

**LAKWOOD PLANNING BOARD  
MINUTES  
SPECIAL MEETING  
MEETING OF: JUNE 20, 2006**

**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. Herzl, Mr. Franklin, Mr. Banas, Mr. Dolobowsky, Mr. Akerman,

**3. SWEARING IN OF PROFESSIONALS**

Mr. Peters and Mr. Truscott were sworn in.

Mr. Kielt stated there are 3 items that have been tabled.

**SD # 1533 –HARVARD STREET DEVELOPMENT**, tabled to July 18, 2006. No further notice required.

**A motion was made by Mr. Dolobowsky, seconded by Mr. Herzl, to table this application to July 18, 2006**

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

**SD # 1529 – MATHIAS DEUTSCH**, tabled to July 18, 2006. No further notice required.

**A motion was made by Mr. Dolobowsky, seconded by Mr. Akerman, to table this application to July 18, 2006**

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

**SD#1539 - REUVEN KANAREK**, tabled to July 11, 2006. No further notice required.

**A motion was made by Mr. Dolobowsky, seconded by Mr. Herzl, to table this application to July 11, 2006**

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

#### **4. NEW BUSINESS**

- 1. SD # 1533 (VARIANCE REQUESTED)**  
**APPLICANT: HARVARD STREET DEVELOPMENT**  
Location: Harvard Street, between Apple Street & Park Place  
Block 171 Lots 11, 19 & 21 Preliminary & Final Major Subdivision - 9 lots

Tabled to July 18, 2006

- 2. SD # 1529 (NO VARIANCE REQUESTED)**  
**APPLICANT: MATHIAS DEUTSCH**  
Location: East Harvard Street, east of Park Place  
Block 170 Lots 7, 8 & 9  
Minor Subdivision to create 2 duplex buildings (4 lots total)

Tabled to July 18, 2006

- 3. SD # 1530 (VARIANCE REQUESTED)**  
**APPLICANT: JONATHAN RUBIN & MOSHE FEINROTH**  
Location: New Central Avenue, east of Hillside Boulevard  
Block 11.29 Lots 3 & 75 Preliminary & Final Major Subdivision - 6 lots

Mr. Peters stated the applicant is creating 6 residential lots and is located in the R-15 zone. The applicant is requesting a variance for minimum lot area. The 6 lots are proposed undersized ranging from 12,563 sf – 14,979 sf where 15,000 sf is required. The applicant will be required to obtain outside agency approvals from the Ocean County Planning Board, and Ocean County Soils Conservation District, and a NJDEP permit is required for treatment works approval. The applicant has provided curb, sidewalk and shade tree easements along the property frontages, and the applicant has provided 2 off street parking spaces in the driveway and an additional off street parking space in each lot's garage. Stormwater management for this project will be achieved by means of perforated recharge pipes and the pipes will be located within the proposed right of way and stormwater easements. The board should determine if Lakewood Township will assume maintenance of the stormwater management system or if a homeowners association should be formed to maintain the system. The plans indicate the developer will enter into an agreement with the township for maintenance of the system. The rest of the comments or minor pertaining to the map filing law.

Mr. Truscott read from a letter dated May 12, 2006. The applicant also seeks to construct a cul de sac to provide access to the proposed lots. The subject site contains 2 single family residences which will be removed and the tract is 2.2 acres in area. Variances for lot area are required for the following: New lot 75.01 -14,979 sf; new lot 75.02 -12,880 sf; New Lot 3.03-13,931 sf; new lot 3.01-12,943 sf; new lot 3.02- 12,563 sf. The landscaping plans should be revised to show location of the other shade trees which are proposed on the lots and landscaping should be provided in the rear of proposed lot 3.02 for screening purposes since vegetation will be removed to install the underground recharge pipe. The applicant is required to comply with the uniformity requirements of Section 821 of the UDO.

Abe Penzer appeared on behalf of the applicant with Mr. Burdick as engineer. In regards to Max's letters, the testimony will be that the development across the street is mostly R-12 lots. He requested that the TWA permit be a condition of the building permit and not the resolution compliance. Easements have been provided in addition to 2 off street parking in addition to the dwelling garage. He agreed with the rest of Max's comments. With regard to Stan's letter, Mr. Burdick said the application backs up to Westgate and the Irene Court subdivision is approximately 200 ft. west. The application will provide sidewalks, expanded utilities, additional roadway widening and dedication, buffers, landscaping, stormwater control, and street trees. The advantages of the development will be a strong aesthetic improvement by updated homes which will provide with the township ordinance with regard to varying types, adequate open space, proper buffering and public improvements. The disadvantages would be the additional traffic and noise, particularly along New Central Avenue portion of the development, but this would be minimal and overcome by the safety improvements along the roadway by widening and providing sidewalks.

Mr. Banas asked why they are putting in 12,000 sf lots in where 15,000 sf is required. Mr. Burdick said keeping with the adjoining developments in the area.

Mr. Dolobowsky asked what the average type of lots were in the Irene Court development, and was told he did not know, but no playground was provided in that area. He would like to see a denser buffer than what is provided. Mr. Jackson asked the exhibits be marked; sheet 3 of 5 (colored rendering) marked A-1, and tax map page showing lots which are undersized A-2. With regard to Stan's report, Mr. Burdick said they will provide additional shade trees on the tree protection and landscape plans, and will provide additional buffering on the east side of new lot 3.02 with arborvitaes and will comply with the rest of the comments.

Mr. Banas asked if there were 5 lots instead of 6 lots what would be the square footage of each of the lots, and would it be closer to the R-15 requirements. Mr. Franklin said the township would not accept the storm sewers or the street because of the off site drainage, the town has no way of maintaining it and it would contaminate the street storm sewer. Mr. Penzer agreed to form a homeowners association. Mr. Dolobowsky asked the same question as 5 lots instead of 6, and said white pines grow to 20-30 ft across and a double row would not fit into that 20 ft. rear yard setback, and would rather see that street shortened up a bit 5 lots with a reasonable buffer that would give room for those trees to grow. The tree plan is there with a lot of 14 inch trees but nothing to replace the trees that

will be taken down would add additional drainage problems that are already there. Mr. Burdick said the stormwater system is designed to help post development run off according to RSIS. Mr. Slachetka said the criteria for a C2 variance says the benefits should outweigh the deficits and that is what the board should use to evaluate whether to grant it.

Mr. Akerman asked if they would have conforming lots if they did 6 flag lots and Mr. Burdick said they would probably end up with 4 maybe 5.

Mr. Banas opened the microphone to the public.

Gerry Ballwanz, 208 Governors Road, was sworn in. She said someone getting an approval years ago will now be setting a precedence to destroy the current zone, and this should be denied because there is already high density behind it.

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

Mr. Penzer stated the development across the street is less than 2 years old and within 200 ft. so it is the surrounding area. His applicant feels there is more of a market for 12,000 sf lots compared to the surrounding developments. Mr. Burdick testified that they will reduce the emission from stormwater for the 2 year storm more than 50%, the 10 yr storm less than 75% and the 100 yr storm less than 80% of pre development flow.

**A motion was made by Mr. Akerman, seconded by Mr. Herzl, to approve**

Mr. Dolobowsky understood the stormwater emission, but said that he is sure that Westgate did too, the law requires it, but there is run off coming from Hillside because it is paved and the slope and it runs quickly down New Central which has no curbs and it is being undermined on the edge of the road and that is what is filling up those sewers. Mr. Burdick said the revised plans have recharge pipes along the southern side of New Central east of their proposed roadway and there are inlets right at the corner. Mr. Dolobowsky said this is an R-15 zone and the plans should be reworked to provide more buffers and this is trying to put too much in to this area.

**ROLL CALL:** Mr. Herzl; yes, Mr. Franklin; no, Mr. Banas; no, Mr. Dolobowsky; no, Mr. Akerman; yes. **MOTION DEFEATED**

**4. SP # 1837 (VARIANCE REQUESTED)**

**APPLICANT: CONGREGATION NER YISROEL**

Location: Ridge Avenue at corner of East Seventh Street  
Block 223.01 Lot 71.04

Minor Site Plan – Change of Use Site Plan from 1 family home to synagogue

Mr. Peters stated the applicant is requesting the single family dwelling currently under construction to be used in conjunction with a 50 seat synagogue in the R-12 zone. A parish house may be permitted as part of a place of worship; however, one of the uses must be determined to be accessory (Section 905 of the UDO). Perimeter buffers have been provided along the south and west property lines by a vinyl stockade fence with a

single row of Austrian pine trees. Waivers are requested for buffer width and planting requirements. 4 off street parking spaces are provided for the residential use.

Mr. Truscott read from a letter dated May 19, 2006. The applicant is proposing a 2 story single family with a synagogue. This lot is part of a major subdivision that received Zoning approval on June 3, 2002 for a use variance and bulk variances for a 5 single family lots. The present use of the single family dwelling is under construction and the total floor area of the dwelling is 5,340 sf of which 2,807 sf will be the synagogue. The sanctuary is 794.7 sf to accommodate 50 seats and the applicant has proposed 3 parking spaces. The total lot area is 17,554 sf and the property is located on the north side of E. 7th Ave. The applicant is exempt from parking standards due to Section 18-905A which states sanctuaries less than 800 sf are exempt. The application does not comply with the following provisions of Section 18-905B; 20 ft. wide landscape buffer is required for properties that are surrounded by residential uses, a 20 ft. wide buffer is proposed along the rear, but a 10 ft. wide buffer is proposed along the side line of lot 71.05. A fence is also proposed. Austrian pine is proposed in the buffer area, however the applicant should confirm that the selected species will not be too wide for the 10 ft. side yard area. The applicant should provide testimony for the curb cut close to the intersection for consistency of safe traffic flow. The septic system placement is subject to review by the OC Board of Health.

Abe Penzer appeared on behalf of the applicant and said this was the property that the Board of Education sold. The applicant is providing 3 parking spaces even though he is not required to. Mr. Ernst appeared as the engineer for the applicant. Mr. Ernst addressed the comments from the professionals. The ground area will be the synagogue (basement), with 1 handicapped space. He feels 40 ft. is an adequate setback from the intersection provided it is for residential use. He showed where the fence would be located. He said the Austrian pine proposed is a teardrop variety which is narrowly columnar with an average height of 15 ft. and 5 ft. wide and should be an appropriate tree for this buffer. All other comments are agreed with and they will comply.

Mr. Banas said there were 7 bedrooms in the house and you are putting a synagogue below. How are you getting in to the synagogue and was told a ramp and stairs go into the entry in the northwest corner.

Mr. Dolobowsky asked the professionals about the 0 parking requirements for a synagogue, and asked if there were enough parking for 7 bedrooms. Mr. Penzer said there are no calculations at this time. Mr. Truscott said the state verbally told him that the planning board is permitted to require more parking than shown on RSIS charts based on the character of the community. Mr. Penzer said if they board wanted 5 parking spaces they would provide, and Mr. Banas said yes, even 2 additional ones. Mr. Truscott asked where they would be located, and Mr. Ernst said he would move the ramp to the other side and put the parking spaces there in a row. Mr. Franklin asked if they were going to make the driveway any longer, and Mr. Dolobowsky said let the professionals work it out.

Mr. Banas asked about the waiver of the buffer, and was told the 6ft. high vinyl fence was being extended from the adjacent lot to the front yard setback.

Mr. Banas opened the microphone to the public. Seeing no one, he closed this portion to the public.

**A motion was made by Mr. Dolobowsky, seconded by Mr. Akerman, to approve with the recommendations discussed. (Extra parking, etc.)**

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

**5. SD # 1534 (VARIANCE REQUESTED)**

**APPLICANT: MTR VENTURES**

Location: Ridge Ave, E.7th St & Highgrove Crescent, east of New York Ave.  
Block 223 Lots 4, 9.04, 84 & 85

Minor Subdivision from 4 lots to 3

Mr. Peters stated the applicant is not requesting development at this time. Shade tree easements are being provided on Ridge Avenue and E. 7th Street. An easement exists on Highgrove Crescent. The applicant should provide the reason for the subdivision, it appears from the unusual shape that a new lot may eventually be created and this may be the 1st phase. It should be noted that future subdivision of these lots would be considered a major subdivision. The lot area in nonconformity of lot 85 will be eliminated by the granting of this subdivision. The remainder of the comments deal with the map filing law.

Mr. Truscott read from a letter dated May 31, 2006. The tract contains 3 single family residences and the area is 27,000 sf. The parcel is located in the R-10 zone. The following variances are requested: front yard setback, 30 ft. required, new lot 4- 29.8 ft.; new lot 9.04 is 25.4 ft. and for new lot 84 is 24.5 ft. The purpose of the subdivision should be discussed by the applicant, and we note that a sidewalk is proposed along the frontage of the parcel. The balance of the comments are technical in nature.

Abe Penzer appeared on behalf of the applicant. All of the variances are existing. Mr. Carpenter appeared as engineer for the applicant. Mr. Carpenter said the applicant and his neighbors approached requesting additional lot area to make their lots bigger. Mr. Banas questioned why leave the 6.21 ft. out and Mr. Carpenter said they wanted their portion subdivided equally in half. Mr. Banas said if a fence were put up there it will be terrible to clean and mow. The benefits are that they are eliminating a non conforming lot 85. He agreed with the rest of the professionals comments.

Mr. Dolobowsky asked if they could fix that jog and give equal portions to the adjacent owners. Mr. Alexander Hartstein, 725 Ridge Avenue, was sworn in. Mr. Adelman tried to buy the non conforming strip and did and Mr. Bodek and Mr. Rosenberg made a deal for a 40 x 80 parcel for each, and there was no other way. It still creates a little triangle and

Mr. Carpenter said you can do anything with the lot lines because it does not cause any need for variances. Mr. Peters explained how to do it and still give 2 equal pieces. Mr. Carpenter said it could be done. Mr. Penzer said they would put a restriction on the map.

Mr. Banas opened the microphone to the public. Seeing no one, he closed this portion to the public.

**A motion was made by Mr. Dolobowsky, seconded by Committeeman Miller, to approve with the lot line shifted.**

**ROLL CALL:** Mr. Franklin; yes, Committeeman Miller; yes, Mr. Banas; yes, Mr. Dolobowsky; yes, Mr. Akerman; yes

**6. SD # 1464 (VARIANCE REQUESTED)**  
**APPLICANT: AARON PEKER**  
Location: Ridge Avenue, east of Brook Road  
Block 189 Lot 24  
Minor Subdivision to create 2 lots

Mr. Peters stated the parcel is located in the R-12 zone. Variances are required for lot width; proposed 70 ft., required 90 ft. The applicant will be required to obtain Ocean County Planning Board Approval. Shade tree easements and curb and sidewalk have been provided along Ridge Avenue. The applicant has stated that all existing structures are to be removed, and if not removed prior to the map filing, a bond posted to ensure removal. The remainder of the comments deal with the map filing law.

Mr. Truscott read from a letter dated June 2, 2006. The lot currently contains 1 single family residence which will be removed. The applicant proposes a new 2 story dwelling, 3 car garage and new septic disposal tank and field on new lot 24.01. There are no current construction plans for new 24.02. A building coverage variance is also necessary; 29 % is proposed and 25% is the maximum permitted. A total of 2.5 parking spaces are required and 3 spaces are provided. Street trees should be provided.

Salvatore Alfieri, appearing on behalf of the applicant, with Ray Carpenter as the engineer. Mr. Carpenter testified that a single family home with an apartment over the garage is currently on the parcel and the subdivision would alleviate the non conforming use that is present. He agreed to all the recommendations from the professionals.

Mr. Banas said they are building a house that is too big and Mr. Carpenter said they could reduce the size of the house to 25%. Mr. Banas requested new plans to be revised. Mr. Jackson requested the non conforming use (garage and apt.) be eliminated before the subdivision is perfected and a bond posted for the existing home to be removed after the perfection of the subdivision. Mr. Truscott commented that a two story garage is being built to replace it, so he is concerned another non conforming use being put in and suggested a deed restriction to limit the garage use. Mr. Alfieri agreed to the restriction.

Mr. Banas opened the microphone to the public. Seeing no one, he closed this portion to the public.

**A motion was made by Mr. Dolobowsky, seconded by Committeeman Miller, to approve with the one variance and deed restriction on the garage (no kitchen, no bedrooms), and correct the 25%, and remove the garage before perfecting the subdivision.**

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

Dolobowsky; yes, Mr. Akerman; yes

**7. SD # 1536 (NO VARIANCE REQUESTED)**

**APPLICANT: CHARLES CLARK**

Location: East County Line Road, across from Ann Court  
Block 186.05 Lot 31

Minor Subdivision to create 2 lots

Mr. Peters stated the applicant said proposed lot 31.01 contains an existing dwelling and proposed lot 31.02 is a flag lot and shows a proposed 2 story dwelling and driveway. The rear lot line touches Caramel Court in the R-15 zoning district. No variances are required. The applicant will be required to obtain outside agency approvals from Ocean County Planning Board and the Ocean County Soils Conservation District. The applicant has provided a 6 ft. wide shade tree easement and sidewalk along the property frontage. The proposed dwelling for lot 31.02 shall be dimensioned. Vegetative screening should be considered for the rear of lot 31.01. Four pear trees are proposed, and we are concerned the proposed trees will not provide an adequate visual buffer. The plans show that 3.6 ft. encroachment of a fence on the eastern property line and should be re located to allow for the planting of the proposed trees. The depth of the sanitary sewer main must be provided and the finished floor elevation is lower than rim elevation of the man hole in the street. Gravity connection to the sewer may not be feasible if the sewer lines are shallow. The remainder of the comments are technical in nature.

Mr. Truscott read from a letter dated June 2, 2006. The parcel is .94 acres in area. The plans do not comply with the following requirements of a flag lot: architectural plans of the proposed dwelling must be submitted. The remainder of the comments are identical to Mr. Peters or are technical in nature.

Mr. Surmonte appeared on behalf of the applicant. He stated they have no frontage onto Carmel Court which is why they requested a flag lot. He believes the board granted the waiver from architectural at the tech meeting because the applicant does not know what he is going to put there. Mr. Surmonte stated they can achieve a gravity flow from the back lot based on the depth of the sanitary sewer on County Line Road. They have provided Leland Cypress along the east side of the property and the west side of lot 31.02. There are a lot of existing trees there now and they are proposing to keep them. He hopes to meet with the professionals before he is forced to put additional buffering that might interfere with the existing vegetations. The backyard of the new lot will face the backyard of the existing lot. Mr. Dolobowsky said putting under plantings without removing the existing trees would be satisfactory. The applicant agreed. Mr. Banas said they needed something about the north side (buffering on Carmel Court) Mr. Dolobowsky pointed to the existing trees there, maybe some additional plantings and the applicant agreed. Mr. Truscott wanted to make sure that the existing trees are to remain and the shrubs were to supplement. Mr. Dolobowsky noticed a proposed yard inlet, and recommend surrounding it with large river stone, to avoid swamping and allows the water to drain and eliminate the mud.

Mr. Banas opened the microphone to the public. Seeing no one, he closed this portion to the public.



**A motion was made by Mr. Dolobowsky, seconded by Committeeman Miller, to approve with the extra buffering talked about, the stone in the corner and some kind of k turn in the driveway for turnaround.**

**ROLL CALL:** Mr. Franklin; yes, Committeeman Miller; yes, Mr. Banas; yes, Mr. Dolobowsky; yes, Mr. Akerman; yes

**8. SD # 1539 (VARIANCE REQUESTED)**

**APPLICANT: REUVEN KANAREK**

Location: East Eighth Street, between Park Avenue & Nowlan Place  
Block 230 Lot 9

Minor Subdivision to create 2 lots

Tabled to July 11, 2006

**9. SP # 1841 (VARIANCE REQUESTED)**

**APPLICANT: COMMERCE BANK NA**

Location: Madison Avenue (Route 9) between Kennedy Boulevard and  
County Line Road (former Crystal Diner)  
Block 1051 Lot 29

Preliminary & Final Site Plan for proposed bank

Mr. Peters stated the applicant is requesting to demolish 2 buildings and the construction of a new Commerce Bank with 5 drive- through windows and parking on combined lots totaling 1.24 acres. The property fronts on Madison Avenue (Rte. 9) and an 8ft. wide strip of land along County Line Road is being offered as a dedication to the County. A total of 6 driveway exists are proposed along the road, and the existing driveway on Madison Avenue is to be eliminated and 3 driveways are proposed for the site. An entrance and exit drive is proposed for County Line Road, 2 driveways are proposed for Kennedy Boulevard, one is an exit only and one is a entrance with a right turn out only. A waiver is being requested for submission of proposed utility layout. We do not recommend the granting of this waiver; the water and sewer utilities should be shown on the plans. The following sign variances are being requested from Chapter 18 Section 812 of the township code and must be explained by the applicant: a building mounted sign for each street frontage as noted on the sign table, the applicant is requesting 109.59 sf. for each building mounted sign as compared to 60 sf allowed by ordinance. Ordinance allows for 50 sf each for free standing signs and the application is requesting 144 sf. Also the applicant is proposing 3 free standing signs where 1 is allowed. The ordinance required a minimum of 14 parking spaces and the applicant is providing 45. No stormwater devices are proposed and the application will result in a reduction of impervious surfaces on the site. The full movement driveway on County Line Road is in close proximity to the drive through tellers and the 2 way drive aisle behind the 12 parking spaces. This will be a congested area that may result in cars backing up to County Line Road. At a minimum, it will create a difficult merging situation with the drive through customers and customers coming from the access

points on Kennedy Boulevard and merging with the drive through customers from County Line Road East. We question the need for 3 site access points and believe 2 access points will be sufficient. Tiers of congestion can be reduced by moving the drive through lane to the opposite side of the site from the access points to allow for more stacking room behind the drive through tellers and allow for merging room after the tellers. Revisions to the site traffic flow should be discussed with the board. The balance of the comments are technical in nature.

Mr. Truscott read from a letter dated June 16, 2006. The applicant proposes to construct a 4.101 sf bank and is located in the B-3 highway business zone. Off street parking requirements must be balanced against stormwater management issues and the potential for shared parking and additional landscaping. Testimony should be provided on the traffic impact report, which include site circulation and stacking. The applicant proposes 9 shade trees but none are proposed along the frontage of Madison Ave. No solid waste area is noted on the site, please address. We recommend a variety of species be provided within each area of the perimeter landscaping to avoid a monoculture.

Dennis Kelley from Levin Shea & Pfeffer, appearing on behalf of the applicant. Mr. Ludwig Bohler (engineer) and Mr. Raymond DePasquale (traffic) are also appearing on behalf of the applicant. Mr. Jackson marked the following exhibits: A-1 identified as a highlighted rendering of existing conditions; A-2 dated 6/20 is a exhibit of 5 photos of the existing site; A-3 is an exhibit showing the proposed Commerce Bank structure; A-4 is the proposed site plan which is a colored version of the site plan the board has. Mr. Bohler addressed the comments from the professionals. He pointed to exhibit A-1 and showed the locations of surrounding area, Crystal Diner, bakery and car wash. He pointed that the site is totally asphalted with 8 different curb access points. This site has frontage on 3 roads. Commerce Bank intends to build a brand new bank facility which faces Madison Avenue with no curb cuts on Madison Avenue. The predominate access will be on Kennedy Boulevard with right in, left in and right out only. The access point off of County Line Road is full access movement, left in left out, right in right out. Finally there is an access point as a relief valve only on Kennedy Boulevard by going left and/or right. They were adjusted due to the board's comments at the tech review and the county has approved of these revisions. As far as the stacking the traffic engineer will address but the typical back up in these lanes is 10 total, and the accommodations are for up to 15 (50% more than the worst case scenario) of the number of vehicles. The net result of their design will be a 65% impervious coverage which adds 35% green space to the existing asphalt. They are proposing new sidewalks around the entire perimeter and 19 shade trees and identification signs. The predominate species of landscaping is evergreen with a total of 600 shrubs in addition to the 19 shade trees. The site conforms to all the lighting requirements. The only variance the applicant is asking is for the signs. This is because there are 3 frontages so they propose 3 separate identification signs which are only 48 sf large. Compared to the Bank of New York sign which is 72 sf large. The signs are 16 ft. high and proposed to give customers advanced warning to the location of the site.

Mr. DePasquale prepared the traffic impact analysis dated April 26, 2006. They have statistical data on 30 + bank sites in New Jersey to help emulate the activity at banks and they feel the data in their report is accurate. He spoke about the pass by numbers. There are tables provided on page 6 of the report. They have a projected future traffic condition

which is based on numerous charts and data, level of service calculations, and the driveway access points on both Kennedy & County Line are found to be operating at a very high level of service (B). They met with the county engineers and discussed the curb cuts. He addressed Mr. Peters' comments on the stacking and back up and Mr. Peters asked if the 10 cars Mr. Bohler testified about were for a peak or regular backup and Mr. DePasquale stated their review of the maximum queue number was 9 out of all of the banks they studied. The number of parking spaces reflect the safety to the close proximity to the access points, and these spaces aid in the visualization of open stalls from all entrance. The 12 parking stalls to the east of the site is for the employees, which will turn over once a shift. The number of employees in this facility is 22 employees and they will have signage for employee only parking.

Mr. Banas asked Mr. DePasquale to go over the circulation of the traffic with visualization on the map. Mr. Banas asked what was the possibility of a collision on Kennedy Boulevard with the 2 openings, and was told it was a lot less likely to happen than other configurations, and they have spoken to the county and have their approval.

Mr. Dolobowsky had questions about the one entrance/exit on Kennedy, and that area gets insane, and was told they would not be conflicting by using the same access. He also questioned the left turn onto County Line Road and how difficult it was during the existing retail businesses when it was open.

Mr. Banas asked how much stacking room there was on the property to exit, especially on Kennedy Boulevard. The calculations were said to be 1-2 vehicles in the peak hour, maximum, and he went to the exhibit and said there could be 7 in that drive aisle before it would interfere with the drive aisles in the front door.

Mr. Dolobowsky asked if the corner curbs were depressed and was told yes. Mr. Dolobowsky mentioned the speed limits and how it is either standing still or moving very rapidly (over the speed limit) and he asked if they were going to provide any pavers from the bus shelter where he knows people will pull into the parking lot to drop off people for the bus stop because they can't stop on Route 9 and/or County Line Road, they will drop them off in the parking lot and they will drag luggage, etc. through the landscaping to get to the shelter. Mr. Bohler agreed to do that as it made sense.

Committeeman Miller asked if the bus shelter on Route 9 was going to stay and was told yes.

Mr. Banas asked if they considered flipping the building, and was told they evaluated the building on every angle and this was the best fit.

Mr. Franklin said there was no garbage area, and was told the trash was handled by a cleaning crew and take the shredded documents and recycling with them and they are bonded. There are no loading services required; they use vans that utilize parking spaces.

Mr. Banas asked where the snow removal would go and was told there was adequate room for removal.

As far as the waiver for utility waiver, they have provided them and if Mr. Peters does not have them, they will provide.

Mr. Banas opened the microphone to the public.

Bill Hobday, 30 Schoolhouse Road, was sworn in. He thinks this design was terrific. His only concern is if Commerce Bank should every shut down any one of the drive-throughs, but as long as they keep them open and keep traffic flowing it is will an asset to Lakewood.

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

**A motion was made by Committeeman Miller, seconded by Mr. Akerman, to approve this application with the resolution to be ready for June 27, 2006.**

**ROLL CALL:** Mr. Franklin; yes, Committeeman Miller; yes, Mr. Banas; yes, Mr. Dolobowsky; yes, Mr. Akerman; yes

## **5. CORRESPONDENCE**

None at this time.

## **6. PUBLIC PORTION**

None at this time.

## **7. APPROVAL OF BILLS**

**A motion was made by Mr. Dolobowsky, seconded by Mr. Akerman, to approve**

**ROLL CALL:** Mr. Franklin; yes, Committeeman Miller; yes, Mr. Banas; yes, Mr. Dolobowsky; yes, Mr. Akerman; yes

## **8. APPROVAL OF MINUTES**

None at this time.

Before they adjourned there was one item for discussion. John Jackson said Committeeman Coles brought up the idea of a developers' agreements so that the Township Committee would have the authority or the tools necessary to enforce some of the conditions that developers have agreed to. Apparently there have been issues where code enforcement can't keep up with boom going on with the building and enforce the developer to do what they are supposed to. Mr. Secare said the only remedy is a developers agreement, so it certainly can't hurt. He said the board can do this by rule or resolution or policy, or request the Committee to do a more formal ordinance to enforce. They could do a roll call and request Mr. Jackson to draft a formal recommendation to the Township Committee.

**A motion was made by Mr. Dolobowsky, seconded by Mr. Akerman, to approve**

**ROLL CALL:** Mr. Franklin; yes, Mr. Banas; yes, Mr. Dolobowsky; yes, Mr. Akerman; yes

## **9. ADJOURNMENT**

The meeting was hereby adjourned. All were in favor.

Respectfully submitted  
Chris Johnson  
Planning Board Recording Secretary