

**LAKWOOD PLANNING BOARD
MINUTES
SPECIAL MEETING
MEETING OF: MARCH 13, 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 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 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. Franklin, Mr. Neiman, Mr. Banas, Mrs. Wise, Mr. Klein, Mr. Gatton, Mr. Percal

3. SWEARING IN OF PROFESSIONALS

Mr. Peters and Mr. Slachetka were sworn in.

Mr. Banas said this will be a relatively short meeting. There is no discussion as it relates to substance, that has already been voted on item by item. The only thing they will accept at this public meeting is for editorial changes only. After the vote is taken, there will be another public session.

4. DISCUSSION/ADOPTION OF THE RE-EXAMINATION REPORT OF THE MASTER PLAN & UNIFIED DEVELOPMENT ORDINANCE

Mr. Banas opened it up to the board for editorial changes. Mr. Slachetka said they provided a red lined copy of proposed changes to the members a few weeks ago for their input. Then another red lined version was made available to the public and that is what is here tonight. Based on the comments received from the board members on the original red lined version, they made some minor changes that reflected the questions and comments, including a reference map showing the Kettle Creek Area and a figure map (figure 3) which showed a composite of the actual recommendations that were made.

Mrs. Wise said the table number L, the page # is incorrect (minorities) said page 78 and it should be page 79. Mr. Slachetka said he would change.

Mr. Banas opened the microphone to the public for editorial changes only.

Gerry Ballwanz, Governors Road, was sworn in. She has several comments. She found an error on C – community facilities, it is on a reference to the 3 sites for open space, passive recreation; how it is stated is incorrect. The error is in the fact that it is not at the old public works site, but in the vicinity or adjacent to the old public works site. (Page 59) It was the last goal- investigate opportunities for using existing municipal properties for additional passive recreation areas including the fire tower off Massachusetts Avenue, and publicly owned properties within Block 198 (off Brook Rd). She did give this information to Mr. Kielt after that meeting and it was supposed to be forwarded to Mr. Slachetka. The error is in addition, a portion of the old public works facility on Ninth Street should be evaluated for uses open space as part of a comprehensive reuse plan for that site. She was not referring to the old public works site, but the wooded forest behind it, next to the railroad tracks, and directly behind the old public works site and it backs up to Harvard Street (Block 169 Lot 13).

Also, under that area, there should have been a reference to a senior citizen's concern for this area around the fire tower, and they were wanting an analysis of all the township owned land between Prospect and Massachusetts (near the fire tower) and she does not see it listed as a senior citizen concern. Mr. Banas said it was not under the senior citizen area, they just made it for everyone of Lakewood, rather than identifying senior citizens or any other group of people. She said they were the ones that were talking about that area (Mr. Hobday)

Mr. Slachetka has a question about the Block 169 Lot 13. His notes were explicit and he is not even aware of the relationship to the tract or whether it is municipally owned.

Mrs. Ballwanz asked if community vision was dealt with. Whether or not the board properly addressed a community vision. Mr. Banas said he has given her the answer already, and she said she listened to the audio tape. Mr. Banas hit the gavel and said she is out of order. She continued to speak and the gavel the hit again. Mr. Banas asked her to move on. He asked her to be seated.

Christine Abrams, Pearl Avenue, was sworn in. She said the 10/24/06 Master Plan Meeting, the red line copy has community vision in the beginning of it and that was never addressed at 7:48:44 Mr. Slachetka for 11 seconds talks about what is contained in section A (3 component parts) Later on it was opened up to the public. She said the editorial comments are that the community vision statement in the red lined needs to be changed because it was never addressed. Mr. Banas asked if this was the same thing that Mrs. Ballwanz was talking about and she said yes. Mr. Banas said he will identify how the board functions. In his notes, and he indicated to Mrs. Ballwanz at a hearing that the item you are referring to has been voted on. It appeared that article found in the minutes, it identified in the minutes that was approved by 10 people The second approval was when the minutes were presented, again the board moved to approve the minutes. There is no need to go any farther than that. She asked if it was on the October 24th meeting and he said he did not recall what meeting, but in the beginning. Mr. Neiman said that was approved September 26th.

David Quinn, 1 Morning Glory Lane, was sworn in. He said for clarification, Mrs. Ballwanz brought up the subject of the land on Massachusetts Avenue. It was part of the input

from the senior subcommittee and it does appear under open space or environmental. Mr. Slachetka said it is listed under community facilities under recreation, and it is also under the senior citizen concern.

Janet Scher, 1050 Cross Street, was sworn in. She commented the committee on a long and arduous task. She referenced the forgoing comments on community vision. There is a defect in the procedure and that occurs because the advisory committee never voted on the community vision language as it exists in the draft document. The subject did come up at their last meeting and there was disarray in conversation because people were concerned that this was a basic thing that needed to be approved and ratified by the committee. Mr. Banas said it was. She said she was talking about when the advisory committee met. Notes were given to the planner but the language that appears in the community vision was not ratified by the committee. The words smart growth, mixed use, do not appear in what the committee presented, all of that was added after the committee concluded their work. It was not part of the recommendations that came to the board as part of their draft and this is a major defect because it was added after the fact it does not express the wishes of the committee as it stood. It is a big concern of hers because everything hangs on the objective and goals and community vision. Mr. Banas said it has been approved by this board. Mr. Banas and Mr. Neiman said the board made many changes to the document during the many meetings. She said she has no concern about the changes made here, but concerns about a whole category being left blank for anyone to fill in what they wish after the fact and that is what happened. Mr. Banas said that committee is gone and past and this is what they voted on and they cannot rehash it.

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

Mr. Banas said there was one question, the recreation, dealing with the land at the public works facility. Mr. Slachetka stated the public asked for a particular lot and block be added. Mr. Banas said why put in the lot, just use the block. Mr. Slachetka said his notes do not include any other land other than the public works facility; however, if the board wanted to put in something about an adjoining publicly owner properties as appropriate, that would encompass the issue. Mr. Banas asked how would they delineate the property if they don't refer to it as block. Mr. Franklin said there were about 5 parcels for the whole thing and it makes up 21 acres. Mr. Banas said the public also mentioned the tree area by the stream. Mr. Franklin said when he put the public works project together, he anticipated about 15 million dollars for the property, because of the high density and that would go towards the 23 million dollars they spent for the new building. If you put it all into a land bank, you will end up paying for the entire new public works facility, and that was not the plan in the beginning. Mr. Slachetka said that is why it is referenced as a comprehensive plan to look at open space options at the public works facility. The question being raised is if it should encompass other publicly owned property in addition to the public works tract. Mr. Banas said he would feel more comfortable with that.

Motion was made by Mr. Franklin, seconded by Mr. Herzl to include any other contiguous publicly owned property be added to the recommendation above.

ROLL CALL: Mr. Herzl: yes, Mr. Franklin; yes, Mr. Neiman; yes, Mr. Banas; yes, Mrs. Wise; yes, Mr. Akerman; yes, Mr. Klein; yes, Mr. Gatton; yes, Mr. Percal; yes

Mr. Akerman said the map in the back (both figure 2 & 3) the proposed change # 32, it has it listed as approved in figure #2 and proposed for further study in figure #3, and to his knowledge, it was scratched before even starting the zoning process.

Mr. Slachetka said his notes reflect that #32 was a recommendation for additional study and a creation of an advisory group and the recommendation for additional study was approved and that is why it is reflected as being approved, but in the final composite map it was identified for further study. Mr. Akerman said he did not remember it being discussed, but the remaining board members said they did. Mr. Slachetka referred them to page 78. It was recommended as an area of study.

Mr. Slachetka said it would be the intent of the board if they adopt the plan, that the red lined version will be accepted and incorporated and adopted into the document and the board will include both figures, #2 & #3, one showing what the recommendations were and the other what was approved.

Motion was made by Mr. Franklin, seconded by Mr. Herzl to adopt the document called the Re-examination Report of the Master Plan and Unified Development Ordinance.

ROLL CALL: Mr. Herzl: yes, Mr. Franklin; yes, Mr. Neiman; yes, Mr. Banas; yes, Mrs. Wise; yes, Mr. Akerman; yes, Mr. Klein; yes, Mr. Gatton; yes, Mr. Percal; yes

5. PUBLIC PORTION

Mike Sernotti, Vine Street, was sworn in. He said thank god it's over. He thanked the board for all their hard work and the numerous meetings.

Dave Quinn wanted a post script on the community vision. His recollection was that towards the end of the subject he brought up some concerns to Mr. Slachetka and he believes what happened and gave some examples and said there were some inconsistencies and Mr. Slachetka said he would revisit it and came back with a revised community vision statement. Mr. Quinn remembers them revisiting it.

Janet Scher said the advisory committee did not get to vote on what the board has on community vision and that is important for the board to be aware of. She had some page references, page 63 under environmental recommendations, there is an objective with regard to Crystal Lake Preserve, and there is currently correspondence from the county to the township; on page 65, senior issues, she feels it is important to identify it and believes the percentage was 39.7% of the residents were senior citizens and some of the commentary, the numbers get broken out so that entire 40% does not get addressed; on page 74, with regard to the zoning, the error with regard to the A1 and R40 and R12 has not been addressed. The R-OP multi family is scheduled for further consideration in the southwest corner of town and she would like to reiterate what she has put into the environmental recommendations, that is the only area of town left for the recharge of water, that Toms River has significant water problems, that is an area of town that contains the Crystal Lake Preserve, farmland preservation has gone on in that part of town. Her

biggest concern in that portion of town the in endangered species in habitat. On page 78 with the issues of schools, she thinks that public schools should always be the priority.

Carol Murray, 51 Drake Road, was sworn in. She is disappointed that the board did not correct the mistake in southwestern Lakewood on the zoning. (A1) She thought it would be corrected and hopes the Township Committee does a better job on that.

Gerry Ballwanz, said if Mr. Banas and the other members of the board took the opportunity to listen to the audio tape of the October 24th meeting she was referring to, they would be very embarrassed and will be giving her an apology.

Christine Abrams said thank you and it was been a learning experience for her. Hopefully she will be more involved in the future. Mr. Neiman thanked her for the documentary on Kettle Creek.

Mr. Neiman also told Janet Payne that Brian Flannery is even trying to save trees.

6. APPROVAL OF BILLS

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

ROLL CALL: Mr. Herzl: yes, Mr. Franklin; yes, Mr. Neiman; yes, Mr. Banas; yes, Mrs. Wise; yes, Mr. Akerman; yes, Mr. Klein; yes, Mr. Gatton; yes, Mr. Percal; yes

7. APPROVAL OF MINUTES

- Minutes from February 20, 2007 Planning Board Public Meeting
- Minutes from February 27, 2007 Special Planning Board Public Meeting

Motion was made by Mr. Neiman, seconded by Mr. Franklin to approve

ROLL CALL: Mr. Herzl: yes, Mr. Franklin; yes, Mr. Neiman; yes, Mr. Banas; yes, Mrs. Wise; yes, Mr. Akerman; yes, Mr. Klein; yes, Mr. Gatton; abstain, Mr. Percal; yes

8. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Chris Johnson
Planning Board Recording Secretary