

1. CERTIFICATION OF COMPLIANCE

Chairman Neiman 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 Meeting 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. Advance written Notice has been filed with the Township Clerk for the purpose of public inspection and, a copy of this agenda has been mailed, faxed or delivered to the following newspapers: The Asbury Park Press, and The Tri Town News at least 48 hours in advance. This meeting meets all criteria of the Open Public Meetings Act."

2. ROLL CALL

Roll Call Mr. Franklin, Mr. Banas, Mr. Fink, Mr. Follman, Mr. Percal

3. SWEARING IN OF PROFESSIONALS

Mr. Vogt was sworn in.

4. PLAN REVIEW ITEMS

1. **SP # 1957** (No Variance Requested)
Applicant: Beth Medrash Govoha
Location: Square block bordered by Forest Avenue, Madison Avenue,
Carey Street & Eleventh Street
Block 63 Lots 1 & 4
Preliminary & Final Site Plan proposed addition to existing library,
proposed dormitory & associated site improvements

Project Description

The applicant is seeking Preliminary and Final Major Site Plan approval. This site plan is for constructing additional library space, a student dormitory, and parking for Beth Medrash Govoha on Lots 1 & 4 in Block 63. The current site is a Planned Educational Campus. The existing 400 Carey Street and 1075 Forest Avenue buildings will be connected. The proposed building will mainly consist of a reference library, classrooms, and offices. The site plan indicates sixteen (16) off-street parking spaces will be required by the tenants of the dormitory. This is based on 0.25 off-street parking spaces required for each dwelling unit. The site plan also indicates

eighteen (18) off-street parking spaces will be required for the reference library. This is based on one (1) off-street parking space required for each room containing a classroom, library, or office. Therefore, according to the site plan, the total off-street parking required for the project is thirty-four (34) spaces. The proposed parking lot for the dormitory consists of twenty (20) off-street spaces. The proposed parking lot for the reference library contains eight-six (86) off-street spaces. Therefore, the total proposed off-street parking provided for the project is one hundred six (106) spaces, five (5) of which are handicapped accessible. The subject property consists of an entire Block. The 300' X 500' rectangular tract contains one hundred fifty thousand square feet (150,000 SF), which is 3.44 acres. The site is located on the west side of Madison Avenue (Route 9), the north side of Eleventh Street, the east side of Forest Avenue, and the south side of Carey Street. Route 9 is a State Highway and the other surrounding streets are municipally owned. Madison Avenue and Forest Avenue have eighty foot (80') right-of-ways. Carey Street and Eleventh Street have sixty foot (60') right-of-ways. Curb and sidewalk exist on all the surrounding streets. The proposed dormitory building will be "L" shaped so it can be situated in the northwest corner of the site. It will consist of four (4) floors and a lower level. The proposed reference library connects the 400 Carey Street and 1075 Forest Avenue buildings. The new building will contain three (3) floors. The dormitory parking area is situated between the proposed buildings. The larger parking area is proposed to be located in the southeast corner of the site. An infiltration recharge system has been proposed beneath this main parking area to mitigate the increase in storm water runoff which would be generated by the site. The project is located in the northern portion of the Township and is generally surrounded by developed land. The plans list the project as a Planned Educational Campus since it encompasses an entire Block (Block 63) and is more than three (3) acres in area. We offer the following comments and recommendations: (I) **Waivers (A) The following waivers have been requested from the Land Development Checklist:** (1) B2 - Topography within 200 feet thereof. (2) B4 - Contours of the area within 200 feet of the site boundaries. (3) B10 - Man-made features within 200 feet thereof. (4) C13 - Environmental Impact Statement. The project is a developed site consisting of an entire Block. Topographic features, contours, and man-made features are shown on all four (4) surrounding roads. Due to the developed nature of the site and the isolation of the property by the bordering streets on all sides, we support the granting of the requested waivers. (II) **Zoning** (1) Per Ordinance #2009-53, Section 18-902.H.6.b., "A Planned Educational Campus may only be developed on one or more contiguous parcels of land having a minimum gross acreage of three (3) acres". The Schedule of Bulk Requirements indicates that 3.44 acres of land is being provided. Therefore, the Minimum Tract Size is met. (2) The allowable Maximum Building Coverage is forty-five percent (45%) of the gross tract area. The Schedule of Bulk Requirements indicates the Maximum Building Coverage provided is 39.4%. A summary table should be provided. (3) The allowable Maximum Impervious Surface Coverage is eighty-five percent (85%) of the gross tract area. The Schedule of Bulk Requirements indicates the Maximum Impervious Surface Coverage is seventy-eight percent (78%). (4) No variances are being requested in connection with this application. (III) **Review Comments (A) Site Plan/Circulation/Parking** (1) The General Notes state that outbound and topographic

information was obtained from a topographic survey plan. A signed and sealed copy of an Outbound and Topographic Survey must be provided. (2) We recommend the existing lots be consolidated since the proposed reference library connecting 400 Carey Street and 1075 Forest Avenue, as well as the proposed parking, cross the existing lot line separating Lots 1 and 4. (3) Additional proposed dimensions are required on the Site Plan, particularly building dimensions and distances between buildings. (4) The Schedule of Bulk Requirements should also include proposed dormitory building length and dormitory unit square footage. (5) Off-street parking requirements for student dormitories indicate 0.25 spaces shall be provided for each dwelling unit. The plans indicate that sixteen (16) spaces are required. The parking area for the student dormitory proposes twenty (20) spaces. Off-street parking requirements for the remainder of the site according to Chapter 18, Section 906.C indicate eighteen (18) spaces are required. The parking area in the southeast corner of the site proposes eighty-six (86) spaces. Testimony shall be provided on off-street parking. (6) An existing one-way driveway access from Carey Street is proposed to be used for two-way circulation to the proposed dormitory parking area. This driveway is narrow for two-way traffic and will contain an additional restriction from saving a large oak tree. We recommend that the applicant consider realigning this drive to create a center island for the tree, and adequate aisle widths on both sides for entrance and exit. We recommend that the applicant's engineer contact our office to review this issue. (7) The Landscaping and Lighting Plans show a dumpster area on the Forest Avenue side of the project. This information must be included on the site plans as well. (8) New handicapped ramps are required at the Forest Avenue corners. The Madison Avenue (Route 9) corners have new handicapped facilities. Proposed handicapped ramps with detectable warning surface must be shown throughout the project site and at proposed driveway crossings along the surrounding streets. (9) Depressed curb from old driveways shall be replaced with proposed full height curb. (10) The existing curb and sidewalk surrounding the property is in varying condition. The General Notes state that any damage to the curb and sidewalk during construction will be replaced at the direction of the Township Engineer. We also recommend grading corrections be undertaken along some of the gutters to eliminate the collection of runoff, particularly along Carey Street. (11) Sight triangles have not been provided at the intersections. However, the existing fencing and proposed wall locations allow limited sight triangles. Testimony on sight triangles should be provided. (12) Shade tree and utility easements have not been provided. Shade trees are being proposed within the right-of-way. Testimony should be provided on this proposal. (13) A General Note should be added that all unmarked curb radii are four feet (4'). (14) A Legend should be added to the Site Plan sheet. (15) The signature blocks on the site plan reference a subdivision and should be corrected. (16) Testimony should be provided on the loading area proposed within the dormitory parking area. (B) **Architectural** (1) Architectural floor plans and elevations have been provided for the proposed dormitory building and reference library building. The proposed dormitory building contains four (4) floors with a lower level. The proposed dormitory building height is fifty-eight feet, one inch (58'-1"). The proposed reference library building consists of three (3) floors. The maximum proposed reference library building height is forty feet (40'). The allowable building height is sixty-five feet (65'). (2) The applicant's

professionals should provide testimony regarding the facades and treatments of the proposed new building. We recommend that renderings be provided for the Board's review and use prior to the public hearing, at a minimum. (3) The use of existing and proposed water and sewer connections should be clarified for the proposed buildings. The final design will have to meet applicable fire protection requirements. (4) Testimony should be provided as to whether any roof-mounted HVAC equipment is proposed for the proposed buildings. If so, said equipment should be adequately screened. (5) The final building design will have to meet applicable ADA accessibility requirements. (C) **Grading** (1) A grading plan is provided on Sheet 4. The proposed grading has been designed to generally slope towards the streets. A storm sewer collection system is proposed to collect runoff. (2) The proposed grading scheme is difficult to evaluate. We recommend the following: (a) The "graying" of existing layers to provide contrast with proposed grading and improvements. (b) Adding proposed missing contour lines. (c) Numerically labeling all proposed contour lines. (d) Providing more proposed spot elevations, particularly at buildings. (e) Adding a Legend to the Grading and Drainage Plan sheet. (3) The proposed grading will be reviewed in detail after plan revisions are submitted. (D) **Storm Water Management** (1) A proposed storm sewer management system has been designed. The proposed underground recharge system is located beneath the parking area in the southeast corner of the site. Collection of runoff will be from proposed inlets within the parking area. Per review of the design, it is feasible and can be finalized during compliance review if/when board approval is granted. (2) Permeability testing indicates varying results. The Narrative Section of the Storm Water Management Report shall justify the infiltration rate proposed for the design. (3) Soil borings taken within the proposed recharge area indicates a two foot (2') separation will be maintained from the seasonal high water table elevation to the bottom of the recharge bed. The locations of Soil Borings #1 and #2 are not shown on the plans. (4) Predevelopment and Post Development Drainage Area Maps have been provided to assist in the review of the design. (5) Review of the Storm Water Management Report indicates revisions are necessary. Runoff reduction rates and water quality standards apply. A detailed review of the storm water management system will be conducted during compliance if/when approved by the Board. (6) The submission of a Storm Water Management Operation & Maintenance Manual has been included. Confirming testimony shall be provided that the operation and maintenance of the proposed storm water management system will be the responsibility of the applicant. The Manual will be reviewed in detail during compliance submission should site plan approval be granted. (E) **Landscaping** (1) A very comprehensive landscape and amenities design has been provided. We commend the applicant and professionals for the design. (2) The overall landscape design is subject to review and approval by the Board and should conform to recommendations (if any) from the Township Shade Tree Commission as practicable. (F) **Lighting** (1) A detailed lighting design including a point to point diagram has been provided. The comprehensive lighting plan proposes twenty-five (25), twelve foot (12') high pole mounted fixtures. (2) The overall lighting design is subject to review and approval by the Board. (G) **Utilities** (10) The project is located in the New Jersey American Water franchise area. Public water and sewer service will be constructed by NJAW. (20) A Utility Plan should be added to the site plan set. (H) **Signage** (1) Per review of the design documents, it

appears that (only) building mounted signage is proposed at this time. (2) All signage proposed that is not reviewed and approved as part of this site plan application, if any, shall comply with the Township Ordinance. (I) **Environmental** (1) No Environmental Impact Statement (EIS) was prepared for this project due to the developed nature of the project site. (2) To assess the site for environmental concerns, our office performed a limited natural resources search of the property and surroundings using NJ Department of Environmental Protection (NJDEP) Geographic Information Mapping (GIS) system data, including review of aerial photography and various environmental constraints data assembled and published by the NJDEP. The data layers were reviewed to evaluate potential environmental issues associated with development of this property. No environmentally-sensitive areas exist per available mapping. (3) A comprehensive plan entitled "Tree Preservation and Replacement Plan" has been submitted for review and will require revision. The proposed site improvements must be outlined on this plan since some of the existing trees intended to be preserved will be impacted. (J) **Construction Details** (1) Construction details are provided on Sheets 5 and 6 of the site plans and on Sheets L4.0-L4.4 of the landscaping and lighting plans. (2) All proposed construction details must comply with applicable Township or NJDOT standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete. Construction details will be reviewed in depth after plan revisions are submitted. (3) We recommend the applicant's engineer contact our office to correct construction details based on our cursory review. Final review of details will occur during compliance if/when approval is granted. (IV) **Regulatory Agency Approvals** Outside agency approvals for this project may include, but are not limited to the following: (a) Developers Agreement at the discretion of the Township (b) Township Tree Ordinance (as applicable); (c) Ocean County Planning Board; (d) Ocean County Soil Conservation District; and (e) All other required outside agency approvals. **A revised submission should be provided addressing the above-referenced comments, including a point-by-point summary letter of revisions.**

A motion was made to approve the waivers in the application on the recommendation of the Township Engineer by Mr. Franklin, seconded by Mr. Percal.

Roll Call Mr. Franklin, yes, Mr. Banas, yes, Mr. Fink, yes, Mr. Follman, yes, Mr. Percal, yes.

Mr. Abraham Penzer for the applicant stated that this application is to reform the conservative temple it is immediately across from my home. Right now one study hall is going to be modified; the reform temple is going to be made much nicer with a roared iron fence and flowers and also a beautiful library. For the record I would like to mark A-1 as a rendered version of the site plan and A-2 is a perspective rendering of the site, A-3 is a perspective rendering of the Library building and A-4 is a second perspective rendering of the library building. The library building will be an 11,000 sq. ft. building as you can see it is going to be state of the art, it is going to be one of the most magnificent things and the

center of the campus that is really the eye it is going to have almost every Hebrew book that was ever written on computer, so for scholarly wise it will take BMG into the 22nd Century. There is a dormitory proposed on the corner of Carey & Forest Ave. and we meet all the requirements under the campus ordinance, and all the items in the Engineers report can be met .

Mr. Banas asked how far this is from the existing university. Mr. Penzer stated that it is on the campus.

Mr. Banas stated that at a previous meeting there was a conversion of garage space into storage space. There was an indication of approx. 500 feet. Mr. Penzer stated that they are close to that because the Yeshiva apartment sis less than 500 feet on 11th Street, so it is probably a little bit less.

Mr. Brian Flannery PE stated that the application is a conforming application and all of the concerns in the engineer's letter will be satisfied.

Mr. Fink asked how many rooms will there be in the dormitory and what is the parking going to be. Mr. Flannery stated 65 dorm rooms and the ordinance requires one space per every 4 dorm rooms which would equal 16, we have provided 20 in front of the dorm and we have a total of 106 on site.

Mr. Banas asked if there were any other questions from the Board.

A motion to move this application to June 28th meeting was made by Mr. Percal and seconded by Mr. Fink.

Roll Call Mr. Franklin, yes, Mr. Banas, yes, Mr. Fink, yes, Mr. Follman, yes, Mr. Percal, yes.

Ms. Anne Studholme, Esq. representing Mr. and Mrs. Shane who live across the street from the dormitory rooms, came forward. Mr. Banas and Mr. Jackson stated that this was not the time or the meeting for public comment and that she should probably speak to Mr. Penzer about her concerns so that he can answer her questions at the public meeting.

Mr. Jackson advised the public that this application has been advanced to June 28, 2011 this meeting hall. There are no further notices required.

- 2. SD # 1803 (Variance Requested)**
Applicant: Eliezer Tress
Location: High Street, east of Route 9
Block 782 Lot 21

Minor Subdivision to create two (2) lots

Project Description

The applicant seeks minor subdivision approval to subdivide an existing 100' X 140' property totaling fourteen thousand square feet (14,000 SF) or 0.32 acres in area known as Lot 21 in Block 782 into two (2) new residential lots, designated as proposed Lots 21.01 and 21.02 on the subdivision plan. The site contains an existing two-story frame dwelling and a shed, both of which will remain on proposed Lot 21.01. Proposed Lot 21.02 will become new residential building lot. Public water and sewer is available. The site is situated in the central portion of the Township on the north side of High Street, four hundred fifty feet (450') east of its intersection with Route 9. The surrounding area is predominantly residential. The Bais Rivka Rochel site borders the north side of the property. High Street is a newly paved road that has an existing right-of-way width of fifty feet (50') and a pavement width that scales thirty-two feet (32') on the plan. New curbing and sidewalk exists along most the property frontage. Variances will be required to create this subdivision. The lots are situated within the R-10 Single Family Residential Zone. We have the following comments and recommendations: (I) **Zoning** (1) The parcels are located in the R-10 Single-Family Residential Zone District. Single-family detached dwellings are a permitted use in the zone. (2) Per review of the Subdivision Map and the zone requirements, the following variances are required: (a) Minimum Lot Area (proposed Lots 21.01 and 21.02, 7,000 SF each, 10,000 SF required) – proposed condition. (b) Minimum Lot Width (proposed Lots 21.01 and 21.02, 50 feet each, 75 feet required) – proposed condition. (c) Minimum Side Yard Setback (proposed Lots 21.01 and 21.02, 9.4 feet and 7.5 feet respectively, 10 feet required) – proposed condition. (d) Minimum Aggregate Side Yard Setback (proposed Lots 21.01 and 21.02, 21.5 feet and 15 feet respectively, 25 feet required) – proposed condition. (e) Minimum Accessory Side Yard Setback (proposed Lot 21.01, 0.4 feet, 10 feet required) – proposed condition. (f) Minimum Accessory Rear Yard Setback (proposed Lot 21.01, 9.6 feet, 10 feet required) – existing condition. (g) Maximum Lot Coverage (proposed Lot 21.01, 26%, 25% allowed) – proposed condition. (3) The applicant must address the positive and negative criteria in support of the requested variances. **At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area.** (II) **Review Comments** (1) Since the existing dwelling is to remain on proposed Lot 21.01 the side yard setbacks in the Zone Requirements Table must be corrected. (2) The General Notes indicate the boundary information was taken from a Survey Plan prepared by Mager Associates and the topographic information was in accordance with a Topographic Survey prepared by Professional Design Surveying. Copies of these survey plans must be provided. (3) During our site investigation on 4/20/11 we noted three (3) existing trees of significance on the site and existing wood posts in the vicinity of the eastern property line. These missing items should be added to the plan along with existing curb grades. (4) General Note #18 indicates concrete

sidewalk shall be extended along the entire frontage of proposed Lot 21.02. Furthermore, it states the proposed sidewalk will be depicted on the future plot plan submitted for building permit. The note should be modified to include replacement of the old curb section along the eastern frontage of proposed Lot 21.02 where the sidewalk will be extended. (5) General Note #13 shall be modified that the proposed home for Lot 21.02 comply with the NJ R.S.I.S. and Township parking requirements. (6) During our site investigation, we observed the existing two-story frame dwelling to remain on proposed Lot 21.01 has a basement. Testimony shall be provided on the number of existing bedrooms. The existing driveway will have to be altered to provide the required number of parking spaces unless Board relief is granted. Parking shall be provided to the satisfaction of the Board. (7) Testimony should be provided as to whether a basement is proposed for the future dwelling on proposed Lot 21.02, if so seasonal high water table information will be required. (8) Proposed lot and block numbers must be approved by the tax assessor's office. (9) A proposed shade tree and utility easement is shown along the property's frontage. Easement areas for the proposed individual lots must be completed. (10) General Note #17 indicates shade trees shall be provided within the shade tree and utility easement for the project. The second sentence of the note shall be modified to "species type and locations shall be provided on future plot plans". A plot plan will be required for proposed Lot 21.01 since a driveway alteration is necessary. Landscaping should be provided to the satisfaction of the Board, and should conform to recommendations (if any) from the Township Shade Tree Commission as practicable. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan Review for proposed Lot 21.02. (11) Testimony is required on the disposition of storm water from development of proposed Lot 21.02. (12) General Note #15 shall be revised to note water service will be provided by New Jersey American Water. (13) The monument certification has not been signed since the monuments have yet to be set. (14) Compliance with the Map Filing Law is required. (15) Construction details will be reviewed in detail during compliance if approval is given. (III) **Regulatory Agency Approvals** Outside agency approvals for this project may include, but are not limited to the following: (a) Township Tree Ordinance (as applicable); (b) Ocean County Planning Board; (c) Ocean County Soil Conservation District (if necessary); and (d) All other required outside agency approvals. **A revised submission should be provided addressing the above-referenced comments, including a point-by-point summary letter of revisions.**

Mrs. Koutsouris has arrived.

Mr. Miriam Weinstein, Esq for the applicant stated that the applicant can comply with all of the requirements in the Engineers letter. The only item that they need to talk about is in the review comments section two number one regarding the existing dwelling. The applicants intention is to keep the dwelling for some portion of time. They want to ultimately demolish that dwelling and construct a new dwelling ant they do not want to have to come back to this Board to do that, that is why we left the table that way it was. Mr. Vogt stated that he did speak with the applicant's engineer and the understanding would be that the side

yard setbacks which are now shown and now exist, if the Board approves it, are going to be there for any new home as well. Mr. Graham MacFarlane stated that they will be asking for a variance for a side yard setback on lot 21.01 as indicated in our table. Mr. Vogt stated that if they want the variance to carry then they are virtually saying the same thing.

Mr. Fink stated that he is looking at the lot areas and they are asking for a 30% increase in lot area, will they be providing a tax map of the area. Mr. MacFarlane stated that they will have the map at the public hearing.

Mr. Banas stated that there is greater lot coverage of 25% and he does not think the Board has accepted building homes greater than the requirement in the Ordinance. Mr. MacFarlane stated that if the Board has concerns about that they have the right to impose reasonable conditions on the application that could be discussed at the public hearing.

Mr. Banas asked if there are any other questions.

Mr. Fink made a motion to move this application to the June 28th meeting it was seconded by Mr. Percal.

Roll Call Mr. Franklin, yes, Mrs. Koutsouris, yes, Mr. Banas, yes, Mr. Fink, yes, Mr. Follman, yes, Mr. Percal, yes.

Mr. Jackson advised the public that this application has been advanced to June 28, 2011 this meeting hall. There are no further notices required.

3. SD # 1808 (Variance Requested)

Applicant: SS&R Realty, LLC

Location: Northwest corner of Lanes Mill Road & Alvarado Avenue
Block 187.12 Lot 11

Minor Subdivision to create three (3) lots

Project Description

The applicant seeks minor subdivision approval to subdivide an existing corner property totaling 1.061 acres in area known as Lot 11 in Block 187.12 into three (3) new residential lots, designated as proposed Lots 11.01 - 11.03 on the subdivision plan. The site contains an existing one-story frame dwelling and a one and a half-story masonry building. The masonry building will be removed and the dwelling will remain on proposed Lot 11.01. A portion of the existing dirt driveway which encircles the dwelling will be removed as part of the subdivision. Proposed Lots 11.02 and 11.03 will become new residential building lots. Public water and sewer is available.

The site is situated in the northeast portion of the Township on the northwest corner of Lanes Mill Road and Alvarado Avenue. Lanes Mill Road is a County Road. The half right-of-way width of Lanes Mill Road in front of the site is thirty feet (30'). No curb and sidewalk exists along the Lanes Mill Road frontage, but is proposed with road widening. Alvarado Avenue is a paved road that has an existing right-of-way width of fifty feet (50') and a pavement width that scales thirty-two feet (32') on the plan. Curbing and sidewalk exists along the property frontage. The surrounding area is predominantly residential. Lot width variances will be required to create this subdivision. The lots are situated within the R-15 Single Family Residential Zone. We have the following comments and recommendations: (I) **Zoning** (1) The parcels are located in the R-15 Single-Family Residential Zone District. Single-family detached dwellings are a permitted use in the zone. (2) Per review of the Subdivision Map and the zone requirements, the following variances are required: (a) Minimum Lot Width (proposed Lots 11.01 - 11.03, 81.08 feet, 88.80 feet, and 96.20 feet respectively, 100 feet required) – proposed condition. (3) The applicant must address the positive and negative criteria in support of the requested variances. **At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area.** (II) **Review Comments** (1) Proposed Lot 11.01 will front Lanes Mill Road. Proposed Lots 11.02 and 11.03 will front Alvarado Avenue. Proposed Lot 11.03 will become the new corner lot and access should be restricted from Lanes Mill Road (the collector street). (2) Since the existing dwelling is to remain on proposed Lot 11.01 the actual yard setbacks in the Zone Requirements Table must be provided. (3) During our site investigation on 5/27/11 we noted the site is mostly cleared with sporadic trees of significance on the site. (4) Concrete sidewalk and curb exist along the Alvarado Avenue side of the site. Concrete sidewalk will be extended along the entire frontage of Lanes Mill Road beginning just past the existing handicapped ramp at the intersection. Proposed concrete curb will be extended along the entire frontage of Lanes Mill Road beginning at the existing curb return. (5) The Schedule of Bulk Requirements notes that 2.5 off-street parking spaces are required for units with unknown number of bedrooms to comply with the NJ R.S.I.S. parking requirements. The schedule notes that four (4) off-street parking spaces will be provided per lot. Parking should be provided to the satisfaction of the Board and comply with ordinance 2010-62. (6) Since a portion of the dirt driveway encircling the existing dwelling will be removed as part of this subdivision, the plans should show how four (4) off-street parking spaces will be provided as stipulated in the Zone Requirements Table. (7) Testimony should be provided as to whether basements are proposed for the future dwellings on Lots 11.02 and 11.03, if so seasonal high water table information will be required. The Survey of Property shows soil boring locations on the map. (8) Proposed road widening and grading is required along Lanes Mill Road. A pavement widening transition should be included. (9) Proposed lot numbers must be approved by the tax assessor's office. (10) A proposed shade tree and utility easement is shown along the property's frontage. Easement areas for the proposed individual lots must be completed. (11) Shade trees shall be provided within the shade tree and utility easement for the project. Landscaping should be provided to the satisfaction of the Board, and should conform

to recommendations (if any) from the Township Shade Tree Commission as practicable. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan Review for the proposed lots. (12) Testimony is required on the disposition of storm water from development of proposed Lots 11.02 and 11.03. (13) General Note #7 shall be revised to note future dwellings to be serviced by the Lakewood Township Municipal Utilities Authority. (14) The monument certification has been signed but the monuments have yet to be set. (15) "Resolution" must be corrected in the Secretary's Certification. (16) The verbiage for the Notary Public must be corrected. (17) Compliance with the Map Filing Law is required. (18) Construction details will be reviewed in detail during compliance if approval is given. We note that only four foot (4') wide sidewalk is proposed in plan view. (III) **Regulatory Agency Approvals** Outside agency approvals for this project may include, but are not limited to the following: (a) Township Tree Ordinance (as applicable); (b) Ocean County Planning Board; (c) Ocean County Soil Conservation District (if necessary); and (d) All other required outside agency approvals. **A revised submission should be provided addressing the above-referenced comments, including a point-by-point summary letter of revisions.**

Mr. Samuel Brown Esq. on behalf of the applicant, there is one variance being requested for lot width, the logic is that they do not want the lots to be created on a collector road (Lanes Mills Rd.) we would rather have it on the side road. All of the other comments and suggestions in the Engineers letter are acceptable.

Mr. Fink asked if there is a tax map showing the area.

Mr. Brian Flannery PE stated that there is a tax map showing the area, we are asking for a lot width of 88 instead of 100. It is not a bulk requirement the square footage it is just so that we can put it on the side road and not Lanes Mills Rd. The off street parking will be on the lot.

A motion to advance this application to July 26th was made by Mr. Franklin and seconded by Mrs. Koutsouris.

Roll Call Mr. Franklin, yes, Mrs. Koutsouris, yes, Mr. Banas, yes, Mr. Fink, yes, Mr. Follman, yes, Mr. Percal, yes.

Mr. Jackson advised the public that this application has been advanced to July 26, 2011 this meeting hall. There are no further notices required.

- 4. SD # 1809** (Variance Requested)
Applicant: Schlomo Wilner
Location: Albert Avenue, south of Oak Street
Block 1159 Lot 74
Minor Subdivision to create two (2) lots

The applicant proposes to subdivide the existing tract into two (2) separate lots. There is an existing two-story dwelling on the existing lot, which will remain on proposed Lot 74.01 as a fully compliant lot fronting on Albert Avenue. Proposed Lot 74.02 is to be subdivided from the rear (western) portion of the property, which lot will have limited frontage on Frederic Avenue, an unimproved street. Public water and sewer is not available. The site is situated in the southern portion of the Township on the west side of Albert Avenue, south of its intersection with Oak Street. The surrounding area is predominantly single-family residential, with the exception of the west side which is vacant land. Albert Avenue is a paved road in fair to poor condition that has an existing right-of-way width of fifty feet (50'). Curbing and sidewalk does not exist along the property frontage, but is proposed. The existing 44,448.22 square foot property falls within the R-20 Single Family Residential Zone. A variance is requested due to proposed Lot 74.02 not having frontage on an improved street. We have the following comments and recommendations: (I) **Waivers** (1) The applicant has requested waivers from providing topography, contours and wooded areas for completeness purposes. **Our office has no objection to the granting of these waiver requests.** (2) The applicant has requested a waiver from depicting the location of existing and proposed wells and septic systems. **In light of the existing well shown onsite, and the proposed lots being serviced by wells and conventional septic systems, our office can only support this request for completeness purposes. The information should be provided during compliance if/when Board approval is granted.** (II) **Zoning** (1) The property is located within the R-20 Single-Family Residential Zone District. Single-family detached dwellings are a permitted use in the zone. (2) Proposed Lot 74.02 is to be subdivided from the rear (western) portion of the property, this lot will have limited frontage on the terminus of Frederic Avenue, which is an unimproved street. All lots must have frontage on an improved street. A variance has been requested. Per a note on the subdivision plans, proposed Lot 74.02 is to be developed after Frederic Avenue is improved. (3) The applicant has requested a bulk variance for lot size for Lot 74.02, proposing 18,688.25 square feet where the ordinance requires a minimum of 20,000 square feet. (4) The existing shed on proposed Lot 74.01 is 1.0 feet from the side property line, where the zoning ordinance requires a minimum ten foot (10') setback for an accessory structure. A bulk variance is required unless one has previously been granted for this existing nonconformance. (5) The applicant must address the positive and negative criteria in support of the requested variances. **At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area.** (III) **Review Comments** (1) The applicant must demonstrate that the proposed Lot 74.02 can be serviceable by emergency and public vehicles such as garbage trucks. There does not appear to be adequate room available at the terminus of Frederic Avenue for installation of a cul-de-sac bulb or turnaround. (2) The zoning schedule indicates that four (4) off-street parking spaces are required for the existing and proposed future dwellings. The schedule also notes eight (8) spaces will be provided for Lot 74.01 (which fit within the large existing asphalt driveway) and four (4) spaces for Lot 74.02. The applicant should provide testimony detailing the number of bedrooms in the existing dwelling as well as the number proposed to be built eventually on Lot 74.02 to have the parking requirement on the record. Parking must be provided to the satisfaction of the Board. (3) Testimony should be provided whether a basement will be proposed for the future dwelling on proposed Lot 74.02. If a basement is proposed, seasonal high water table information will be required. (4) The portion of proposed Lot 74.02 that fronts on Frederic Avenue should be dimensioned to demonstrate that access to the property can be achieved when Frederic Avenue is improved. (5) The subdivision

plan includes a note that private well and septic are to be provided. The applicant's engineer should provide clarifying testimony as to whether this applies to both proposed lots or only to proposed Lot 74.02. In either case, the location of existing or proposed future septic facilities should be shown on the subdivision plan. (6) A proposed 15' X 20' Cross Access Easement is shown for the existing well located on Lot 74.02 which serves Lot 74.01. The easement shall be shown in favor of Lot 74.01 and must be approved by the Ocean County Board of Health. (7) An existing lot line separating adjoining Lots 73.01 and 73.02 must be added to the plan. (8) A fence encroachment from adjoining Lot 73.02 must be addressed. (9) A portion of existing fence encroaching onto Lot 74.02 from Lot 74.01 should be labeled "to be removed". (10) Proposed setback lines shall be added to the map. (11) A Legend is required on the plans. (12) The General Notes state that the coordinates are based on an assumed datum. However, the coordinates are missing from the map. (13) The scale of the drawing shall be corrected to one inch equals twenty feet (1"=20'). (14) A six-foot shade tree and utility easement is proposed along the property frontage of Lot 74.01. (15) Three (3) October Glory Maple street trees are proposed along the property frontage of Lot 74.01. Landscaping should be provided to the satisfaction of the Board, and should conform to recommendations (if any) from the Township Shade Tree Commission as practicable. Our site investigation on 6/3/11 indicates there are few existing large trees on the property. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review for proposed Lot 74.02. (16) The applicant proposes to install curb, sidewalk, and a driveway apron along the property frontage of Lot 74.01. The proposed curb and sidewalk will connect to the existing curb and sidewalk immediately to the south. The proposed sidewalk shall be five feet (5') wide, the same width as the connecting existing walkway. The construction detail shall be modified accordingly. (17) Existing topography and proposed curb grades will be required for the improvements along Albert Avenue. (18) The construction details need to be clarified. It is not clear whether the final bituminous base course thickness will be five inches (5"), or three inches (3") after constructing five inches (5") and milling off two inches (2"). (19) Testimony is required on the disposition of storm water from the development of proposed Lot 74.02. (20) Proposed lot numbers must be assigned by the tax assessor's office. (21) Due to no construction proposed at this time, the Board may wish to require the cost of improvements to be bonded or placed in escrow to avoid replacing them in the future. (22) Compliance with the Map Filing Law is required. (23) A depressed curb detail should be added. (24) Final review of construction details will be conducted during compliance if approval is given. (IV) **Regulatory Agency Approvals** Outside agency approvals for this project may include, but are not limited to the following: (a) Township Tree Ordinance (as applicable); (b) Ocean County Planning Board; (c) Ocean County Soil Conservation District; (d) Ocean County Board of Health (well and septic system approvals); and (e) All other required outside agency approvals.

Mr. Abraham Penzer, Esq. on behalf of the application stated that this application is unique in only one way, this application is in suspended application until a road is built by the Township on it. We are asking for approval but with no permits or anything to be issued until the Township puts the road in. With out the road we do not want to do anything but we understand that the Township will be putting in a road.

Mr. Banas asked if they would be responsible for half of the road. Mr. Glen Lines stated that the plans don't actually have frontage on Rockaway Ave. there is a

Township lot between this application and Rockaway Ave. The conceptual plans were done a while ago by another engineer had Rockaway Road being constructed as access into the Lakewood Authorities Affordable Housing Project, so they were going to be constructing that road, we would just have to provide access to that road.

A discussion ensued about how to handle moving this application forward without knowing about the state of the road being built. The Board wagered that they could move forward with the application contingent on the road being built by and outside entity.

A motion to move this application forward to the July 26th meeting was made by Mr. Fink and seconded by Mrs. Koutsouris.

Roll Call Mr. Franklin, yes, Mrs. Koutsouris, yes, Mr. Banas, yes, Mr. Fink, yes, Mr. Follman, yes, Mr. Percal, yes.

Mr. Jackson advised the public that this application has been advanced to July 26, 2011 this meeting hall. There are no further notices required.

5. SD # 1810 (Variance Requested)

Applicant: Jonathan Rubin

Location: Ocean Avenue (Route 88) East of Clover Street
Block 244 Lots 11, 12, 13, 14 & 15

Preliminary & Final Major Subdivision for ten (10) zero lot line lots (5 duplex's)

Project Description

There are multiple owners of the existing lots which comprise this major subdivision application. The applicant is Jonathan Rubin, 315 Fourth Street, Lakewood, New Jersey. The applicant is seeking a Zero Lot Line Major Subdivision approval with variances in accordance with Section 18-902G.4.e of the UDO. The applicant proposes the subdivision of five (5) existing residential lots to create ten (10) proposed lots with five (5) duplex structures. The existing five (5) lots known as Lots 11 - 15 in Block 244 are proposed to be subdivided into ten (10) zero lot line lots shown as proposed Lots 11.01 and 11.02, 12.01 and 12.02, 13.01 and 13.02, 14.01 and 14.02, 15.01 and 15.02 on the Major Subdivision Plan. Four (4) parking spaces are proposed for each zero lot line lot. The off-street parking spaces for the proposed lots are located in front yards with circular driveways accessing Ocean Avenue (Route 88). Ocean Avenue has an existing paving width of approximately twenty-four feet (24'), with a fifty foot (50') width right-of-way across the frontage of

the property. Therefore, no right-of-way dedication is proposed. The tract totals fifty-four thousand eight hundred fifty square feet (54,850 SF), 1.26 acres in area and consists of five (5) existing residential properties, Lots 11 – 15 in Block 244. Associated site improvements are proposed for the major subdivision plan. These improvements include proposed sewer, water, and utility connections; and off-street parking in driveways with depressed curb and aprons. The property is located in the northern portion of the Township on the north side of Ocean Avenue (Route 88), a State Highway, between Clover Street and Holly Street. There is new existing curbing and sidewalk along the property frontage from a recent New Jersey Department of Transportation project. The subject site is located within the R-7.5 Single Family Residential Zone District. Duplex housing is a permitted use in the zone district. The site is situated within a predominantly residential area. We have the following comments and recommendations: (I) **Zoning** (1) The site is situated within the R-7.5, Single-Family Residential Zone District. Per Section 18-902 G. 1. b., of the UDO, "Two Family and Duplex Housing, with a minimum lot size of 10,000 square feet" is listed as a permitted use. Zero lot line subdivisions for duplexes are permitted in the R-7.5 Zone. (2) The Major Subdivision proposes irregular lots to meet minimum lot area requirements. (3) According to our review of the Major Subdivision Plan and the zone requirements, the following variances are required for the zero lot line subdivision approval requested: (a) Minimum Side Yard – Proposed side yards for all lots are five feet (5'). The minimum required side yard is seven feet (7'). (b) Maximum Building Coverage – Proposed building coverage for proposed Lots 11.01 and 15.02 are 32.9% and 33.6% respectively. The maximum allowable building coverage is thirty percent (30%). (4) The applicant must address the positive and negative criteria in support of the requested variances. **At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area.** (II) **Review Comments** (A) **General/Layout/Parking** (1) The Major Subdivision Certifications refer to a Survey. A copy of the outbound and topographic survey must be submitted. (2) Off-street parking: According to the plans provided, each duplex unit will have a basement and no garage. The zero lot line ordinances require parking for each duplex unit as if each unit was a single-family dwelling. The applicant is proposing four (4) off-street parking spaces per unit which is in compliance with the RSIS standards of three (3) off-street parking spaces for unspecified number of bedroom units. The project shall also comply with parking ordinance 2010-62. (3) The proposed off-street parking consists of a minimum of 9' X 18' parking spaces. The proposed parking configuration for each pair of duplex units will have a circular driveway in front of the parking spaces. We recommend access easements be proposed to allow the circular driveways to be used for turnaround purposes. (4) The plans note that all existing improvements on the site will be removed. (5) Each unit shall have an area designated for the storage of trash and recycling containers. This matter is not addressed on the site plans and architectural plans have not been submitted. Testimony shall be provided by the applicant's professionals on disposal of trash and recyclables. (6) Proposed building dimensions are required on the plans to confirm zoning compliance. Proposed dimensions and radii are required on the plans for all improvements, such as the

driveways. (7) The plans state existing curb and sidewalk to be replaced along the entire property frontage. Also, roadway restoration will be necessary because of the numerous underground utility connections required. Approvals will be required from the New Jersey Department of Transportation and construction details for work within the right-of-way must be approved by the State. (8) The width of the existing sidewalk in front of the site scales at five feet (5') from the plans. The construction details for the sidewalk replacement shall be amended accordingly. (9) General Note #2 shall be corrected to list the property as located in the R-7.5 Zone. (10) The General Notes indicate vertical elevations are based on an assumed datum, a benchmark shall be indicated. (11) The applicant's professionals indicate the proposed lot numbers have been approved by the Tax Assessor. The Final Plat shall be signed by the Lakewood Tax Assessor. (12) The requirements in 18-821 (Building Uniformity in Residential Developments) must be addressed. A minimum of two (2) basic house designs are required for developments consisting of between four (4) and six (6) homes. (13) Per Subsection 18-911 F (2 (a-g)) of the zero lot line ordinance, a written agreement signed by the owner of the property is required, including provisions to address items associated with the use, maintenance, and repair of common areas and facilities associated with the overall property. Said agreement must be filed as part of this application to obtain the zero lot line subdivision approval from Lakewood Township.

(B) **Architectural** (1) Architectural plans have not been provided. We recommend that renderings be provided for the Board's review at the time of Public Hearing. (2) We recommend that location of air conditioning equipment be shown. Said equipment should be adequately screened. (3) Coordination will required between the architectural plans and site plans with respect to decks, dimensions, and access. Basement access is proposed on the fronts of the duplex units. Confirmation is required that no additional variances are required. Full size architectural plans should accompany any resubmission.

(C) **Grading** (1) Proposed spot grades are required at the driveway corners and property corners on the Improvement Plan to allow for proper review. (2) Proposed grading shall be revised to direct more runoff to the street frontage. Too much runoff is being directed around and behind the units to adjacent properties. Runoff is being trapped in the rear yards and no drainage has been proposed. (3) Proposed basement elevations are shown on the plans. Soil borings must be provided to determine whether a two foot (2') separation from the seasonal high water table is maintained.

(D) **Storm Water Management** (1) Storm Water Management has not been addressed at this time.

(E) **Landscaping** (1) Four (4) October Glory Maples are proposed within four (4) of the driveway islands along the property frontage. An existing shade tree will remain within the other driveway island. (2) Landscaping should be provided to the satisfaction of the Board, and should conform to recommendations from the Township Shade Tree Commission as practicable. (3) A six foot (6') wide shade tree and utility easement is proposed along the frontage of Ocean Avenue (Route 88).

(F) **Lighting** (1) Testimony shall be provided on the adequacy of street lighting. No lighting information has been provided.

(G) **Utilities** (1) Potable water and sanitary sewer service will be provided by New Jersey American Water Company. The project is within the franchise area of New Jersey American Water Company. (2) The plans indicate existing water and sewer services to be utilized where present. New services will be located on the plot plans, but their

ultimate approval will be from New Jersey American Water Company, not the Township Engineer. (3) Testimony should be provided regarding other proposed utilities. Additional underground connections will be required if gas is proposed. (G) **Environmental** (1) **Site Description** Per review of the subdivision plans, aerial photography, and a site inspection of the property, the site is residentially developed and has no appreciable vegetation, habitat, or significant environmental value. (2) **Environmental Impact Statement** An Environmental Impact Statement (EIS) report was not prepared and submitted for the project, nor does one appear necessary given the nature of the project. Our office performed a limited natural resources search of the property and surroundings using NJ Department of Environmental Protection (NJDEP) Geographic Information Mapping (GIS) system data, including review of aerial photography and various environmental constraints data assembled and published by the NJDEP. No known environmental constraints exist within or adjacent to this site per NJDEP mapping. (3) **Tree Management** The applicant must comply with the requirements for tree protection and removal as applicable for this site. The property contains some large trees, most of which will be removed. Four (4) existing trees in the rear yards and one (1) existing tree in the front yard are being salvaged. Compensatory planting must be addressed. (H) **Construction Details** (1) Limited construction details are provided on Sheet 2 of the plans. (2) All proposed construction details must be prepared to comply with applicable Township or NJDOT standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific. (3) Performance guarantees should be posted for any required improvements in accordance with Ordinance provisions. (I) **Final Plat (Major Subdivision)** (1) A proposed monument is missing at the front property corner of Lots 13.02 and 14.01. (2) The Surveyor's Certification has not been signed since the monuments are not in place. (3) The zoning schedule requires minor corrections with respect to the variances required for building coverage. (4) Proposed lot numbers have been assigned by the Tax Assessor and the plat must be signed by the Tax Assessor. (5) Compliance with the Map Filing Law is required. (III) **Regulatory Agency Approvals** Outside agency approvals for this project may include, but are not limited to the following: (a) Developers Agreement at the discretion of the Township; (b) Township Tree Ordinance (as applicable); (c) Ocean County Planning Board; (d) Ocean County Soil Conservation District; (e) New Jersey Department of Transportation; and (f) All other required outside agency approvals. Water and sewer service will be constructed by New Jersey American Water. **A revised submission should be provided addressing the above-referenced comments, including a point-by-point summary letter of revisions.**

Mrs. Miriam Weinstein Esq. on behalf of the applicant we are able to comply with all of the concerns in the Engineer's letter. There is one concern under section 1 zoning #2, the letter states "The major subdivision proposes irregular lots to meet the minimum lot area requirements." The applicant would be more than willing to straighten out those lot lines if the Board would prefer that, there will be variances for undersize lots that way.

Mr. Glen Lines stated the sizes of the lots will be 4500 sq feet each or 9,000 sq foot total with a lot coverage of 32.9%.

Mr. Vogt stated that the comment irregular points to the shape of the lots not there is any problem with the lots.

Mr. Fink asked if there will be basements. Mrs. Weinstein stated there will be basements with exterior access to the basements.

Mr. Lines stated that there are four parking spaces per duplex lot. Plus there is a u-shaped driveway with additional parking spaces.

Mr. Banas asked Mr. Vogt if there was any concern with the orientation of the application and straightening out the entire area. Mr. Vogt stated there is no problem with the orientation of the lot lines, as long as the Board is aware that if the applicant is to straighten out the lot lines there will be more bulk variances needed.

Mr. Fink asked how many bedrooms are going to be in the duplexes. Mrs. Weinstein stated five bedrooms.

Mr. Banas asked how many variances are needed without straightening the lot lines. Mrs. Weinstein stated side yard setback and building coverage on the two outside lots because they are smaller.

Mr. Fink asked about storm water management. Mr. Vogt stated that they can do drywells.

Mr. Fink made a motion to move this application to the July 26th meeting and it was seconded by Mr. Follman.

Roll Call Mr. Franklin, yes, Mrs. Koutsouris, yes, Mr. Banas, yes, Mr. Fink, yes, Mr. Follman, yes, Mr. Percal, yes.

Mr. Jackson advised the public that this application has been advanced to July 26, 2011 this meeting hall. There are no further notices required.

- 6. SD # 1811 (Variance Requested)**
Applicant: Arm Realty & Construction Co.
Location: Whitmore Street, North of East 7th Street
Block 231 Lot 27

Minor Subdivision to create two (2) zero lot line lots (1 duplex)
Project Description

The applicant seeks minor subdivision approval to subdivide an existing “L-shaped” property totaling 11,050 square feet (0.254 acres) in area known as Lot 27 in Block 231 into two (2) new residential lots, designated as proposed Lots 27.01 and 27.02 on the subdivision plan. The site contains existing structures, which will be removed to construct a zero lot line duplex. Public water and sewer is available. The site is situated in the northern portion of the Township on the east side of Whitmore Street, north of East Seventh Street. Whitmore Street is a dead end paved road in fair condition with recent utility trenching. The street has an existing right-of-way width of fifty feet (50’), a pavement width of about thirty feet (30’), and no turn around at the terminus. Proposed Lot 27.01 will be irregular and contain six thousand nine hundred square feet (6,900 SF). Proposed Lot 27.02 will be 50’ X 83’ and contain four thousand one hundred fifty square foot (4,150 SF). The proposed subdivision will create a front yard variance for Lot 27.02 based on the limited depth of a portion of the existing lot. Curb with no reveal, and sidewalk exists along part of the street frontage. However, both new curb and sidewalk are proposed. The lots are situated within the R-7.5 Single Family Residential Zone. We have the following comments and recommendations: (I) **Zoning (1)** The parcels are located in the R-7.5 Single-Family Residential Zone District. Zero lot line duplex dwellings are a permitted use in the zone. (2) The proposed project does not meet the definition for “Duplex” as stipulated by Ordinance 2010-11. The Ordinance definition for Duplex states the following: A building on a single lot containing two (2) side-by-side only dwelling units with fronts staggered by not more than three feet (3’), each of which is totally separated from the other by a solid wall extending from ground to roof with both dwelling units having separate private entrances to each dwelling unit. The entrances for both dwelling units must face a public street. Front-to-back dwelling units are not considered to be a Duplex. **The fronts of the proposed units stagger by fifteen feet (15’), only ten feet (10’) of common solid wall is proposed.** (3) Per review of the Subdivision Map and the zone requirements, the following variances are required: (a) Minimum Front Yard (proposed Lot 27.02, 10 feet, 25 feet required) – proposed condition. (b) Maximum Building Coverage (proposed Lot 27.02, 36.1 percent, 30 percent allowed) – proposed condition. (4) The applicant must address the positive and negative criteria in support of the required variances. **At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area.** (II) **Review Comments** (1) The General Notes indicate the coordinates and vertical datum are assumed. A bench mark should be provided.(2) Not all existing improvements on Lot 27 are shown, which include a dwelling, garage, and shed. Based on our site investigation on 5/27/11, we are also concerned about possible encroachments. A signed and sealed copy of the Survey should be provided. (3) The Notary Public verbiage for the property owner’s signature block needs to be corrected. (4) Many of the certifications reference the Zoning Board. (5) Corrections are required to the Zoning Data Table which we can review with the applicant’s professionals. (6) The portion of existing curb along the Whitmore Street frontage of the project has no reveal. Therefore, the existing walk and curb is to be

replaced along the entire project frontage. A pavement replacement detail is required for these improvements along the eastern side of Whitmore Street. (7) The NJ R.S.I.S. requires 2.5 off-street parking spaces for unspecified number of bedroom single-family dwellings. The Schedule of Bulk Requirements is requiring and providing four (4) off-street parking spaces per dwelling. The proposed driveways for Lots 27.01 and 27.02 are large enough to accommodate the four (4) off-street parking spaces proposed. (8) Testimony should be provided as to whether basements are proposed for the future dwellings on Lots 27.01 and 27.02. If basements are proposed, we recommend a minimum of four (4) spaces be provided. Parking shall be provided to the satisfaction of the Board. (9) If basements are proposed for Lots 27.01 and 27.02, seasonal high water table information is required. General Note #11 indicates that seasonal high water table information will be provided at time of plot plan submittal. (10) The General Notes indicate the new lots are to be serviced by public water and sewer. The project is within the New Jersey American Water franchise area for both water and sewer. (11) Proposed lot numbers have been assigned by the tax assessor's office. The tax assessor's signature is required. (12) Shade tree and utility easements are proposed along the property frontage. The proposed shade tree and utility easement area for Lot 27.02 shall be corrected to four hundred ninety-eight square feet (498 SF). (13) Three (3) October Glory Maple shade trees are proposed for the project. Landscaping should be provided to the satisfaction of the Board, and should conform to recommendations from the Township Shade Tree Commission as practicable. (14) The Plan does not indicate any existing trees on the site. Our site investigation observed the presence of some large trees. Testimony should be provided regarding whether there are any specimen trees located on the property. Compensatory plantings should be provided in accordance with the Township Code (if applicable). Additionally, protective measures around mature trees to remain (e.g., snow fencing or tree wells at drip lines) should be provided. If this subdivision is approved, the final plot plans for proposed Lots 27.01 and 27.02 submitted for Township review should include tree protective measures to save mature vegetation where practicable. (15) Testimony should be provided on proposed storm water management. The Improvement Plan notes roof leaders to be directed to the street, but no measures for the increase in runoff has been proposed. (16) Grading revisions are required to the Improvement Plan. The proposed curb ending at the north property line will be depressed. Proposed contour lines should be corrected accordingly. (17) Due to no construction of the new dwellings on proposed Lots 27.01 and 27.02 at this time, the Board may wish to require the cost of the improvements to be bonded or placed in escrow to avoid replacing them in the future. (18) Compliance with the Map Filing Law is required. (19) The limits of the eighteen inch (18") dimension shall be corrected on the depressed curb detail. Also, the contraction joints should be expansion joints. (III) **Regulatory Agency Approvals** Outside agency approvals for this project may include, but are not limited to the following: (a) Township Tree Ordinance (as applicable); (b) Ocean County Planning Board; (c) Ocean County Soil Conservation District (if necessary); and (d) All other required outside agency approvals. **A revised submission should be provided addressing the above-referenced comments, including a point-by-point summary letter of revisions.**

Mrs. Miriam Weinstein, Esq. for the applicant will be able to amend the plan to meet the UDO definition of a duplex as we understand it. With the revised sketch we can actually meet the definition of the Ordinance of a duplex which would permit us to proceed at this Board, there will be four parking spots per unit.

Mr. Follman made a motion to move this application to the July 26th meeting, seconded by Mr. Fink.

Roll Call Mr. Franklin, yes, Mrs. Koutsouris, yes, Mr. Banas, yes, Mr. Fink, yes, Mr. Follman, yes, Mr. Percal, yes.

Mr. Jackson advised the public that this application has been advanced to July 26, 2011 this meeting hall. There are no further notices required.

7. SD # 1812 (No Variance Requested)

Applicant: Jacob Lipschitz

Location: Vine Avenue, north of Elm Street
Block 763 Lot 4

Preliminary & Final Major Subdivision for six (6) zero lot line lots (3 duplex's)

Project Description

The applicant proposes to subdivide an existing 126.06' X 250' property consisting of two (2) lots containing 31,515 square feet (approximately 0.72 acres), into six (6) proposed lots with three (3) duplexes. Existing Lot 4 contains an existing dwelling which would be removed and existing Lot 5 is vacant. The proposed subdivision would create new Lots 4.01 – 4.06 as shown on the Major Subdivision Plan. The subject property is located on the westerly side of Vine Avenue, north of Elm Street, in the central portion of the Township. Vine Avenue is an unimproved street and connects to the right-of-ways of Elm Street and Cedar Bridge Avenue. The right-of-way width of Vine Avenue is sixty-six feet (66') wide. Roadway improvements are proposed from the Elm Street intersection to provide access to the project. The applicant proposes to subdivide the property into six (6) equally sized zero lot line parcels of 5,252.50 square feet each. Three (3) duplex buildings are proposed for the site. Any existing improvements will be removed to make way for the proposed residential subdivision. The plans indicate the new structures are to be serviced by public water and sewer. Four (4) off-street parking spaces are proposed for each duplex unit. The number of bedrooms for the units is not specified on the subdivision plans. As part of the roadway improvements, the project is also proposing curb and sidewalk across the frontage. The subject site is located within the R-7.5 Single Family Residential Zone District. Duplex housing is a permitted use in the zone

district. The site is bordered by residential land to the west and vacant land on the east side of Vine Avenue. We have the following comments and recommendations:

(I) **Waivers** (A) **The following waivers have been requested from the Land Development Checklist:** (1) B2 - Topography within 200 feet thereof. (2) B4 - Contours of the area within 200 feet of the site boundaries. (3) B10 - M a n - m a d e features within 200 feet thereof. (4) C14 - Tree Protection Management Plan. Based on our 5/27/11 site investigation, we note Vine Avenue is an unimproved street and must be constructed to connect with Elm Street. We can support the requested waivers from B2, B4, and B10, provided the applicant's professionals agree to submit enough off-site topography to review a design for the improvement of Vine Avenue from the project site to the intersection with Elm Street. The existing property is partially wooded. We can support the granting of the requested waiver from C14, provided there is an agreement to comply with the Township's Tree Ordinance. (II) **Zoning** (1) The site is situated within the R-7.5, Single-Family Residential Zone District. Per Section 18-902 G. 1. b., of the UDO, "Two Family and Duplex Housing, with a minimum lot size of 10,000 square feet" is listed as a permitted use. Zero lot line subdivisions for duplexes are permitted in the R-7.5 Zone. (2) No variances have been requested for this subdivision application. (III) **Review Comments** (A) **General** (1) The Final Plat Certifications reference a Land Survey. An Outbound and Topographic Survey must be submitted with enough off-site topography provided to review a design for the improvement of Vine Avenue from the project site to the intersection with Elm Street. (2) Off-street parking: The Zoning Data lists a minimum of four (4) off-street parking spaces are required for each lot. The applicant is proposing four (4) off-street parking spaces per unit which is enough to be in compliance with the RSIS standards of three (3) off-street parking spaces for unspecified number of bedroom units. According to the plans provided, a typical dwelling will have a basement and no garage. The project shall also comply with parking ordinance 2010-62. (3) Curb and sidewalk is proposed across the frontage of the development. The proposed curb along Vine Avenue is being set twenty feet (20') from the centerline and extended around the corner at the intersection of Elm Street. Unless a waiver is granted, the proposed sidewalk should also be extended to the intersection with a handicapped ramp provided at the corner. (4) In addition to the twenty foot (20') half paving width, an additional six foot (6') of pavement is proposed on the opposite side of the centerline to provide a twenty-six foot (26') wide access road to the end of the site. A temporary paved turnaround must be added at the terminus. (5) Roadway Improvement Plans must be prepared for Vine Avenue complete with profile design and construction details to assure the road will be constructed to not only serve the site on a temporary basis, but also the area on a future permanent basis. (6) Testimony shall be provided by the applicant's professionals on disposal of trash and recyclables. This matter is not addressed on the subdivision plans, but it appears the Township will provide solid waste and recycling collection.

(7) Based on the 5/11/11 date in the signature block, we believe the proposed lot numbers have been assigned by the Tax Assessor. The Final Plat shall be signed by the Lakewood Tax Assessor. (8) Elevations are based on an assumed datum, a benchmark shall be indicated. (9) Proposed off-street parking spaces consist of a

minimum of 9' X 18' parking spaces. (10) Typical dimensions have been provided for the proposed building boxes. Based on the proposed building boxes the maximum lot coverage of thirty percent (30%) will be complied with. (11) The plans note that all existing improvements on the site will be removed. (12) Per Subsection 18-911 F (2 (a-g)) of the zero lot line ordinance, a written agreement signed by the owner of the property is required, including provisions to address items associated with the use, maintenance, and repair of common areas and facilities associated with the overall property. Said agreement must be filed as part of this application to obtain the zero lot line subdivision approval from Lakewood Township. (B) **Architectural** (1) Architectural plans have not been provided. We recommend that renderings be provided for the Board's review at the time of Public Hearing. (2) We recommend that location of air conditioning equipment be shown. Said equipment should be adequately screened. (3) Coordination will required between the architectural plans and site plans with respect to decks, dimensions, and access. Basement access is proposed on the fronts of the duplex units. Confirmation is required that no variances are required. Full size architectural plans should accompany any resubmission. (C) **Grading** (1) Grading is provided on an Improvement Plan which is Sheet 2 of 3. No storm sewer collection system is proposed to collect runoff and dispose of it. (2) Proposed grading shall be revised, we recommend more runoff be directed toward the street frontage. Runoff is being directed across rear yards and to adjacent properties. No drainage has been proposed. (3) Proposed basement elevations are shown on the plans. Soil borings must be provided to determine whether a two foot (2') separation from the seasonal high water table is maintained. (4) A profile must be provided for Vine Avenue.

(5) A detailed review of the grading can be completed during compliance review, if/when approved. (D) **Storm Water Management** (1) Storm Water Management has not been addressed at this time. (E) **Landscaping** (1) Three (3) October Glory Maples are proposed along the property frontage. (2) Landscaping should be provided to the satisfaction of the Board, and should conform to recommendations from the Township Shade Tree Commission as practicable. (3) A six foot (6') wide shade tree and utility easement is proposed along the frontage of Vine Avenue. (F) **Lighting** (1) Testimony shall be provided on the adequacy of street lighting. No lighting information has been provided. (G) **Utilities** (1) A Utility Plan must be designed for the project. Based on our 5/27/11 site investigation, we observed a well in the front yard for the dwelling on existing Lot 4. No fire hydrants exist along Vine Avenue on Block 763. By review of the R.C. Associates Roadway Improvement Plan, it appears potable water terminates at the Elm Street intersection with Vine Avenue. Also, we believe the terminal sanitary sewer manhole on Vine Avenue is in front of existing Lot 11. No additional manholes were observed between this manhole and Cedar Bridge Avenue. (2) Potable water and

sanitary sewer service will have to be extended to the site by the New Jersey American Water Company. The project is within the franchise area of the New Jersey American Water Company. (3) Ocean County Board of Health approval will be required for the abandonment of any potable wells and septic systems. (H) **Environmental** (1) **Site Description** Per review of the subdivision plans, aerial photography, and a site inspection of the property, the tract has one (1) existing residential dwelling located on Lot 4, while Lot 5 is vacant. Our office performed a limited natural resources search of the property and surroundings using NJ Department of Environmental Protection (NJDEP) Geographic Information Mapping (GIS) system data, including review of aerial photography and various environmental constraints data assembled and published by the NJDEP. No known environmental constraints exist within this site per NJDEP mapping. (2) **Tree Management** The applicant must comply with the requirements for tree protection and removal as applicable for this site. A waiver was requested from a Tree Protection and Management Plan, even though the existing property is partially wooded. (I) **Construction Details** (1) Limited construction details are provided on Sheet 2 of the plans. (2) All proposed construction details must be prepared to comply with applicable Township or NJDOT standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific. (3) Performance guarantees should be posted for any required improvements in accordance with Ordinance provisions. (J) **Final Plat (Major Subdivision)** (1) The Surveyor's Certification has not been signed since the monuments are not in place. (2) Another significant figure should be added to the proposed lot widths. The addition of all the proposed lot widths is short of the overall dimension of the original tract. (3) The areas for the proposed Shade Tree and Utility Easements on new Lots 4.01 – 4.06 shall be corrected to two hundred fifty square feet (250 SF). (4) The proposed rear yard dimensions should be added to the plan. (5) Compliance with the Map Filing Law is required. (IV) **Regulatory Agency Approvals** Outside agency approvals for this project may include, but are not limited to the following: (a) Developers Agreement at the discretion of the Township; (b) Township Tree Ordinance (as applicable); (c) Ocean County Planning Board; (d) Ocean County Soil Conservation District; (e) Ocean County Board of Health; and (f) All other required outside agency approvals. New Jersey American Water Company will be responsible for constructing potable water and sanitary sewer facilities. **A revised submission should be provided addressing the above-referenced comments, including a point-by-point summary letter of revisions.**

Mr. Vogt stated that the Board is requesting not necessarily within 200 feet but for the applicant's engineer to give us topography, contours and man-made features within sufficient distance off site that the Board can make proper evaluation of the application. As for the Tree Protection Management Plan we are waiving the plan itself but if the Board grants approval the applicant will have to provide information during compliance to satisfy the Tree Protection Ordinance.

A motion to grant the waivers was made by Mr. Percal and seconded by Mr. Follman.

Roll Call Mr. Franklin, yes, Mrs. Koutsouris, yes, Mr. Banas, yes, Mr. Fink, yes, Mr. Follman, yes, Mr. Percal, yes.

Mr. Glen Lines PE stated that he spoke with Mr. Franklin prior to the meeting regarding the garbage. Mr. Franklin asked that the applicant provide an additional paved area so that emergency vehicles and garbage trucks can turn around, now that we are paving what was a gravel road that has been used for numerous years, we can address a turn around. The only other issue that we need to discuss is that Mr. Vogt requested we are providing curb along the whole frontage of the property to Elm street to protect the edge of pavement we propose sidewalk in front of our lots, Mr. Vogt has requested that we provide curb down to the end of Elm street, when you get to Elm street there is no curb or sidewalk as you go around the corner and over to the next street over which is Melville Rd. we would be providing sidewalk in front of other people's property.

Mr. Banas stated that it would be a good idea but it can be discussed at the next meeting.

A motion to move this application to the July 26th meeting was made by Mr. Percal and seconded by Mr. Follman.

Roll Call Mr. Franklin, yes, Mrs. Koutsouris, yes, Mr. Banas, yes, Mr. Fink, yes, Mr. Follman, yes, Mr. Percal, yes.

Mr. Jackson advised the public that this application has been advanced to July 26, 2011 this meeting hall. There are no further notices required.

- 8. SD # 1813 (Variance Requested)**
Applicant: Marcy Janora
Location: East Fifth Street, between Negba Street & Manetta Avenue
Block 236 Lots 44.01 & 44.02
Minor Subdivision to create four (4) zero lot line lots (2 duplex's)

Project Description

The applicant seeks minor subdivision approval to subdivide two (2) existing lots totaling 0.551 acres in area known as Lots 44.01 and 44.02 in Block 236 into four (4) new residential lots, designated as proposed Lots 44.03 - 44.06 on the subdivision plan. Proposed Lots 44.03 – 44.06 will contain zero lot line duplex units. The existing property, Lots 44.01 and 44.02 were created from a previous minor subdivision of Lot 44 under Application # SD-1462. Accordingly, some of the property was previously cleared. Public water and sewer is available. The site is situated in the north central portion of the Township on the north side of East Fifth Street, east of Negba Street. The existing right-of-way width of East Fifth Street in front of the site is forty-three feet (43'). A waiver from additional right-of-way dedication was granted with the previous subdivision approval. East Fifth Street is a paved road in poor condition. Curbing and sidewalk exists along the property frontage. The surrounding area is predominantly residential. Lot width variances will be required to create this subdivision. The lots are situated within the R-7.5 Single Family Residential Zone. We have the following comments and recommendations: (I) **Zoning** (1) The parcels are located in the R-7.5 Single-Family Residential Zone District. Duplex zero lot line dwellings are a permitted use in the zone. (2) Per review of the Subdivision Map and the zone requirements, and communications with the applicant's professionals, the applicant is request Board approval using a minimum front yard setback of 42.52 feet, at which the minimum lot width would be provided as defined in the UDO. As such, no bulk variances are necessary for the application. (II) **Review Comments** (1) An Outbound Survey of the property with no topography has been provided. The survey does not show the driveway encroachment from adjoining Lot 21 to the east, which extends more than ten feet (10') into the property. Also, the existing chain link fence along the western property line meanders between Lots 22 and 44.02. These encroachments must be addressed. (2) During our site investigation on 5/27/11 we noted the site is partially cleared with trees of significance located in the rear and west sides of the site. (3) Since zero lot line residential development is proposed, the following corrections must be completed to the "Required" section of the Schedule of Bulk Requirements: (a) Minimum Lot Width shall be twenty-five feet (25'). (b) Minimum Front Setback shall be 42.52 feet (per comment I2 above). (4) Since minimum lot width variances are required, the actual lot widths at the front yard setbacks of the proposed lots must be provided in the Zone Requirements Table. The proposed setback lines shall also be corrected on the front portions of the lots. (5) Dwelling units of thirteen hundred square feet (1,300 SF) are proposed for all lots. The actual lot coverage percentages should be provided in the Schedule of Bulk Requirements. All proposed lots will comply with the allowable coverage. (6) Proposed side yard setbacks shall be provided to the hundredth of a foot to insure the minimum side yard setback of seven feet (7') for Lot 44.03 is maintained. (7) Driveways with turnarounds are proposed for all lots. Four (4) off-street parking spaces will be provided per lot. This exceeds the 2.5 off-street parking spaces which are required

for units with unknown number of bedrooms to comply with the NJ R.S.I.S. parking requirements. Parking should be provided to the satisfaction of the Board and comply with ordinance 2010-62. (8) Testimony should be provided as to whether basements are proposed for the future dwellings on Lots 44.03 – 44.06, if so seasonal high water table information will be required. (9) Concrete sidewalk and curb exist along the limited frontage of the site. The proposed driveways will disturb virtually the entire frontage, which will require the replacement of all concrete sidewalk and concrete curb. (10) Proposed utility connections will disturb more than twenty percent (20%) of the limited road length in front of the site. An overlay would be required, and furthermore is needed because of the poor condition of the road. (11) Zone boundary lines should be added to the subdivision map. (12) Proposed lot numbers must be approved by the tax assessor's office. (13) An existing six foot (6') wide shade tree easement is shown on the subdivision plan but not the survey. The subdivision plan should be revised to show a proposed shade tree and utility easement along the property's frontage. Distances and easement areas for the proposed individual lots must be completed. (14) If possible, shade trees shall be provided within the shade tree and utility easement for the project. The site frontage is limited and the proposed driveways will occupy most of the area. Landscaping should be provided to the satisfaction of the Board, and should conform to recommendations (if any) from the Township Shade Tree Commission as practicable. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan Review for the proposed lots. (15) Testimony is required on the disposition of storm water from development of proposed Lots 44.03 – 44.06. (16) Topography has not been provided. Therefore, proposed grading has not been provided. (17) The monument certification has been signed but the monuments have yet to be set. (18) "Resolution" must be corrected in the Secretary's Certification. (19) Compliance with the Map Filing Law is required. (20) An Improvement Plan which includes grading, drainage, and construction details is required. This Improvement Plan may be provided during compliance if approval is given. (III) **Regulatory Agency Approvals** Outside agency approvals for this project may include, but are not limited to the following: (a) Township Tree Ordinance (as applicable); (b) Ocean County Planning Board; (c) Ocean County Soil Conservation District (if necessary); and (d) All other required outside agency approvals. **A revised submission should be provided addressing the above-referenced comments, including a point-by-point summary letter of revisions.**

Mr. Glen Lines PE for the applicant, this application there are two existing lots that are over 10,000 sq feet that would support duplexes the applicant is sub-dividing them to make it nicer duplexes lots, same number of duplexes there are still four units in our opinion this plan is nicer with out dividing up the lot area and without agreeing to a greater front yard setback. All of the technical comments in Mr. Vogt's report are minor in nature and we will address them all.

A motion to move this application to July 26th meeting was made by Mrs. Koutsouris and seconded by Mr. Fink.

Roll Call Mr. Franklin, yes, Mrs. Koutsouris, yes, Mr. Banas, yes, Mr. Fink, yes, Mr. Follman, yes, Mr. Percal, yes.

Mr. Jackson advised the public that this application has been advanced to July 26, 2011 this meeting hall. There are no further notices required.

5. CORRESPONDENCE

1. **SP 1934** – Applicant: Congregation Tifereth Avrohom
Block 190 Lot 70.24
Proposed driveway realignment pursuant to Lakewood Township
Municipal Utility's Authority request.

Mr. Vogt stated that there was an E-mail communication from the applicants engineer, the project was approved containing a 12 foot wide one way egress , they are dealing with the MUA on the pump station on the corner lot, the MUA is asking for an independent access and as a result they have to configure the driveway differently. We have looked at the application and looked at the amended concept plan we recommend approval with four conditions as stipulated in our letter as well as County approval. We recommended that they get approval from Ocean County, the way it is currently laid out on the amendment there would be a width at the narrowest point of 10 feet which can be corrected, we also recommended relocation of the stop sign as well as if the County approves they will have to come back to the Township and update the construction details and give final grading.

A motion to approve the request was made by Mr. Follman and seconded by Mr. Fink.

Roll Call Mr. Franklin, yes, Mrs. Koutsouris, yes, Mr. Banas, yes, Mr. Fink, yes, Mr. Follman, yes, Mr. Percal, yes.

2. **SD 1525A** – Applicant: Levy Isaacson
Block 223 Lot 95.02
Second reconsideration of a condition of a prior minor subdivision
approval

Mrs. Miriam Weinstein for the applicant, this is an old application and the houses on the lot have already been constructed. I am here tonight to request relief

from a condition in that approval which was the landscaping plan. The old landscaping plan was designed by a different engineer, and I don't know what he was trying to do but he may have cut and pasted this plan from another flag lot. Mr. Franklin had the opportunity and was kind enough to come down and visit this site and I believe that the new landscaping plan was drawn up with a lot of input from Mr. Franklin and what we are asking of this Board at this time is to please grant the relief from the existing condition and to approve the new landscaping plan.

Mr. Jackson stated that this has to be a two step process, the Board has to reconsider the landscaping and there has to be a reconsideration hearing where there has to be noticed. If there is a material change it has to be noticed.

Mr. Follman made a motion to reconsider following the direction of the Board's attorney. Mr. Fink seconded.

Roll Call Mr. Franklin, yes, Mrs. Koutsouris, yes, Mr. Banas, yes, Mr. Fink, yes, Mr. Follman, yes, Mr. Percal, yes.

Mr. Jackson stated that the applicant has to get a date and notice that has to be in the paper to the adjoining property owners that the applicant is seeking reconsideration of that condition and relief from that term of the resolution. Mr. Banas stated that the Board should provide Mrs. Weinstein with written directive as to what the Board needs.

Mr. Percal stated that there may be a privacy issue with out all the trees installed. Mr. Weinstein stated that by noticing the change the neighbors have a chance to come out and be heard as to their concerns at the meeting.

6. PUBLIC PORTION

7. APPROVAL OF THE MINUTES

Minutes from May 17, 2011 Planning Board Meeting.

Motion was made by Mr. Franklin, and seconded by Mr. Percal to approve.

Roll Call Mr. Franklin, yes, Mrs. Koutsouris, yes, Mr. Banas, yes, Mr. Fink, abstain, Mr. Follman, yes, Mr. Percal, yes.

8. APPROVAL OF BILLS

Motion was made by Mrs. Koutsouris, and seconded by Mr. Fink to approve.

PLANNING BOARD MEETING
JUNE 14, 2011

TOWNSHIP OF LAKEWOOD
PLAN REVIEW MEETING

Roll Call Mr. Franklin, yes, Mrs. Koutsouris, yes, Mr. Banas, yes, Mr. Fink, yes, Mr. Follman, yes, Mr. Percal, yes.

9. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Margaret Stazko
Planning Board Recording Secretary