces are accessible from Route 88 and are proposed in front of the building, and eight (8) spaces accessible from Legend Circle are proposed to the south of the building; a dumpster is located between the provided parking areas. Section 18-807 (Off-Street Parking) allows for parking to be provided on another parcel as long as assurances acceptable to the Board are provided in regards to the parking remaining available in the future. We suggest that Legend Circle be subject to a cross-access easement allowing perpetual access to the 8 parking spots in question. An additional concern with the spaces on Legend Circle is that the spaces will be partially located on the townhouse lot if Legend Circle is a private road, and that the spaces are located at the curve of the street. The applicant should address these issues with the Planning Board, or should re-design the proposed commercial development for Lot 1.01 to provide access for all parking spaces exclusively from Route 88. If medical or dental offices are contemplated, additional parking is required. The use should be stipulated and additional Board approval required if the proposed use varies from that approved. Use of the basement of the commercial building should be restricted by deed to storage and utilities. The current proposed turn-around for the Department of Public Works

appears to be inadequate and subject to the review of the Board Engineer. Chapter 18-808 requires that applicants who are proposing residential development projects over 25 units are required to preserve not less than 5 percent of the tract land area as common open space, or dedicate the area to active recreation or community facilities for residential development projects. The tract is 5.238 acres, of which 4.7757 acres are dedicated to residential uses; 5% of 4.7757 acres is 10,402 SF (rounded up). For this application, the open space standards appear to be met with the proposed playground (Lot 1.41) and community center (Lot 1), which total 18,595 SF. We note that Section 18-808 requires that the dedicated open space is to be contiguous; Lots 1 and 1.41 are not. A design waiver may be appropriate. The applicant has supplied documentation to the Board in regards to compliance with Chapter 18-1010.9., which requires that commonly-owned areas for the enjoyment of all Townhouse residents and their guests be owned and maintained by a non-profit homeowners association. The proposed development shares a border with the New Jersey Southern Railroad right-of-way. As most people are aware, New Jersey Transit is conducting an investigation into reopening passenger rail transit along this right-of-way. If approved, this would result in trains running within 100 feet of the proposed construction. This information should be accorded appropriate consideration in terms of the setbacks along the west side of the site and screening. The applicant may want to provide some landscape treatment for the center island area and the proposed tot lot. For clarity, we suggest the zoning bulk requirements be presented as two distinct tables on the site plans and plat, as standards for townhouses are based upon the (townhouse) tract, whereas commercial/retail bulk standards are based on the actual tax lot. The bulk chart for Lot 1.01 front yard setback requirement should be changed to 25'. The bulk chart should be revised on the plans and plat to show one (1) front yard, as the lot fronts only one (1) street (Route 88). Based on the location of the driveway relative to existing adjoining lots, there is no opportunity to provide sight triangle easements for the new residential street, Legend Circle. The applicant's expert should discuss the sight distances for vehicles backing out of spaces in front of Unit 4 (Building # 1). A design waiver is necessary for the lack of landscaping along the east side of the site. If variances are granted for the proposed undersized lots, a deed restriction should be filed with any undersized lot limiting its future use to that proposed. Clarification is required for the location of the lot line through the eight (8) parking spaces on the south side of the proposed retail building. The entrance to the office space (second story) in the commercial building appears to be in the rear of the building. There are no improvements shown on the site plan to provide access to the office entrances, such as a walkway and lighting. The applicant should clarify the landscaping plan to identify the proposed screening on the west side of the commercial building. A fence may also be appropriate. The applicant should discuss the appropriateness of screening of the pump station in the center area near the community center. Submit a revised subdivision plat which reflects all necessary changes, including the cross-access easement for the parking spaces on Legend Circle which serve the non-residential building.

Kenneth Pape, Esq. appeared on behalf of the applicant. Mark Engel is the owner and Mr. Kenneth Fears who is the traffic engineer and Mr. Feldman is the architect and Mr. Carpenter is the engineer of the project and is on the way. Mr. Banas asked how long it would take for Mr. Carpenter and Mr. Pape said his other professionals were here to testify now. The last time the applicant appeared the board had concerns with certain design elements and portions of the site were in close proximity of the roadway. They revised the plans per the recommendations and except for the open space lots, they are

presenting an application that contains no variances. He stated for the record that for the office building will not have any medical or dental offices and they agreed. The basement of the townhomes will not be used for anything but storage and will be restricted. The attics of the townhomes will have the plumbing removed and not finishing it and they agree. The basements will remain unfinished. Mr. Banas said that was not acceptable and the board has insisted on identifying what will be put in the basement. Mr. Feldman will testify to that. Mr. Pape also stipulated that each structure is proposed as a one family residential unit. They have drafted a homeowner's association document for the boards review. The undersized lots created for the association be deed restricted and they agree. There is concern raised as to the adequacy of parking and on site circulation and Mr. Kenneth Fears is a professional engineer with area of expertise in traffic design who was prepared to testify.

Kenneth Fears was sworn in. He is a traffic engineer. Page 3 of 7 of Mr. Carpenter's plans was marked as exhibit A-1. Mr. Fears stated the 3 parking stalls for the community center were adequate for the purposes of that building. The parking lot for the retail area was also adequate for the purposes of that use. As far as the homes, there are 38 units and 114 parking stalls for those units. For a six bedroom unit, the number of spaces required is 2.7. Mr. Banas said the way this board has been doing it is if the bedrooms expands up to 5 units, the board has added not one, but a total of 4 parking spaces. They are prepared to stipulate that the interior road system will be one way counter clockwise. That would apply only to the portion of the site where the loop is formed, it would not apply to the roadway entering to that point. He used two vehicles for his evaluations, the first one was based on a tractor trailer wheel base of 50 ft. and the second one was an aerial ladder fire truck. The fire truck has an 8 ft. front overhang and a 13 ft. rear overhang and a 29 ft. wheel base between the two for a total vehicle length of just under 50 ft. Other vehicles that will need to get through the site will get through more easily than the 2 he assessed. He showed the board the way the vehicle will travel through the site and stated the vehicles were able to make all of those turns without having to back up, although they do encroach across the center of the aisle. (That is an acceptable standard) He also assessed the stub to the south on the southeastern corner of the site and that is important for the few occasions when somebody will be moving in or out and for garbage pick up. That length is about 2 garbage trucks and there are only 3 units on that stub. He felt that all movements whether emergency vehicles and other types of vehicles can adequately and safely handled with the system as designed. He said the intersection of the roadway with Ocean Avenue and the intersection design is under the jurisdiction of the NJDOT. Mr. Banas thought they needed a site triangle at that intersection and Mr. Peters concurred. Mr. Peters said he would defer to the NJDOT for the size of that triangle and that would be part of the access permit the applicant would have to obtain. Mr. Banas said school buses will not be going into this development and wanted to know how they would provide for the children to be picked up and asked where the students will be picked up and discharged. Mr. Fears said a school bus would be able to enter the development and maneuver.

Mr. Franklin said the hammerhead turn looks too tight for a garbage truck and was told by Mr. Fears a garbage truck could service that area by traversing the southerly aisle, make a left, stop, back up approximately 50 ft. pick up the trash, then pull forward. Mr. Fears said the turning area required for a single unit truck would be quite a bit larger than that area

and it doesn't make sense to create that much pavement for 50 ft. of roadway and 3 units. Mr. Franklin asked if there was a way those units could move the cans over to the court area on the corner because they don't like backing up in these situations with so many kids. The applicant (Mr. Engel) said he had no problem with that being stipulated in the deeds of those properties and they could create one pad for the cans.

Mr. Klein confirmed that the traffic will be going in one direction only and Mr. Fears said that within the loop portion of the site. Mr. Klein said his concern is a car coming around that loop and attempting to make that right turn to exit the site would be coming against oncoming traffic. How would you address for that safety issue? Mr. Fears said he didn't feel that was a concern but the way to address it is to carry a yellow center line from the entrance to the site around the first turn down and to the point and that would denote a separation of traffic flow and traffic direction. Mr. Fears said for anybody moving into to site, a sign on the point of the center section indicating all traffic and pointing to the right would be appropriate and that could be supplemented with additional signing such as 2 wrong way signs on either side of the easterly aisle at its northerly end where it meets the point and flow and it would be facing inbound traffic. Mr. Pape agreed to meet with the engineer, traffic and safety and public works and would defer to their collective direction as to any additional signs they feel are appropriate. Mr. Banas said he has difficulty with the striping especially with the winter, with a little snow that striping will be gone. Mr. Fears said that is why the appropriate signing is one sign indicating all traffic keep right on the point of that center section so that anybody entering the site will follow the appropriate flow. Other than that, all the movements within the site become natural movements.

Mr. David H. Feldman was sworn in as the architect. He entered 3 sheets of drawings entered into exhibit A-2 that were drawn by his firm. He said that on the attic plans, they plan on eliminating the habitable space, no space will be finished, nor will there be any plumbing or extension of electrical or of that nature. The stairs would be removed and supplemented with the pull down set of stairs. As far as the basement, the intent of that is mechanical space as well as storage for the homeowner. It is not intended to be finished and not intended to be a "rental" or other livable space. The height would be 8 ft. in height. Mr. Banas said that would be very habitable along with the fact that they have stairs going in and out for easy access. Mr. Feldman said they looked at the possibility of moving the stairs to the back side of the unit but the problem is that for somebody living in the center of the building, they would have to send their child down front, up the side and across other peoples property to their steps. Mr. Pape said the applicant is prepared to stipulate and it could be in the resolution that this is a one family residence which becomes enforceable by the municipality against each property owner. Mr. Banas said the reason he is asking for a description of the basements, because if they identify what is in there, the inspection department will indicate that and any improvements will be subject to violation. Generally, there is not an entrance from the outside to the basements because of past experiences and he suggests that be removed (come in the front and bring the toys down that way). Mr. Feldman said it would be much more difficult for a child to bring his bicycle into the house, maneuver around rooms to get to the basement stairs. Mr. Banas asked if the applicant would be willing to lower the building by 2 ½ ft. to make it uninhabitable in the basement and strictly as storage. Mr. Jackson said the concern of the board is they don't have the enforcement power and the board is seeking to make in easier for enforcement and more impractical for inhabitable space. Mr. Pape said they were prepared to do was take the entrance from the front and put them in the rear.

Mr. Truscott said he had asked for elevations of the side and rear of the buildings and the location of the HVAC units. Mr. Feldman said he would comply.

Mr. Pape said the applicant engineer, Mr. Carpenter has arrived and was ready to testify. He also said the applicant believes they can go back and work on the basement but the architect will need some time, but asks if the board would consider carrying this application to the next meeting, knowing the only thing to be discussed would be the basements and the remainder can be discussed in the next ten minutes. Mr. Banas did not think they could conclude Mr. Carpenter's presentation in 10 minutes and they would rather do it when the revised plans are reviewed and do them together. This way the objectors could hear the entire plan. Mr. Banas said many of the comments made by the professionals were identical to those made at the last meeting, and he got the impression nothing was done since the last meeting, so Mr. Carpenter can revise the plans based on the review letters and resubmit with the architectural plans to be heard together. The next public hearing is March 20, 2007 and Mr. Pape agreed to that date. Mr. Kielt said if they were going to revise the engineering plans he wanted it on the record when they will be back so the professionals will have the opportunity to review the plans, and was told the date the plans are due back would be by 3/10/07.

Motion was made by Mr. Akerman, seconded by Mr. Herzl, to carry to March 20, 2007

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Banas; yes, Mr. Akerman; yes, Mr. Klein; yes

- 4. SP # 1851 (VARIANCE REQUESTED)**
APPLICANT: CONDOR JACKSON LLC
Location: West Kennedy Boulevard @ east corner of Forest Avenue
Block 57 Lot 1
Preliminary & Final Major Site Plan for 2 story office building

Motion was made by Mr. Akerman, seconded by Mr. Klein, to carry to March 20, 2007

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Banas; yes, Mr. Akerman; yes, Mr. Klein; yes

- 5. SD # 1569 (NO VARIANCE REQUESTED)**
APPLICANT: FAIRMONT INVESTMENTS LLC
Location: Hope Hill Lane
Blocks 11 Lot 90
Minor Subdivision to create 2 lots

Motion was made by Mr. Herzl, seconded by Mr. Klein, to carry to March 20, 2007

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Banas; yes, Mr. Akerman; yes, Mr. Klein; yes

6. SD # 1571 (VARIANCE REQUESTED)
APPLICANT: WALTER LUCAS
Location: Newport Avenue @ corner of Bellevue Avenue
Block 499 Lot 19
Minor Subdivision to create four lots

Motion was made by Mr. Herzl, seconded by Mr. Akerman, to carry to March 20, 2007

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Banas; yes, Mr. Akerman; yes,
Mr. Klein; yes

6. MEMORIALIZATION OF RESOLUTIONS

1. SD # 1566 (VARIANCE REQUESTED)
APPLICANT: DAVID HERZOG
Location: Miller Road, south of Shady Lane
Block 12.02 Lot 21
Minor Subdivision to create two lots

Motion was made by Mr. Herzl, seconded by Mr. Akerman, to carry

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Banas; yes, Mr. Akerman; yes,
Mr. Klein; yes

7. CORRESPONDENCE

None at this time.

8. PUBLIC PORTION

Seeing no one, this portion was closed.

9. APPROVAL OF BILLS

Motion was made by Mr. Herzl, seconded by Mr. Akerman, to approve

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Banas; yes, Mr. Akerman; yes,
Mr. Klein; yes

10. APPROVAL OF MINUTES

- Minutes from February 13, 2007 Master Plan Meeting

Motion was made by Mr. Herzl, seconded by Mr. Klein, to approve

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Banas; yes, Mr. Akerman; yes,
Mr. Klein; yes

11. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Chris Johnson
Planning Board Recording Secretary