

**LAKWOOD PLANNING BOARD
REGULAR MEETING
MINUTES
OCTOBER 3, 2006**

I. CERTIFICATION OF COMPLIANCE

Chairman Banas called the meeting to order at 6:00 p.m. with the Pledge of Allegiance and Mrs. Johnson 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. Akerman, Mr. Gatton

3. SWEARING IN OF PROFESSIONALS

Max Peters and Marty Truscott were sworn in

Mr. Banas asked if there were any changes in the agenda. Ms. Johnson replied that item **#1 SP # 1824-BYR Cabinetics** has been carried to October 31, 2006. No new notice required.

On a motion by Mr. Akerman, seconded by Mr. Herzl, application was carried to October 31, 2006

ROLL CALL: Mr. Herzl, yes: Mr. Franklin, yes: Mr. Banas, yes: Mr. Akerman, yes:
Mr. Gatton, yes

Item # 3 SD 1542 Rye Oaks LLC, Item #4 SD 1551 Hope Hill Lane & Item #5 SD 1535 Moshe Mendelwitz - the plans were not received by the deadline. Being the plans have not met numerous deadlines, when new plans are received a letter will be issued scheduling them on an agenda, and they must re-notice.

On a motion by Mr. Herzl, seconded by Mr. Gatton, application was carried until new plans are received and must be re-noticed.

ROLL CALL: Mr. Herzl, yes: Mr. Franklin, yes: Mr. Banas, yes: Mr. Akerman, yes:
Mr. Gatton, yes

Item #11 SD 1563 Moshe Aryeh has been carried to October 31, 2006. No new notice required.

On a motion by Mr. Herzl, seconded by Mr. Akerman, application was carried until new plans are received and must be re-noticed

ROLL CALL: Mr. Herzl, yes: Mr. Franklin, yes: Mr. Banas, yes: Mr. Akerman, yes:
Mr. Gatton, yes

4. WAIVER REQUEST

SP # 1855

APPLICANT: LAKEWOOD AFFORDABLE HOUSING CORP. "CYPRESS COVE"

Location: Oak Street between Caldwell Avenue & Rockaway Avenue

Blocks 1135,1142,1150,1151 Lot 1

Block 1143 Lots 1 & 9

Preliminary & Final Site Plan for affordable housing project

Waiver request from checklist items:

#B-2 – topography within 200 feet of site

#C-2 – location of existing and proposed easements

#C-6 – plans and profiles of proposed utility layouts

#C-11 – proposed or existing easements

#C-13 – environmental impact statement

#C-14 - tree protection management plan

Mr. Peters recommended the following:

B-2- partial waiver should be granted. Topography should be shown to the far side of Oak St and to the drainage high points

Items C-2, C-6, C-11, C-13, -recommend granting these waivers

C-14- does not recommend granting this waiver

A motion by Mr. Herzl, seconded by Mr. Akerman, to the above recommendations by Mr. Peters

ROLL CALL: Mr. Herzl, yes: Mr. Franklin, yes: Mr. Banas, yes: Mr. Akerman, yes:
Mr. Gatton, yes

SP # 1856

APPLICANT: CONGREGATION TORAS EMES

Location: Atlantic Avenue, James Street and Ridgeway Avenue
Block 370 Lots 1 & 3

Preliminary & Final Site Plan/Change of Use Site Plan from residence to school

Waiver request from checklist items:

#B-2 – topography within 200 feet of site

#B-6 - man made features within 200 feet

Mr. Peters recommended the following:

B-2- partial granting of waiver to the far side of the roadway adjacent to property and to the drainage high point

B-6- does not recommend granting this waiver but an aerial photo will suffice

A motion by Mr. Herzl, seconded by Mr. Akerman, to the above recommendations by Mr. Peters

ROLL CALL: Mr. Herzl, yes: Mr. Franklin, yes: Mr. Banas, yes: Mr. Akerman, yes:
Mr. Gatton, yes

5. PLAN REVIEW ITEMS

1. **SP # 1824** (Variance requested)

APPLICANT: BYR CO. LLC/CABINETICS

Location: corner of Route 9 and Yale Drive
Block 1051 Lot 29

Preliminary and Final Site Plan – proposed addition to retail building

Carried to October 31, 2006

2. **SD # 1545** (No variance requested)

APPLICANT: 319 PROSPECT LLC

Location: Prospect Street, west of Massachusetts Avenue
Block 445 Lot 1

Preliminary & Final Major Subdivision for 53 townhouses and 1 community center

Mr. Peters stated the applicant is seeking preliminary and final major subdivision and site plan approval for 53 townhouse units and 1 community building. The property is in the RM multi family zone. Outside agency approvals will be required by Ocean County Planning Board, Ocean County Soil Conservation District, and NJDEP permits for TWA and water main extension. Evidence or receipt should be made a condition of final approval. Applicant should provide testimony as to the final ownership of the proposed roadways and if they will be public or private. A homeowners association will be required

to be responsible for the maintenance of the community building, stormwater management areas and all other public portions of the development. Documents should be submitted to the planning board engineer and solicitor for review. Applicant should revised the stormwater inlet details, specifically the type B, to comply with newly enacted stormwater management regulations. The applicant should revise the handicap sign detail, to include the penalty of \$250.00. There are some minor comments regarding The Map Filing Law.

Mr. Truscott read from the letter dated July 28, 2006. The site is currently vacant but a portion of the property was formerly used as gravel pits. The parcel is approx. 7.41 acres in area, located in the RM multi family zone, and the proposed use is a permitted use. No variances are requested. The review comments are Section 902H1D of the UDO states any townhouse with a basement shall be considered 2 units. The actual parking requirements are closer to 228 stalls instead of the 140 indicated. In addition, 8 spaces are required for the community building. The applicant has provided 249 parking spaces, which exceed the minimum of 236 required. Architectural plans have been submitted, we note that there is area used in the 3rd floor which can be converted to a 5th & 6th bedroom and also a basement is proposed. All improvements should be designed in accordance with NJ RSIS. All areas in common ownership shall be owned and maintained by non profit homeowners association in accordance with section 1010 of the UDO. We recommend that landscaping along Prospect Street be supplemented at least with a berm in sections to increase screening of the roadway. We note that no playground equipment is proposed in the recreation area, Section 18-8 of the UDO require active or passive recreation facilities to service the need of the residential population. The balance of the comments were technical in nature.

Mr. Shea, Esq. appeared on behalf of the applicant, along with Brian Flannery. Mr. Flannery will provide all the information requested by the professionals. Total parking spaces provided is 4.7 per townhouse unit. Mr. Banas asked about the request from the environmental people about the type of shade tree that were necessary and Mr. Flannery will take that into consideration when he makes the revisions.

Mr. Akerman had a question about the livable space in the attic, and what is considered a bedroom or not a bedroom. Mr. Flannery stated that it was an architectural design to accommodate the user. Parking was not an issue.

Mr. Gatton questioned whether this was ok with the professionals so he will be able to vote.

Mr. Truscott stated it will be addressed at the public hearing.

A motion by Mr. Herzl, seconded by Mr. Akerman, to advance the application to the October 17, 2006 meeting.

ROLL CALL: Mr. Herzl, yes: Mr. Franklin, yes: Mr. Banas, yes: Mr. Akerman, yes:
Mr. Gatton, yes

Mr. Shea stated that he has asked Ed O'Malley to present #13 on Mr. Shea's behalf, and he acknowledges he needs to notice that application, and will do so for the public meeting.

3. **SD # 1542** (No variance requested)
APPLICANT: RYE OAKS LLC
Location: Ocean Avenue (Route 88), east of railroad
Block 536 Lots 1, 2 & 4
Preliminary & Final Major Subdivision- 40 townhouses and 1 retail center

When revised plans are received, they will be placed on an agenda, and must re-notice

4. **SD # 1551** (No variance requested)
APPLICANT: HOPE HILL LANE
Location: Hope Chapel Road, between McKinley Avenue & Shonny Court
Block 11 Lots 5, 16-32, 35, 87-93, 95-98, 100, 101
Preliminary & Final Major Subdivision-38 residential lots and 1 open space

When revised plans are received, they will be placed on an agenda, and must re-notice

5. **SD # 1535** (Variance requested)
APPLICANT: MOSHE MENDELWITZ
Location: Miller Road, between Central Avenue & Lakewood New Egypt Road
Block 11.03 Lot 90.03
Preliminary & Final Major Subdivision – 7 lots

When revised plans are received, they will be placed on an agenda, and must re-notice

6. **SD # 1549** (Variance requested)
APPLICANT: MORRIS WEINBERG
Location: Spruce Street, between Funston Avenue and Caryl Avenue
Block 842 Lot 3
Minor Subdivision to create two lots

Mr. Banas announced the arrival of Committeeman Miller who stated he could only stay for a short while.

Mr. Peters stated the applicant is seeking minor subdivision approval, to subdivide one residential lot into 2 lots. An existing dwelling with pool will remain. No new construction on the new lot is proposed at this time. Site is situated on Spruce Street between unimproved Caryl Avenue and unimproved Funston Avenue within the R40/20 cluster zone. Variances are required for the following: Lot area: Lot 3.01 proposes 32,260 sf & Lot 3.20 proposes 20,293 sf where 40,000 sf are required. Lot width: both lots propose 100 ft where 150 ft is required. Front yard setback: Lot 3.01 proposes 15.9 ft where 50 ft is required. This is an existing condition. Side yard setback: Lot 3.01 proposes 9.5 ft & Lot 3.02 proposes 10 ft

where 15 ft is required. Setback to an accessory building: Lot 3.01 proposed 2.57 ft. where 10 ft. is required. Ocean County Planning Board approval will be required. Evidence of approval should be made a condition of final subdivision approval. Zoning requirements table states 2 parking spaces per unit are required. Bases on the RSIS each lot will require 2.5 spaces. Zoning table should be revised. Parking issue can be revised on the plans stating any dwelling constructed on Lot 3.02 will provide a minimum of 3 parking spaces. Board shall determine if curb & sidewalk will be required along property frontages. Details shall be required. Existing driveway on Lot 3.01 is not clearly labeled. Please revise. Western portion of the driveway appears to cross over onto proposed Lot 3.02 and shall be relocated or removed. The remaining comments are technical comments pertaining to The Map Filing Law.

Mr. Truscott read from a letter dated September 1, 2006. Entire tract contains an area of 52,553 sf and proposed lot 3.01 will be 32,260 sf and Lot 3.02 will be 20,290 sf. Same variances are listed as Mr. Peter's letter. Review comments are that the applicant should discuss possibly relocating the existing cabana which is located approx. 2,6 ft from side lot line. Plans should show location of well & septic that will service Lot 3.01. The 6ft wide shade tree easements proposed along frontage should be submitted for the board's review. The balance of the comments are technical in nature.

Mr. Salvatore Alfieri, appeared on behalf of the applicant, here for Miriam Weinstein Esq. who is on vacation, with Mr. Carpenter as engineer.

Mr. Carpenter will provide testimony at the public hearing justifying the variances. All other issues in Mr. Peters letter will be complied. The curb and sidewalk will be provided. All items in Mr. Stachetka's letter will be complied with.

Mr. Banas asked for a better key map to show the area better for the board.

A motion by Mr. Akerman, seconded by Mr. Herzl, to advance the application to the October 17, 2006 meeting with the provisions.

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

7. **SD # 1550** (No variance requested)
APPLICANT: SEYMOUR INVESTMENTS LLC
Location: Cross Street, west of River Avenue (Calgo Gardens Nursery)
Block 533 Lots 3 & 10
Preliminary & Final Major Subdivision-74 townhouse units, community center and tot lot

Mr. Peters stated the application is seeking preliminary and final major subdivision approval to subdivide 2 existing lots totaling approximately 9.28 acres into 77 lots with 74 proposed townhouse units and 1 community center. 3 lots will be dedicated to the homeowners association, 1 housing a stormwater basin, 1 housing a parking lot and 1 housing the above mentioned community center and playground. The tract has a frontage

on Cross Street, approximately 500 ft. from its' intersection with River Avenue. The property is situated within the HD-7 zone. It appears no variances will be required for this application. The applicant will be required to obtain outside agency approvals from the Ocean County Planning Board, Ocean County Soils Conservation District, and NJDEP permit for treatment works approval. The applicant will be required to form a homeowners association for the maintenance of the public portions of the development, and the documents shall be provided for the review by the Planning Board Engineer and solicitor. The documents shall address ownership and maintenance of the stormwater management system, community building, tot lot and all other public portions of the site, and also include a schedule of when the public amenities will be completed in terms of the # of c/o's. The applicant has proposed curbs and sidewalks and shade tree easements along Cross Street and all proposed interior roadways. The applicant shall provide dimensioning on the way out plans, including curb radii, streets and right of way widths, setbacks, etc. It appears there is insufficient space to provide a landscape buffer of 25 ft. and the minimum rear yard setback of 20 ft. between the Cross Street right of way and proposed lots 3.01 through 3.16 and 10.01 through 10.20 and Block 533 Lot 11 (adjacent lot). Also it appears the existing utility poles along Cross Street will be relocated outside of the right of way. The stormwater piping and sanitary piping are to be constructed by others. Applicant should provide testimony to who will be completing this work and when it will be completed. All work performed by others should be completed prior to the issuance of any c/o's. Applicant proposed modular block retaining walls to be built along the eastern and western property lines.

These block walls are to be set along the property line which will require encroaching on the adjacent properties to install the reinforcing geo grid membrane. Applicant must secure a construction and maintenance easement from the adjacent property owners to install and maintain the walls and its' components or shall relocate the walls. The tot lot shown on the plans is unreadable, please revise to show the detail. Applicant is proposing 6 bedroom townhouses with an unfinished basement that has a separate entrance, the RSIS only provides guidelines for up to 3 bedrooms, which requires 2.5 parking spaces per townhouse, the applicant is provide 3 spaces per townhouse. The community center requires 7 spaces, 1 for handicap; a total of 229 parking spaces is required, the applicant is providing 237 spaces. The board should determine if 3 parking spaces per unit will be sufficient. The applicant should indicate whether the roads within the subdivision are to be dedicated to the township or if they will be private. The listings for the lot and block on the plans and applicant and owner shown on the tree protection plans do not match the information shown on the title sheet. Testimony must be given by applicant that no specimen trees exist on site. No soil borings were performed for the site, applicant shall provide 2 within the footprint of the proposed basin and 1 under the proposed location of each of the recharge systems. Soil permeability tests are also required. The rest of the comments are technical in nature.

Mr. Truscott read from a letter dated September 1, 2006. Lot 3 is presently developed with a landscaping, nursery business with planted fields and structures, Lot 10 contains a dwelling and accessory structures. Surrounding land uses include a mix of non residential development, undeveloped land and residential development of various densities. Townhouses are permitted in the HD-7 zone. Townhouses are proposed on fee simple lots, height will be less than the maximum of 35 ft. To increase aesthetic appeal, recommend the applicant provide increased variation of the entranceways of the units. Floor plans

show 4 bedrooms, with a child study and habitable attic and unfinished basement with separate entrance. The child study and attic space could be used as bedrooms to total 6 bedrooms, with the possibility of the basement being converted. Recommend a deed restriction to prohibit the conversion of the unfinished basement into an accessory apartment. Applicant should provide expert testimony regarding the sufficiency of the amount of off street parking that is proposed. Applicant should provide construction details for the playground equipment, and the chain link fence around the tot lot should be replaced with a 6 ft board on board to increase appeal and safety. Architectural plans should be submitted for the community center. Additional lighting should be provided around the tot lot and community center. UDO requires area for storage of trash and recycling containers with a screen and should be approved by public works dept, the current set of plans to not show this. Landscaping plans do not show foundation plantings along the buildings containing townhouse units and should be provided in accordance with Section 18-803 C3 of the UDO. Also a buffer is not provided along Cross St. and should be provided and supplemented with fencing. Defer any comments about the Environmental Impact Statement to the board engineer. Lot 3 is a landscaping business and there is concern about pesticides present on site, testing should be discussed and performed if not already done.

Salvatore Alfieri Esq. appearing on behalf of the applicant, Brian Flannery is the engineer.

Mr. Flannery stated he would provide testimony at the public hearing with regard to parking and will revise plans with the other comments.

Mr. Banas asked for double driveways at each unit, 4 parking spaces instead of 3, because of past experience. 5 ft buffer will be provided along Cross St., but argued about the buffer by the 2 accessory buildings. Mr. Truscott asked for at least fencing there, and Mr. Flannery agreed.

Mr. Gatton question where the children will be picked up by buses. Mr. Flannery stated there is sufficient room for buses to turn but it is up to the Board of Education. Mr. Miller asked if Hummingbird Court, Flamingo Drive and Robin Street will be private streets and Mr. Franklin said it would be private because of the drainage situation. Mr. Flannery concurred that they will be private streets, and Mr. Jackson said they would put a disclosure in the contract stipulating the roads are private, so engineering department does not get phone calls for the township to plow. Max Peters reiterated about the retaining walls and Mr. Flannery stated they would either get a construction easement or redesign them. Mr. Truscott and Mr. Franklin stated there is no turn around at the end of Road "D", Mr. Flannery stated they would provide one. Also there seemed to be a curblin by inlet #4 which prohibits parking in front on units 1 & 2; Mr. Flannery will fix on plans. Mr. Franklin suggested dumpsters (at least 10 needed) on site because of the amount of trash containers. Mr. Banas suggested more handicap curb cuts.

A motion by Mr. Akerman, seconded by Mr. Gatton, to advance the application to the October 17, 2006 meeting with the provisions.

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

8. **SD # 1552** (Variance requested)
APPLICANT: MOSHE MENDLOWITZ
Location: end of cul de sac of Sherie Court
Block 26 Lots 6, 13 & 26
Minor Subdivision to re-align property lines of existing 3 lots

Mr. Peters stated the applicant is seeking a minor subdivision to re-align the property lines of 3 existing lots into 3 new lots. Site is located in the R12 zone. Lot 13 is located at the end of Sherie Court cul de sac and is vacant, lot 26 located on Country Club Lane and contains a 2 story framed dwelling and lot 6 is located on Hope Chapel Road and contains a 1 story framed dwelling with detached garage. As a result of the subdivision, 26.01 and 6.01 will be reduced in lot area and new lot 13.01 will be increased. New lot 6.01 does not conform to minimum side yard setback of 10 ft. it is 3.5ft requiring a variance, but is an existing condition. The zoning tabulations are not correct on the plans and shall be revised; also the side yard setbacks are reversed and are not graphically correct. Existing garage and patio at the rear of existing lot 6 will be removed. The plan shows the each lot will provide a minimum of 3 off street parking spaces. Lot 6.01 has adequate space, 13.01 does not propose any construction at this time, and parking issue can be addressed by adding a note stating that any propose dwellings will provide a minimum of 3 off street parking spaces. Lot 26.01 only provides for 2 off street parking spaces, 1 additional space is required. Each lot has provided a 6ft wide shade tree easement which will be dedicated to Lakewood Township. The applicant will be required to obtain outside agency approvals from the Ocean County Planning Board. Curb and sidewalks exist along the frontages of lots 13.01 and 26.01. There is no sidewalk along 6.01, the board should determine if one is required. The rest of the comments are technical in nature.

Mr. Truscott read from a letter dated September 1, 2006. Variances are required for pre existing conditions: bulk variances for proposed lot 13.01, proposed lot 6.01. Review comments show public water and sewer service. Lot numbers have been approved by the Tax Assessor's office. Shade Tree easement should be submitted. Plans should indicate location of shade trees. The rest of the comments are technical in nature.

Mrs. Weinstein is on vacation, Moshe Mendlowitz with Ray Carpenter appeared.

Mr. Carpenter agrees with most of Mr. Peter's comments, and agrees with Mr. Slachetka's comments and are prepared to address. Curbs and sidewalks are in place on all 3 roads.

A motion by Mr. Herzl, seconded by Mr. Akerman, to advance the application to the October 17, 2006 meeting with the provisions.

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

9. **SD # 1554** (No variance requested)
APPLICANT: MARIELLE ARYEH LLC
Location: East County Line Road, between Park Place and Apple Street
Block 171 Lot 3
Minor Subdivision to create two lots

Mr. Peters stated the applicant is seeking a minor subdivision to create 2 lots. A 2 family duplex will be constructed on each lot, which is a permitted use in the R 7.5 zone. Proposed lot 3.01 will front on East County Line Road, lot 3.02 will be a flag lot located directly behind 3.01. A 20 foot wide access easement is proposed on lot 3.01 for access to lot 3.02. The existing 22,283 sf property contains a existing 2 story framed dwelling with a pool that will be removed. The applicant will be required to obtain outside agency approvals from the Ocean County Planning Board and the Ocean County Soils Conservation District. Evidence of approvals shall be made a condition of the approval. Applicant shall address how the portion of the shared of the lots will be owned and maintained: driveways, parking areas and yards. Access to the flag lot will be provided by access easement, which is permitted, also a variance from NJSA Section 35 of the MLUL will be required for the lot having no frontage on a public street. The board may request the flag pole portion of the rear lot part of the lot itself in a fee simple manner. This will require a variance for lot area for lot 3.01. Each lot will be provided with 4 off street parking spaces, which conforms to RSIS for 3 bedroom unit. We recommend the 2 parking spaces located to the west of the proposed building on lot 3.02 be moved north toward the northern limit of the proposed building, this will eliminate the need for a long back up when leaving the

parking spaces and reduce the impervious cover. Curb and sidewalk will be installed along East County Line Road, and details have been provided. A 6ft wide shade tree easement dedicated to Lakewood Township has been provided along the front of the property. Additional trees will be provided along the side property lines to supplement the existing vegetation. Arborvitae and cypress trees will be planted on both sides of the access drive to lot 3.02.

Mr. Truscott read a letter dated September 1, 2006. Proposed lot 3.01 will have an area of 12,283 sf and proposed lot 3.02 will have an area of 10,000 sf. The applicant shall be prepared to provide testimony in accordance with NJSA 40:55D-36 to substantial the variance relief for flag lots. Under review comments, public water and sewer service will be provided. Applicant must provide copy of proposed access easement for board review. Applicant should verify trash containers will not be permanently located in northwest corner of site. The rest of the comments are technical in nature.

Mr. Penzer, Esq. appeared on behalf of the client, and provided notice to homeowners within 200 feet of application, because he made the changes fee simple. Mr. Penzer agrees with the trash, curbs and shade tree, with one sewer and water main for 2 separate services. He also agrees with the comments from the professionals.

Committeeman Miller asked if there would be adequate turn around in the driveway to get back on to County Line Road and was told the county would require that.

Mr. Franklin asked if there were supposed to be architectural plans on a flag lot and was told no by Mr. Penzer. Mr. Penzer stated they put it in a footprint. Mr. Truscott stated the ordinance said you should provide architectural plans for flag lots but the board has not been requiring them, as long as the building is in the building envelope.

Mr. Peters had a comment about the shared portion of the lots would be maintained, such as the driveways, and was told it was a duplex, one owner of the duplex who rents the other one.

A motion by Mr. Miller, seconded by Mr. Herzl, to advance the application to the October 17, 2006 meeting with the provisions.

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

- 10. SD # 1562** (No variance requested)
APPLICANT: HOMES FOR ALL (STEPS INC.)
Location: south of Oak Street, on Vermont Avenue, between Beekman Street and Lambert Street (paper streets)
Blocks 1146, 1147, 1154, 1155, 1156 Lot 1
Preliminary and Final Subdivision-56 affordable housing residential lots and 1 stormwater basin

Committeeman Miller stated he was leaving for another meeting

Mr. Peters stated the applicant is seeking a preliminary and final subdivision for 56 affordable housing residential lots and 1 stormwater basin. The site is presently wooded and is crossed by a number of existing paper streets. Located in the R-40/20 cluster zone, affordable housing is a permitted use in this zone. Mr. Peters stated that the following variances are required: lot area in Block 1146 Lot 1.13 proposed 4,692 sf where 5,000 sf is required; Lot 1.14 proposes 3,307 where 5,000 sf is required; Block 1147 Lot 1.13 proposes 692 sf and Block 1154 Lot 1.08 proposes 4,000 sf. Lot width variances: Block 1146 Lot 1.13 proposes 46.92 ft. where 50 ft is required; Lot 1.14 proposed 33.08; Block 1147 Lot 1.13 proposes 6.92 ft: Block 1154 Lot 1.08 proposes 40 ft where 5 ft is required. The lots requiring variances along with 4 additional lots that do not require variances are listed as being reserved for future development. The applicant shall provide testimony as to the nature of the future development. Emphasis should be placed on the future use of the 692 sf Lot 1.13. The applicant will be required to obtain outside agency approvals from the Ocean County Planning Board and the Ocean County Soils Conservation District and NJDEP approvals for water main extension and treatment works approval. The applicant has proposed 2 off street parking spaces for each lot. The project consists of 2 and 3 bedroom single family homes. RSIS requires 1.5 parking spaces for 2 bedroom homes and 2 parking spaces for 3 bedroom homes. The roadways are proposed to be 30 feet wide, which allows for a 16 foot wide travel way and 2-7ft. wide parking lanes. The planning board has required playground areas and community buildings to be included with similar projects, and may wish to consider these amenities with this application. The

development will be serviced by public water and sewer, and utilities will be extended into the project area. Applicant has provided curb, sidewalk and shade tree easements along the property frontages. It should be noted no sidewalk has been proposed along the Vine Avenue frontage. The board may wish to require sidewalk along Vine Street from Edgecomb Avenue to the southern limits of the project. Applicant shall indicate location size and provide details for any project signage. The street names change as the cross Vermont Avenue, which creates a confusing situation. The board may wish the street names change to be consistent. This project is affected by Ruth Street, which changes to Edgecomb Avenue as it crosses Vermont. The names of the other streets in the area can become an issue as the area becomes more developed. The curb radii shall be shown, the minimum utilized shall be 25 feet. The applicant shall provide a turn around at the terminus of all dead end streets. We recommend temporary cul de sacs, to be removed when the perpendicular streets are constructed in the future. The locations of street signs, stop signs, stop bars, and no outlet signs shall be shown on plans. Revise plans to show the stabilized access point to the stormwater management basin to allow for proper access maintenance. A fence should be installed around the basin for safety, along with an access gate. The applicant shall indicate who shall be responsible for the maintenance of the stormwater management basin; whether it be the township or homeowners association. The remainder of the comments are technical in nature.

Mr. Truscott read from a letter dated October 2, 2006. 58 building lots are proposed; 1 lot for stormwater management basin and 7 lots reserved for future development. The property is 10.18 acres in area located in the vicinity of Oak Street. Variances required are a little different from Mr. Peters because of a revised plat he received, but he will discuss the differences with Mr. Ernst and Mr. Peters. Section 18-902 B7e requires that at least 2 housing types be provided for affordable residential housing development, and only single family is proposed so a waiver will be required. Review comments show lots still need to be acquired, Block 1154 Lots 1.08, 1.09 and 1.10 will not have improved road access, even though they are for future development a note should be added indicating that approval is required prior to developing these lots. Applicant should discuss the improvements to Lot 6 of Block 1155 which is the corner of Ruth and Vermont Avenues with the board, along with discuss the improvement of Vermont Ave along the east side of Block 1156. Evergreen trees should be planted along the basin for year round screening. He recommends that area shown for new Lot 1.13 Block 1147 be consolidated with new Lot 1.12. A recreational area equal to 5 % of the tract area is required. The zoning schedule should be revised to reflect the building coverage and pervious coverage as percent of the gross tract area. The tax assessor must approve the lot numbers.

John DiVinces, Esq. appearing on behalf of the applicant with Mr. John Ernst as engineer. Mr. Ernst commented on the variances, he tried to keep uniformed lot areas, which caused thin strips which do not fit with the lot configurations, and need to acquire more lots to make them developable in the future. Also, some streets have been vacated, such as at the corner of Ruth and Vermont and the right of way was given to another piece of property which needs to be acquired. 60 x 100 ft lots are being developed, fronting on streets to be developed on the paper right of ways, and not the entire street, because it is for affordable housing. The applicant suggested gravel, which was rejected by the board. Applicant states further down from the development, the township built a recreation complex, so there is no need for a playground, but the board disagreed based on the 5%

required by the statute. States that any additional money used for this development would leave less for the affordable housing and requests the township help out with a waiver on the recreational requirements. Mr. Peters suggested using some of the thin strips that would be left undeveloped could be made recreational. Board also stated they did not like the street names being changed, but it is still less than the 5 %. Mr. Ernst also has an issue with the additional curb and sidewalk that the professionals are requesting, but the board agreed with the professionals, being there will be a lot of pedestrians in the development. There was a lot of discussions, with the engineer stating the more sidewalks the board is requiring, the more expensive the site is becoming, and reminded the board it is affordable housing. The board was persistent in the paving of an additional 200 feet of a street (Madeline) to make it a through road, and make the easier for the homeowner to get into the development and to construct the sidewalks.

No project sign is proposed, and the other issues will be complied with.

A motion by Mr. Herzl, seconded by Mr. Akerman to advance the application to the October 17, 2006 meeting with the provisions.

ROLL CALL: Mr. Herzl, yes: Mr. Franklin, yes: Mr. Banas, yes: Mr. Akerman, yes:
Mr. Gatton, yes

- 11. SD # 1563** (Variance requested)
APPLICANT: **MOSHE ARYEH**
Location: Lanes Mill Road- east of Barrymor Drive
Block 187.15 Lot 12
Minor Subdivision to create two lots

Carried to October 31, 2006. No new notice required

- 12. SP # 1854** (No variance requested)
APPLICANT: **HARROGATE**
Location: Locust Street and Vermont Avenue
Block 1082 Lots 1 & 10.01
Preliminary & Final Major Site Plan for expansion of existing senior life care facility

Mr. Peters stated the applicant is seeking preliminary and final major site plan for the expansion of an existing senior life care facility. The site currently contains an existing building, parking areas and is mostly wooded with wetlands in the eastern portion of the site. The site is located at the intersection of Vermont Avenue and Locust Street in the R 20/12 cluster zone. No variances are requested. The applicant will be required to obtain outside agency approvals. Zoning table shows .75 parking spaces per bed are required. Plans indicate 358 spaces are provided. Plans should be revised to show the proposed number of beds at the facility. Limits of the footprints are not shown on the plans and should be revised. Courtyard seems to overlap the footprint of the existing building. Please clarify. Contours around existing basin should be labeled. It appears some of the contours in this area do not tie into the exiting contours and shall be revised. Groundwater recharge

calculations should be provided by applicant's engineer for review.

Mr. Truscott read from a letter dated October 2, 2006. 21,00 sf of building renovations is proposed with 54,000 sf of building additions and 3,300 sf of portico and porch additions. Reconstruction of the circular drive and small parking area and stormwater management basin are proposed. The property is 47 acres located in the southern portion of the township. Surrounding land use is residential and vacant. Mr. Truscott questioned whether the board has jurisdiction on this application because of the conditional use it is a threshold requirement for parking spaces. Mr. MacFarlane testified that when the project is the total beds in the facility is 340 beds. Parking requirement would be 275. Application can proceed. Maximum building height in this zone is 35 ft; architectural plans should provide the information for height. He recommends the landscape and lighting plans be incorporated into the site plan drawings. 30 foot buffer shall remain undisturbed. A screen of evergreens along the stormwater basin may be appropriate. EIS has been submitted to address the NJDEP and is in compliance.

Ed O'Malley, Esq. appeared on behalf of the applicant, with Mr. MacFarlane as the engineer.

Mr. MacFarlane stated they received their CAFRA approval and agree to meet all the requirements of the professional staff.

A motion by Mr. Herzl, seconded by Mr. Gatton, to advance the application to the October 17, 2006 meeting with the provisions.

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

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

Mr. Peters stated the applicant is seeking minor subdivision to create two lots. One lot will be a flag lot. One dwelling exists and will be removed. 2 new single family homes are proposed. Situated on Miller Road, approximately 175 ft. south of Shady Lane within the R-12 zone. No bulk variances are required. Access easement is proposed to be provided for the flag lot. A variance is required for the access easement. Board may request the applicant make the flag pole portion part of the rear lot to make it a fee simple arrangement, which will require a variance for lot width for lot 21.01. All outside agency approvals will be required. A minimum of 3 off street parking spaces has been provided for each lot and curb sidewalk and shade tree easement have been provided along the property frontage. Public water will service the dwellings with individual septic system. Applicant should provide testimony to the distance of the nearest public sewer.

Mr. Truscott read from a letter dated September 29, 2006. Review comments are that architectural plans should be provided. New lot number should be approved by the tax assessor. The balance of the comments are technical in nature.

Mr. O'Malley, esq. appeared on behalf of Mr. Shea. Notice will be sent to homeowners within 200 feet for the October 17, 2006 meeting. Mr. Carpenter is the engineer and testified that public sewer about 1200 feet away from the site. He agreed with the remainder of the professional comments.

A motion by Mr. Herzl, seconded by Mr. Gatton, to advance the application to the October 17, 2006 meeting with the provisions.

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

8. PUBLIC PORTION

Mr. William Hobday, 30 Schoolhouse Road, Lakewood. His concern is that the engineer's report and the planner's report is not available to the public until after the meeting. Mr. Jackson commented that that public can not speak at the technical meeting, and they are available 2 weeks before the public meeting. The paperwork would be too burdensome for the secretary to prepare.

9. APPROVAL OF BILLS

A motion by Mr. Akerman, seconded by Mr. Fraklin, to approve the bills

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

10. APPROVAL OF MINUTES

None at this time.

11. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Chris Johnson
Planning Board Recording Secretary