

**LAKWOOD PLANNING BOARD
MINUTES
OCTOBER 9, 2007**

I. CERTIFICATION OF COMPLIANCE

Chairman Banas called the meeting to order at 6:00 p.m. with the Pledge of Allegiance and Ms. 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 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 purpose of public inspection and, a copy of this Agenda has been mailed, faxed or delivered to at least two of the following newspapers: The Asbury Park Press, The Ocean County Observer, or The Tri-Town News at least 48 hours in advance. This meeting meets all the criteria of the Open Public Meetings Act.”

2. ROLL CALL

Mr. Herzl, Mr. Franklin, Mr. Neiman, Mr. Fink, Mr. Gatton, Mr. Percal

3. SWEARING IN OF PROFESSIONALS

Mr. Peters and Mr. Truscott were sworn in.

4. NEW BUSINESS

1. SD # 1603 (Variance requested)

Applicant: Joseph Rosenbaum

Location: River Avenue, between James Street & Edgemont Court
Block 415 Lots 10, 11, 12

Preliminary & Final Major Subdivision for 7 duplex buildings

Mr. Peters stated the applicant is seeking Preliminary and Final Major Subdivision Approval to subdivide three (3) existing lots into seven (7) new lots. Two existing dwellings and garages located on old Lots 10 and 11 are to be removed. A two family duplex dwelling is proposed on each of the new lots. The property is located along River Avenue (state highway route 9). The eastern portion of the property is in the HD-6 zoning district and the western portion of the property is in the R-10 zoning district. Variance are required for the following: Side Yard Setback: Lots 10.01, 10.02, 10.06, and 10.07 propose 10 foot side yards where 12 feet is required. Lot Width: Lot 10.04 proposes a width of 70 feet where

75 feet is required. Outside agency approvals are required from the Ocean County Planning Board, Ocean County Soil Conservation District, NJDOT, and NJDEP for TWA, and wetlands LOI. The Letter of Interpretation from NJDEP shall be provided along with the NJDEP stamped plan. Evidence of approvals shall be made a condition of final subdivision approval. The applicant shall revise the plans to include required and proposed off-street parking spaces in the zoning schedule. The applicant shall provide testimony on whether the proposed road will be public or private. The architectural plans provided show duplex units containing five bedrooms and a basement with no direct outside access. The plans show a driveway that provides three off-street parking spaces is proposed for each of the units. In accordance with RSIS, a minimum of three off-street parking spaces shall be provided for a two family duplex unit. The Planning Board should determine if the three parking spaces per unit are adequate for this application. The applicant shall propose a name for the new road and submit the road name to the Lakewood Township Zoning Secretary for approval. Evidence of approval shall be provided prior to signature of the final plat. All easements and right of ways shall be shown on the Site Development Plan. The applicant shows on the plans underground recharge trenches. Drainage utility easements either to be dedicated to the Township or a Homeowner Association shall be shown on the plans. If a Homeowner Association is to be formed, documents of the Homeowner Association shall be submitted to the Township Solicitor and Engineer for review. The HOA documents shall address the ownership of the Stormwater management facilities and any other public portions of the development. The applicant shall revise the plans to show radius of the proposed cul-de-sac. A minimum of radius of 40 ft is required for cul-de-sac per RSIS; however, it is our understanding if school buses will access a cul-de-sac if the turning radius must be a minimum of 55 ft. The board should determine if the applicant should increase the size of the cul-de-sac to allow for school bus access. The NJDOT typical desired future Right of Way shall be shown on the plans. The proposed development will be served by public sewer and water lines. The applicant shall provide testimony on whether the existing dwellings are served by public utilities or individual septic fields and wells. Any existing wells and septic shall be removed in accordance with NJDEP standards and stated as such on the plans. Six (6) foot wide shade tree and utility easements are proposed to be dedicated to the Township along proposed Road "A" and the River Avenue frontage of the property. The applicant shows on the plans a wetland buffer line within the 20 ft rear yard setback for Lot 10.03, 10.04, and 10.05. As a result, the usable rear yard depths for the lots are less than 20 ft. The Planning Board should determine if the reduced useable rear yards are acceptable. Proposed lot numbers shall be submitted to the Township Tax Assessor for approval. Evidence of the approval shall be provided prior to signature of the final plat. The applicant shall revise the plans to call out all proposed features. The applicant shall revise the plans to show the zoning line that divides the property into two zoning districts. On the Title Sheet, the applicant shall either move the HD-6 text or change shade of the hatch that marks location of the site on the Zoning Map, as it shows right now the HD-6 is partially blocked by the solid back hatch. The applicant shows existing driveways on the plan. If the driveways are to be removed, they shall be labeled as to be removed. Curb and sidewalk are existing along the River Avenue frontage of the property. The applicant shows on the plans proposed curb and sidewalk along proposed Road "A". The remaining comments are technical in nature.

Mr. Truscott read from a letter dated October 4, 2007. The applicant is seeking preliminary and final major subdivision approval to create seven building lots at the above-referenced location. The applicant proposes to construct seven duplex structures; each structure will contain two dwelling units each, for a total of fourteen (14) residences. The applicant also proposes to construct a cul-de-sac intersecting with River Road to provide road access to the new lots. The site is located on the west side of River Road (Route 9) between Edgewood Court and James Street. The tract is 3.21 acres in area and contains two single-family dwellings. Both existing residences will be removed as part of this project. The subject property is located in the HD-6 and R-10 Residential Zone Districts. Duplexes are a permitted use in the R-10 Zone, provided the lot size is at least 12,000 square feet. Duplexes are a conditional use in the HD-6 Zone. The following variances are requested: The lot width of Lot 10.04 is 70 feet; the minimum lot width is 75 feet. The side yard setback of Lots 10.01, 10.02, 10.06, and 10.07 is ten feet; a minimum of 12 feet is required. The subdivision plat and engineering drawings should be revised to indicate the zone boundary between the HD-7 and R-10 Zone Districts. The road name must be identified on all the drawings and submitted to Lakewood Township for review to avoid street name duplication. The architectural drawings indicate that the duplexes will have basements and five (5) bedrooms each. There are three (3) models proposed in the drawings provided to our office. We note that the proposed dwellings on Lots 10.03, 10.04, and 10.05 will be located very close to the boundary of the transition area of a freshwater wetlands area. The transition area is intended to be an undisturbed area. Therefore, the effective rear yard of the proposed residences is limited to a range of 5 to 20 feet. The "desired typical section" (DTS) per the NJDOT for this segment of Route 9 should be identified on the plans. The proposed sight triangle easement should be identified on the subdivision plat. All site improvements must be in compliance with NJ RSIS, and the plan should indicate same. Dimension all driveway areas. Our office has not been provided with an Environmental Impact Statement for this development application. The remaining comments are technical in nature.

John Miri, Esq. appeared on behalf of the applicant with Brian Flannery, the engineer for the applicant. Mr. Flannery stated they would supply all the information requested. The big issue that came up is the 55 ft. cul de sac and obviously on this small piece of property that appears to be a problem and if the board were to grant a few additional variances, they could pull the cul de sac back and be able to fit it in. Mr. Neiman said it is important, especially on Route 9, they don't want buses stopping on Route 9, they would rather they pull into a cul de sac. Mr. Flannery said they would look closely and last time they were able to make that accommodation and hopefully this time they can do the same. Mr. Flannery said the other item was the question of whether it would be a private road or a public road, and they would rather it be a public road, but they would defer to the public works department. Mr. Neiman wanted to address the parking and asked if it was 6 spaces per unit (3 per duplex) and Mr. Flannery said that is what is shown on the plans but they are just here for a 7 lot subdivision and that is what the professionals stated would be needed, but no site plan is as of yet. Mr. Neiman asked if duplexes were permitted in the zone and Mr. Truscott said yes and that six parking spaces were provided for each lot. There were no outside entrances to the basements shown on the architectural plans.

Mr. Percal asked if there was any play area and Mr. Flannery said no. He stated the ordinance says anything over 25 units requires one and they are less than 10 and are only asking for a subdivision. Mr. Neiman asked if an LOI was received and if there were monuments and Mr. Flannery said there is an LOI and the monuments was a comment that was mentioned in the professional's report and will be addressed.

Motion was made by Mr. Herzl, seconded by Mr. Franklin, to advance the application to the meeting of November 27, 2007

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Neiman; yes, Mr. Fink; yes, Mr. Gatton; yes, Mr. Percal; yes

2. SD # 1606 (VARIANCE REQUESTED)

APPLICANT: A. ROTTENBERG/KEDMA INC.

Location: 366 Ridge Avenue, west of Manetta Avenue
Block 236 Lot 49

Minor Subdivision to create 2 lots

Mr. Peters stated the applicant is seeking Minor Subdivision Approval to subdivide one (1) existing lot into two (2) new lots. The existing dwelling on the old Lot 49 is to be demolished. No new construction is proposed at this time. The property is situated along Ridge Avenue, within the R-10 Zoning District. The applicant is requesting the following variance: Minimum lot area: for Lot 49.02; 10,000 sf is required, where 7,574.1 sf is provided. Minimum lot width: for Lots 49.01 and 49.02; 75 ft is required, where 52 ft and 50 ft are provided. In addition to the above variances, the applicant is requesting a wavier for providing 33 ft street R.O.W on Ridge Avenue, where a 50 ft R.O.W is required. The applicant has proposed a road widening easement to yield a 25' half width equivalent. Ocean County Planning Board approval will be required. Evidence of approval shall be made a condition of final subdivision approval. The existing dwelling shall be removed prior to signature of the final plat or a bond posted to ensure its prompt removal after the subdivision is completed. A note shall be added to the plan stating a minimum of three (3) off-street parking spaces shall be provided if single family dwellings are proposed on the new Lots. Curb and sidewalk are existing along the Ridge Avenue frontage of the property. A 6' shade tree and utility easement and an 8.5 ft wide road widening easement are proposed to be dedicated to the Township along Ridge Avenue. The remaining comments are technical in nature.

Mr. Truscott read from a letter dated October 3, 2007. The applicant is seeking minor subdivision approval to subdivide Lot 49 into two (2) non-conforming building lots. The property is 24,115 square feet (0.55 acres) and situated in the R-10 Residential Zone. The subject property is located on the south side of Ridge Avenue approximately 102 feet west of Manetta Avenue, in the northern part of the Township. The tract contains one existing dwelling, which will be removed. The subject property is located in the R-10 Zone and single-family dwellings are a permitted use. The following variances are requested: Lot Area: Proposed Lot 49.02 is 7,574 square feet in area; a minimum of 10,000 square feet is required. Lot Width: The lot width of proposed Lot 49.02 is 52 feet and it is 50 feet for proposed Lot 49.01; a minimum of 75 feet is required. The applicant should address the

positive and negative criteria for the requested variances. The applicant should provide testimony and an exhibit of the lot area and lot width of lots in the surrounding area to address the requested variances. Consistency of the proposed dwelling with the neighborhood should also be addressed. The plat should be revised as follows: The figures for maximum building height and maximum building coverage should indicate the proposed figure or a "less than" symbol. Existing sidewalk is shown along the frontage of the subject lots on both Ridge Avenue. The remaining comments are technical in nature.

Mr. Miri, Esq. appeared on behalf of the applicant along with the applicant Aharon Rottenberg.

Mr. Miri stated they will address all the comments in the professional's reports for the public hearing and Mr. Neiman stated that was very important when the board grants variances in cases like this, they like to look at the whole neighborhood and to keep the consistency of this lot with the whole neighborhood.

Mr. Gatton questioned if it was going to be a flag lot and was told no, both houses would be facing the road.

Motion was made by Mr. Herzl, seconded by Mr. Fink advance the application to the meeting of November 27, 2007

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Neiman; yes, Mr. Fink; yes, Mr. Gatton; yes, Mr. Percal; yes

3. SD # 1607 (VARIANCE REQUESTED)

APPLICANT: 319 CEDAR BRIDGE LLC

Location: Cedar Bridge Avenue, across from Lakewood Corporate Park
Block 548 Lots 170, 187, 191-195, 297

Preliminary & Final Major Subdivision-60 single family dwellings, 2 opens space lots,
And 2 commercial lots

Mr. Peters stated the applicant is seeking Preliminary and Final Major Subdivision Approval to subdivide eight (8) existing lots into Sixty five (65) new lots. The existing lots are predominately vacant. Sixty five (65) new lots are proposed, for sixty single family homes, one open space lot, one wetland and buffer lot, one clubhouse lot, and two retail lots. Lot 170.48 contains wetlands, wetlands buffers, and provides a 300 foot buffer to the Cotterals Brook. The project is located along Cedar Bridge Avenue, within the Cluster R15/R10 zoning district. No variances are requested by the applicant; however, the applicant is requesting a wavier for not providing required parking spaces for the proposed clubhouse. The project requires approvals from Ocean County Planning Board and Ocean County Soil Conservation District. NJDEP permits for Treatment Works Approval and Water Main Extension are also required. A copy of the NJDEP LOI and the stamped plan from the NJDEP shall be provided for review. Evidence of approvals shall be made a condition of final subdivision approval. It is not clear if the applicant has applied for Site Plan Approval for the two retail lots in addition to Preliminary and Final Major Subdivision Approval. This shall be clarified by the applicant. The retail lots need additional

information for review including drive aisle and parking space dimensions, curb radii, trash enclosures, etc. The applicant shall revise the plans to include required and proposed off-street parking spaces in the zoning schedule for proposed residential lots. The applicant shows on the architectural plans 5 bedrooms family dwellings are proposed with no basements. Per RSIS standard a minimum of three off-street parking spaces are required each dwelling. The driveways proposed are measured to have the capacity to accommodate three parked cars. The Planning Board should determine if the provided off-street parking spaces are adequate. Per UDO Section 18-904 Cluster Zoning, a lot yield plan showing the development of the tract using the conventional zone district requirements and strictly applying all limiting factors shall be provided for review. The applicant shall provide the proposed street names to the Lakewood Township Zoning Secretary for approval. Evidence of approval shall be provided prior to signature of the final plat. The applicant has shown on the plans category one water 300 ft buffer line. Permanent markers shall be installed along the buffer line to ensure that the C1 buffer is to be preserved. The applicant shall provide testimony on the need for providing recreational area for the proposed residential development. It appears that the proposed clubhouse is to face toward the proposed retail building on Lot 170.49 rather than proposed residential development. We recommend that the applicant relocate the clubhouse to a more central location within the residential development. At minimum the clubhouse shall be rearranged to face the residential development that it serves. In addition sidewalk shall be added to provide more convenient pedestrian access from the development to the clubhouse. The Site Development Plan provided by the applicant is insufficient. The applicant shall show and call out and dimension all proposed features and easements on the plan. We recommend the applicant subdivide the Site Development Plan into three sheets so the contents can be clearly read. The applicant shall revise the plans to show radius of the proposed cul-de-sac. A minimum of radius of 40 ft is required for cul-de-sac per RSIS; however, it is our understanding if school busses will access a cul-de-sac if the turning radius must be a minimum of 55 ft. The board should determine if the applicant should increase the size of the cul-de-sac to allow for school bus access. The plans show unlabeled rectangular boxes and what appears to be existing fence on the Existing Condition Map. The plans shall be revised to show all existing features on the plan. Existing structures that are to be removed shall be labeled as to be removed. Usually a 6' wide shaded tree and utility easement is required to be dedicated to the Township at frontage of the property. The plans do not show any shade tree and utility easements. The Planning Board should determine if the easement is required for this project. The applicant shows on the Final Plat drainage easements and an open space are to be dedicated to Homeowners Association. HOA documents shall be submitted to Township Solicitor and Engineer for review. The Final Plat shows sight triangle easements are to be dedicated to Ocean County at proposed entrance to Cedar Bridge Avenue. Sight triangle easements are shown on the plan at corners of proposed interior roads, Shenandoah Drive and Walker Drive, and Shenandoah Drive and Rockbridge Road are to be dedicated to Lakewood Township. Curbs are existing along a portion of the Cedar Bridge Avenue frontage of the property; the uncurbed portions are not proposed to be curbed. Sidewalk is proposed along the Cedar Bridge frontage. We recommend curb be added for safety purposes. Curb and sidewalks are proposed along the roads interior to the development. The applicant shall provide testimony on how solid waste will be handled for the retail lots. The applicant shall show and call out proposed curbs, sidewalks, handicap ramps, proposed dwellings, trash enclosure, depressed curbs, street signs, traffic control signs,

and any other proposed features. The proposed development will be served by public sewer and water lines. The applicant shall show on the Site Development Plan dimensions of driveways, trash enclosure and parking spaces. The applicant shall revise the Site Development Plan to remove any excessive lines shown on Lot 189. The applicant shall explain what the shaded area behind the proposed retail building east to Shenandoah Drive is. All existing structures and foundation located on lots to be dedicated for open space shall be labeled as to be removed. The applicant shows on the Utility Plans concrete cradles are used where separations between water and sewer lines are less than 12". We recommend the applicant provides a minimum of 18" separation between proposed water and sewer lines. We defer review of the final design to the property Utility Authority. The applicant shall revise the Road Profiles Plans to replace graphic scale labels with horizontal scale and vertical scale. On sheet 4 of the site plans a dark line along Walker Drive east of Lot 170.40 is what appears to be a proposed retaining wall, but it is not labeled on the plans. On sheet 6 of the site plans a retaining wall east of the proposed retail building on Lot 170.49 is not called out on the plans. The applicant shall call out on the plans all proposed retaining walls. Sufficient top and bottom of wall spot elevations shall be given for the retaining walls as well. Locations of the borings that have been conducted on site shall be shown on the plans. The applicant shall revise the plans to correct the following discrepancies on proposed contours: On sheet 4 of the site plans, the proposed 44 and 45 contours west of the proposed retail building shall be tied to either proposed or existing contours. The proposed 40 contour north to the proposed basin has a section where is too close to the proposed 49 contour. The proposed 44 contour near the text "match sheet 6" is mistakenly labeled as a 46 contour, and shall be corrected. On sheet 5 of the site plans, the proposed 39 and 40 contours southeastern of Lot 170.20 and the proposed 37, 38, 39, and 40 contours west of Lot 17.21 shall be tied to either proposed or existing contours. The applicant shows on the sheet that southeastern corner of the proposed dwelling on Lot 4 has a spot elevation of 42. The proposed 42 contour behind the dwelling shall be move closer to the corner. The proposed 44 contour disappears on the cal-de-sac north of the sheet shall be tied to a proposed or an existing contour. On sheet 5 of the site plans, a spot elevation near the text "match sheet 4" is missing and shall be added to the plans. The proposed 55 contour west to the proposed clubhouse disappeared after across Stonewall Court shall be connected to either a proposed or existing contour. The stormwater runoff from the wetland buffer area north and west of the property shall be included in the post and pre-development stormwater calculations. Existing contours shown on the Pre-development Drainage Area Map are very hard to read. An enlarged map with each contour line distinctly labeled shall be provided for review. Units for flow rates are missing from Table 1 Total Project Runoff in the introduction of the stormwater report. The units shall be added to the table. In addition, the pre-development flow for 100 year stormwater event shall be 13.6 not 113.6. We recommend runoff from residential area to be directed into the proposed infiltration basin rather than sections of perforated pipes scattering throughout the entire site. This will make maintenance and managing of the drainage system a lot easier. Once boring locations are shown on the plans, we will examine the seasonal high ground water elevations compared to basement floor and underground recharge trench inverts elevations. In accordance with the Lakewood Plot Plan Ordinance and the NJ BMP Manual basement floor elevations and under ground recharge trench invert elevations shall be 2 ft above the seasonal high ground water elevations. There is an existing berm shown on the plans along the eastern property line behind Lots 170.21 through 170.28. The

grading in this area shall be revised such that the inlet grate are the low point, as currently designed any runoff that misses the inlet will flow to the rear property line and be trapped by the berm. The infiltration pipes that run between the lots from Lot 170.21 through 170.25 are designed without an overflow. In the event of infiltration failure or overflow of the pipes, the overflow will be directed to the rear of the lots where it will become standing water. An overflow shall be provided either piped or overland. The application is inconsistent between the depths of recharge trenches in the stormwater report and what are in the recharge trench details. For example, the trench detail for a 36" triple pipe shows a 4 ft deep trench; however, Appendix E of the stormwater report the applicant shows the depth of 5.45 ft in the volume rating table for Recharge A. This discrepancy shall be resolved. The stormwater report shows in the Underground Recharge Storage Volume Tables in Appendix H of the Stormwater report the outside pipe diameters are used to calculate widths of the trench. Even with perforated HDPE pipe, the applicant shall not include thickness of the pipe wall as storage area. Interior diameters instead of exterior diameter shall be used to define the width of the recharge pipes. In Appendix F of the stormwater report, test hole No Sp-6 from 72" deep and test hole No SB-11 from 48" deep have permeability rates that are invalid with colon in between numbers. The applicant shall correct this discrepancy. In Appendix F of the stormwater report, Tube Permeate Test Sheets show permeability rates less than 20 in/hr which are used by the applicant for infiltration calculations through out the report. Most of the permeability rates that are less than 20 in/hr are from 48" deep samples. After the applicant revises the plans to show boring locations, we will determine if the 20 in/hr permeability rate is acceptable. The applicant shall apply a safety factor of two to the tested permeability results to obtain the values to be used in the calculations. All stormwater runoff from impervious areas on site shall be pretreated before collected by the proposed underground drainage system. The applicant shall show a Stop Sign Detail with a red reflective strip on the face of pole. The applicant shall revise the Handicapped Sign Detail to show a 250 dollar penalty instead of 100 dollars. A Trash Enclosure Detail shall be added to the Construction Detail in accordance with section 18-809 of the Lakewood UDO. The applicant calls out quadruple recharge trench on the plans, but didn't show the trench detail on the Construction Detail Plan. A quadruple recharge trench detail shall be added to the Construction Detail. The location of the New Jersey Department of Environmental Protection (NJDEP) regulated floodplain boundary should be shown on the site plans to determine whether the proposed project will impact the floodplain. (§18-820B.3a.2) Considering the former industrial and commercial uses at the site, the locations of existing potable, observation, and groundwater monitoring wells should be shown on the site plans. (§18-820B.3a.2) Based on NJDEP Natural Heritage Program information an endangered plant species, swamp pink (*Helonias bullata*) and a threatened snake species, northern pike snake (*Pituophis m. melanoleucus*) may be present on the site. The applicant should indicate whether an inventory of the site was completed for swamp pink and the northern pine snake to determine whether the proposed project would impact these species. (§18-820B.3a.7 and §18-820B.7) Project impacts on the adjacent Ocean County Park should be identified. (§18-820B.7) Proposed lots 170.39 and 170.40 appear to be open space. Proposed lots 170.47 and 170.49 contain areas which are undeveloped. However, the Tree Save Plan is unclear whether the areas will be maintained as forest. This issue should be clarified by the applicant. (§18-820B.7) Proposed lots 170.21 through 170.31, 170.32 through 170.35, and 170.40 through 170.46 will be located adjacent to proposed retail uses and commercial uses. The applicant should indicate

methods to minimize adverse impacts of the proposed or existing development on these residences. The EIS appears incomplete as it references that a Phase I Environmental Site Assessment (ESA) is attached, but was not provided. A copy of the Phase I ESA should be provided. The proposed stormwater management basins will probably receive nutrients and fertilizers from the storm water runoff. The applicant should provide a maintenance and cleaning plan for the proposed basins that takes these concerns into account. (§18-820B.7) The past use of the site as a hog farm, as reported in the EIS is a cause for concern. In our experience, hog farms in New Jersey were typically supplied with restaurant waste (generally a mixture of discarded food, food containers, utensils, and dishes), which was used as feed. After the edible portion of the waste was consumed, the residue and hog waste was often piled or buried on site. Buried manure can generate methane gas. The construction of homes on former hog farms has on occasion necessitated extensive remedial action. We recommend that the applicant's environmental professional revisit the site, including wetlands areas, and thoroughly inspect for evidence of waste piles and waste burial. If present, all such materials must be excavated and properly disposed off site. (§18-820B.7) The report identified that the site had been in agricultural production. We recommend that surface soil samples be collected in the upland areas proposed for development and tested for arsenic, lead, and organic pesticides according to the guidelines presented in the Findings and Recommendations for the Remediation of Historic Pesticide Contamination (NJDEP, March 1999). The results should be compared to the New Jersey Residential Direct Contact Soil Cleanup Criteria. A copy of the results and a discussion of findings should be forwarded to the Township and T&M. The remaining comments are technical in nature.

Mr. Truscott read from a letter dated October 8, 2007. The applicant is seeking Preliminary/Final Major Subdivision and Major Site Plan approvals to construct sixty (60) single-family residential dwellings, one (1) clubhouse, one (1) open space lot, a stormwater detention basin, and necessary improvements in the R-15/R-10 Cluster Zone District. In addition, the applicant is proposing to construct two (2) retail structures, one (1) of which is proposed to have multiple retail stores in the Corporate Campus/Stadium Support Zone (B-6). The applicant requests approval to create sixty-five fee simple lots, sixty lots for the single-family residential dwellings, the clubhouse, the stormwater detention basin, the open space lot, and the two retail lots. The applicant is proposing to consolidate Block 548, Lots 191, 192, 297, and 193 into proposed Lot 170.47. The tract contains three (3) cement/dilapidated foundations with the remainder of the site in wooded uplands and wetlands. All the existing structures and foundations on the site are proposed to be removed. Freshwater wetlands are located along the western and northern borders of the property. The applicant has provided the Board with an NJDEP Letter of Interpretation (LOI) which specifies that these wetlands are of intermediate resource value requiring a 50-foot buffer. The subject property's natural boundary is the Cotterals Branch of the Metedeconk River, a State designated Category One waterway with a 300-foot buffer area. The proposed retail uses will be accessed from Cedar Bridge Avenue. The entrance road to the proposed residential area will be from one access point called Shenandoah Drive proposed from Cedar Bridge Avenue. In addition to Shenandoah Drive, the site will have three proposed roadways, Walker Drive, Rockridge Road, and Stonewall Court. The tract is approximately 47 acres in area and consists of seven tax lots. The site is located in the Corporate Campus/Stadium Support Zone (B-6) & R-15/R-10 Cluster Zones. The proposed uses are permitted in the zones in which they are located in. The applicant

does not require bulk variances at this time. The applicant has not met the submission standards set forth for Section 18-904 for the Cluster Single-Family Residential Development. The applicant is required to provide a yield map, and a yield map was not provided as part of the submission. A yield map is needed to determine overall permitted density and the number of lots. In addition, the applicant will need to specifically designate areas to accommodate active recreation facilities. These areas can be deeded to the Township or other organizations. Please see comments regarding open space below. The applicant should verify that bulk variances are not required for the following residential lots: Block 548, Lot 170.29 and Lot 170.46. The applicant should submit evidence to verify that these lots meet the minimum lot width requirements for the R-15/R-10 cluster zone. Township development regulations define lot width as follows: Lot Width: The mean horizontal distance between the side lot lines measured at right angles to its depth. Required lot width shall be measured at the most forward allowable building line or setback line; however, the mean width shall not be less than the required lot width (emphasis added). Section 18-200. The applicant should provide the following notations on the subdivision plat: The location of the stormwater detention basin should be noted on the plat, as well as whether it will be dedicated to the Township or the Homeowners Association. The applicant should provide a notation on the plat that Block 548, Lot 170.39 is proposed to be dedicated to the Homeowners Association. The applicant should indicate to the Board whether the stream corridor buffer area will be deed restricted as a conservation easement and dedicated to the Township. The applicant will be required to disclose to prospective owners the location of the stream corridor and the restrictions that are entailed. The applicant has proposed a cross-easement with the proposed retail use on Block 548, Lot 170.49 and the proposed clubhouse on Block 548, Lot 170.32. The access driveway proposed should be reflected on the plans. The applicant should provide a notation on the plat that Block 548, Lot 170.32 will be dedicated to the Homeowners Association for a clubhouse. The lot configuration of Lot 170.35 should be discussed with the Board. In the residential sections of the subdivision, the applicant has proposed a variable width drainage easement throughout the plat that will be deeded to the Homeowners Association. All site triangle easement identified in the subdivision have been deeded to the Township of Lakewood in the subdivision. In the retail sections of the subdivision, a variable width utility easement is proposed to be deeded to the L.T.M.U.A. The proposed site triangle easements have been proposed to be deeded to Ocean County along Cedar Bridge Avenue. The applicant has proposed to vacate the twenty (20) foot wide L.T.M.U.A. utility easement in the residential areas of the development. All proposed easement language should be provided for Board review prior to Board approval of the plan. Survey descriptions should be reviewed by the Board Engineer. The applicant has proposed to dedicate one lot known as Block 548, Lot 170.39 as open space. This lot is proposed to be deeded to the Homeowners Association. The applicant should provide details regarding proposed amenities for the open space area, such as the location of a play area, benches and trash receptacles. The applicant should clarify what is meant by the notation "Restricted Area 2 on survey." No survey was included in the submission. Block, Lot 170.48 is a 16.732-acre parcel that includes a stormwater detention basin (proposed on Cedar Bridge Avenue and adjacent to Block 548, Lot 170.01) as well as the areas that encompass the stream corridor buffers, wetlands, and wetlands buffer, and an area with an unspecified use, adjacent to Block 548, Lots 170.17, 170.20 and 170.21. The applicant should provide a conservation easement for all areas associated with stream corridor buffer and wetlands and dedicate those areas to the Township. The applicant also

should specify the intended use of the area adjacent to Block 548, Lots 170.17, 170.20 and 170.21. If it is intended to be an open space area, the applicant should dedicate this area to the Homeowners Association or the Township. The applicant has proposed improvements on Block 548, Lots 170.47 and 170.49, which include large areas of open space. The applicant should indicate what they intend to do with the remaining area not proposed for improvements. We note that the adjoining land use is operated by the Lakewood Fire Commission (Block 548, Lot 189). The applicant should verify the level of activity/noise from the fire station and whether any mitigation is appropriate for the residential area. The applicant should indicate whether consideration is appropriate to connect Shenandoah Drive to Drexel Avenue, thus eliminating a cul-de-sac bulb and providing an additional access point for the proposed residential areas. The applicant should present information concerning the clubhouse building. The applicant should confirm the clubhouse will be managed by the Homeowners Association. If so, this should be noted on both the subdivision plat and site plan. The applicant also should provide an elevation and floor plan of the proposed structure. The clubhouse should be specified to be completed (by evidence of the issuance of a C.O.) prior to issuance of a C.O. for the 31st single-family residence. Prior to the issuance of a Certificate of Occupancy for any of the proposed units, a Homeowners Association should be established for the ownership and maintenance of all common areas. The Board attorney should review the draft Association documents prior to submission to the New Jersey Department of Community Affairs. Off-street parking shall be provided in accordance with the NJ Residential Site Improvement Standards (RSIS). The applicant has provided architectural plans that show a proposed 5-bedroom residential unit. RSIS requires the provision of three (3) parking spaces for each residential unit. The project engineer should certify that all site improvements are in compliance with the RSIS. Retail Use. The applicant has proposed two retail uses. The Township development regulations require a parking standard of one (1) space per two hundred (200) square feet of gross floor area. The applicant has proposed 99 parking spaces for the 19,800 square foot retail building on Block 548, Lot 170.47 and 50 parking spaces for the 10,000 square foot retail building on Block 548, Lot 170.49. Both conform to the Township standards. The applicant has not proposed parking for the clubhouse use in the residential development. Township development regulations specify for other public building a one (1) space per four hundred (400) square feet of gross floor area. The proposed clubhouse is 9,600 square feet which would require 24 parking spaces. The applicant indicates that the clubhouse is pedestrian accessible and that any overflow parking will be accommodated from the parking area on Block 548, Lot 170.49. The applicant has proposed a vehicular cross-easement and two pedestrian easements from this lot to the clubhouse. The applicant may require a design waiver for the proposed shared parking arrangement. The applicant has proposed a tree save plan. The applicant should verify that any trees proposed for removal are not specimen trees. The applicant will be required to replace specimen trees as part of this development if needed. The applicant should address the comments of the Shade Tree Commission. The applicant has provided a berm and landscaping between the residential uses proposed and the retail use on Block 548, Lot 170.47. Sidewalks are not provided along the entire frontage of Cedar Bridge Avenue. Walkways from the front sidewalk into the retail sites should be provided. The applicant has not proposed signage indicating the name of the proposed residential use. The applicant should specify whether one is intended and the proposed location. The applicant has not provided information concerning the proposed free-standing site identification. The applicant should specify

whether one is intended for the retail centers and the proposed location. The applicant has provided architectural plans for the retail structure proposed on Block 548, Lot 170.47. The applicant has proposed eleven separate signs for the front elevation and four on the left side elevation. No rear or right elevations were provided. The applicant will need to demonstrate conformance with the sign regulations at Section 18-812.A.10.b. No such architectural plans were provide for the retail structure proposed on Block 548, Lot 170.49. The applicant should provide floor plans and elevations for this structure. We defer our comments to the Board Engineer regarding the proposed location of the stormwater detention basin and the adequacy of such facility for the proposed development. The applicant is required to ensure that maintenance of said facility is guaranteed. The applicant has provided architectural plans for the residential structures. The applicant will need to demonstrate conformance with Section 18-821, in which at least two (2) or more separate basic house designs are provided to the Board for their review. Clarification in writing from the NJDEP that the 300-foot C-1 buffer may overlap the single-family residential lots. If so, a determination of a deed restriction is required. The remaining comments are technical in nature.

Mr. Shea, Esq. appeared on behalf of the applicant with Mr. Flannery as the engineer. Mr. Shea said this property is right next door to John Franklin's public works facility, and it surrounds the firehouse. Mr. Shea wanted to clarify and correct the agenda that this application does not require any variances but Mr. Neiman pointed out that a waiver or variance on parking for the clubhouse is requested so it is not incorrect. Mr. Flannery started with the comments that needed to be addressed from the professionals report and started with parking and stated the applicant's idea was that it was to be shared parking, the ordinance has provisions to allow for parking agreements for facilities in close proximities and the board knows the uses of the clubhouses in these subdivisions and their parking needs are different than when businesses are in operation and Mr. Neiman said if it is over at the other end of the development you will need some parking there, but Mr. Flannery stated there will be a cross access agreement so they will be able to park and he showed on the plans where the cross access agreement with the retail building would be and that is already in place. They looked at centrally locating the clubhouse and there are 2 sides to that. The one side is putting it in the middle of residences where there is a conflict of uses, and they have chosen to put it at the end of a cul de sac at the nearest store to provide a transition, and he feels there needs to be a transition between retail and residential, and the clubhouse provides that. They have also, with the firehouse, provided open, undeveloped areas around three sides of that and a lot of thought went into that when then plans were developed. Another comment was to extend the cul de sac on Drexel Avenue, but the only place for that to go would be the public works driveway, and he did not think that was a good idea. There is an access easement at the commercial property so there are really 2 ways in and 2 ways out. Another comment to be addressed was the diameter of the cul de sac and Mr. Flannery stated this application is different because the school buses can come in and go out and there are only 3 houses on one cul de sac that can walk to the corner and 10 on another cul de sac so there is no need for buses to enter in the cul de sacs. Mr. Neiman asked about parking on the main street and Mr. Flannery stated the street is wide enough to accommodate parking and they have shown 3 off street parking for each house, but they are here for a subdivision and do not know what type of houses will be built on the lots. The individual lots would be reviewed by the Township under the plot plan ordinance as far as parking, grading, etc. and Mr.

Neiman said with a subdivision this size and the possibility of basements, they are going to need more than 3 off street parking spaces per lot and he would also like to see only one side of the street parking. Mr. Flannery said the street is certainly wide enough to accommodate parking on both sides but they had no problem with restricting parking to one side only if that is what the board and the professionals want. Mr. Flannery said this is not like a typical townhouse development, but a single family subdivision, and this property was recently rezoned by the Township specifically for this purpose. Mr. Flannery said they would provide the map requested by the professionals for the cluster zone and it was on oversight, but it will prove that they comply. Trident Environmental has done the study on the premises and that report will be available for the next meeting. They have received the recommendations from the Shade Tree Commission and they will address them and what they can and can not comply with at the public hearing. They will also submit a Tree Removal Plan. As far as the wetlands, Mr. Flannery stated there is a C1 stream that requires a 300ft. buffer but a stream that borders with farming activity, which this property qualifies, it only requires a 150 ft buffer, but they have respected the 300 ft. buffer, and there are a few lots that the 300 ft buffer line runs through their rear yards, they can still use their yard, they just can't build on it. Mr. Shea stated they acknowledged the overlap and agree with the professionals but Mr. Flannery said the only thing they don't agree with is that they need written confirmation from the DEP, but the DEP laws are pretty clear that you can't do any development within 300 ft. and we are not proposing any development within 300 ft. We will put in a deed restriction that will prohibit any development.

Mr. Neiman asked about all the stormwater comments, and Mr. Flannery stated they will address them all at the public hearing. Mr. Peters had a question for Mr. Flannery. He stated that there was lots by the firehouse that were to remain wooded and the commercial lots that showed trees to remain and asked if it was restricted, but Mr. Flannery stated no restriction was being proposed at this time. They are commercial properties, and before anything can be done to them, they would have to come back to the board, but the present applicant has no plans further than what is shown here. Mr. Peters asked if on the lot yield plan it would be considered part of the retail lot and not open space and Mr. Flannery said yes.

Mr. Franklin suggested that where the homes that back up to the public works site are located, he suggested there be a sound wall put in because they start at 6:30 in the morning, and when there are snowstorms, they are working all night, 2-3 days straight. They put in a berm in anticipation of this project, and the berm run 7-10 ft. high and they have planted trees that are maturing, but he thinks that a lot of noise is still going to travel. Mr. Flannery said they would have to look into it, as they have all seen the sound barriers on the highways, and hope they are not envisioning anything of that magnitude. He said they would be happy to meet with Mr. Franklin's office to discuss. Mr. Truscott suggested a decorative wall. Mr. Gatton wanted to see a professional opinion about the parking around the clubhouse and that the parking for the clubhouse will be at different times than for the stores. Mr. Flannery said they can put a study together of the typical developments and they will provide the information. Mr. Fink had a question about Lot 170.39 being dedicated to the homeowners association and asked what the purpose was and Mr. Flannery stated it was for passive recreation or open space. Mr. Percal asked if it was supposed to be a playground and Mr. Flannery said if the homeowners association wanted

one there, it would accommodate one, but their intention was to leave it as kind of a buffer between the firehouse and residence and right now they are not proposing any playground. Mr. Neiman said with a development this size, there should be a few areas of recreation and Mr. Flannery stated one of the comments from the professionals was to show some benches and they are going to do that, and listening to the comments from the board members, it sounds like it would make more sense to come back to the December. Ms. Johnson stated that meeting would be January 8, 2008. Mr. Gatton said he could not see children walking from one end of the development to this playground and Mr. Flannery said they would look at it but there will be swing sets in the back yards of the homes. Mr. Neiman asked what the reason they didn't propose curb and Mr. Flannery said only curbing not proposed is along the area on Cedar Bridge Avenue which is past the culvert and when the county widened the roadway they did not put curb there for the same reason, for environmental reasons, and they are asking for a waiver for that reason, but internally they have curbs and sidewalks for the entire development. Mr. Peters asked him to clarify that on the plans, because it was not clear to him and Mr. Flannery said he would. Mr. Herzl asked about sidewalks along Cedar Bridge Avenue and Mr. Flannery said there would be sidewalks there. Mr. Truscott asked that Mr. Flannery submit the map ASAP to his office for verification of the clustering.

Motion was made by Mr. Herzl, seconded by Mr. Fink, to advance the application to the meeting of January 8, 2008

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Neiman; yes, Mr. Fink; yes, Mr. Gatton; yes, Mr. Percal; yes

Mr. Gatton left the meeting. There was still a quorum.

4. SP # 1874 (NO VARIANCE REQUESTED)

APPLICANT: SARAELLA HOLDINGS LLC

Location: Cedarbridge Avenue @ corner of Airport Road
Block 1160.12 Lot 261

Preliminary & Final Site Plan for office, terminal and warehouse building

Mr. Peters stated the applicant is seeking Preliminary and Final Site Plan Approval of Block 1160.12, lot 261. A three story office building and a warehouse are proposed on the Lot 261. The lot is current vacated. The property is located at corner of Cedar Bridge Avenue and Airport Road, within the PS zoning district. No variances are requested by the applicant. The applicant shall revise the zoning schedule to reflect that Lot 261 has two frontages one on Airport Road and another on Cedar bridge Avenue. The applicant will be required to obtain approvals from Ocean County Planning Board and Ocean County Soil Conservation District. Evident of approvals shall be provided prior to signature of the Site Plan. The applicant shall provide testimony on usage of the proposed office building. Dental and medical offices may require more parking spaces in accordance with section 18-903 3.b of the Lakewood UDO. A note shall be added to the plans to state that no dental and medical offices will be located in the office building. The applicant shows on the plans one 25'x10' dumpster enclosure for the entire site. The applicant shall provide testimony the anticipated volume waste to be generated and if the dumpster be sufficient or the waste volume for both proposed buildings. In addition, the applicant shall show

dimensions of the dumpster enclosure on the plan. A 6' wide shaded tree and utility easement and a sight triangle are proposed to be dedicated to the Township along Airport Road and Cedar Bridge Avenue frontage of the property and at the right turn ramp from Airport Road to Cedar Bridge Avenue. Stop bars shall be added to the plans next to proposed stop signs. Dimensions and color of the stop bars shall be called out on the plans. Concrete curbs are existing along Airport Road and Cedar Bridge Avenue frontages of the property. The Planning Board may wish sidewalk to be installed along the frontages of the property, none are currently proposed. The applicant does not show handicap ramps for the ramp areas in front of the proposed office building. Handicapped ramps will also be required for any sidewalk located within any public right of way. The applicant shows on the Grading & Utility Plan water and gas lines for the proposed buildings as if they are existing water and gas lines. The applicant shall revise the plan to darken the water and gas lines. The applicant shall provide spot elevations at west corner of the proposed warehouse to show that sufficient slope has been provided to drain stormwater runoff from the corner to inlet CDI 14. The applicant has not shown any elevations at that location at all. Locations of roof drain and clean out shall be shown on the plans. Guide rail shall be instead along the drive aisle adjacent to the stormwater management basin. The plans shall be revised to include vehicle turning templates to ensure maneuvers around the office building and access to the warehouse loading area are achievable. The property boundary is not the drainage boundary. In accordance with the existing contours and spot elevations shown on the Existing Drainage Area Map, stormwater runoff from a portion of the neighboring Lot 263 shall be considered into the stormwater calculations for the existing condition. In the stormwater management report, the applicant described the basin as a recharge basin, but refers to regulations for both detention basins and retention basins. In addition, the regulations that the applicant listed for retention basin in the narrative contradict what the New Jersey BMP Manual requires. The applicant stated that retention basins are to be designed such that the bottom of the basin is a minimum of 1' above the groundwater level. In the contrary, per chapter 9.11 of the BMP Manual, the manual states 3'-6' of permanent pool depth for a retention basin is recommended, and groundwater inflow can be utilized to recharge the basin. The applicant shall address these discrepancies. A minimum of two feet of separation from the bottom of the basin to the seasonal high groundwater elevation shall be documented if infiltration is proposed. It appears the proposed basin will function as an infiltration basin. The applicant shall reword the Stormwater Management Report to reflect that an infiltration basin is proposed. The applicant shows no emergency spillway for stormwater to exit off site for storm event greater than 100 year. This created a potentially dangerous situation. The applicant shall revise the plans to include an emergence outlet. The applicant shall provide the mathematical equation for the basin volume calculations in appendix C. The drainage diagram report sheets for the 100 year event flow rate calculations of areas A-1 and A-2 for the proposed condition are missing from the stormwater report. The applicant shall revise the report to include the report sheets in the report. An article unrelated to the project is attached to appendix C of the Stormwater Management report. The article shall be removed from the report. The applicant shall add a Typical Sign Mounting Detail to the Detail Sheet for proposed traffic control and street signs. The Mounting Detail shall show a red reflective strip inserted on the pole area, for stop signs. A handicap ramp detail is shown on the Construction Detail Sheet. Detectable warning surface with truncated domes shall be included in the detail.

Handicap parking signs shall be shown on the plans. In addition, a handicap parking sign detail shall be added to the Detail Sheet. The location of the New Jersey Department of Environmental Protection (NJDEP) regulated floodplain boundary should be shown on the site plans to determine whether the proposed project will impact the floodplain. (§18-820B.3a.2)

The remaining comments are technical in nature.

Mr. Truscott read from a letter dated October 5, 2007. The applicant is seeking preliminary and final site plan approval to construct a 53,600-square foot office building and 12,600-square foot warehouse/wood shop facility at the above-referenced location. The site improvements include associated off-street parking and drainage facilities. The parcel is 3.63 acres in area and vacant. The subject property is located at the southeast corner of the intersection of Cedarbridge Avenue and Airport Road. The subject property is located in the PS Industrial Park Professional Service Zone. Office buildings are a permitted use in the PS Zone. The second building is identified on the plan as a warehouse which is a permitted use. However, the architectural floor plan drawings indicate the building will be used as a wood shop. The two drawings should be reconciled and the applicant should confirm that the proposed use is a permitted use in the PS Zone. No variances are requested. Sidewalk is not proposed along Airport Road, nor along Cedarbridge Road. The Planning Board should decide if sidewalk is appropriate. Off-street parking is provided for the proposed buildings in accordance with Section 18-903.O.3. of the UDO. Please note that the UDO states in that section that “the off-street parking requirements are minimum requirements and the zoning officer may require additional off-street parking facilities if compliance with the minimum requirements would cause congestion in the streets and create a traffic hazard or would for a special reason be unsafe or dangerous to public health, welfare and safety.” Traffic impact testimony should be provided. A copy of the Consent Order referenced in Note # 21 on Sheet One of the Site Plan should be submitted to the Planning Board for its records and to the Board professionals for their review and information. All site improvements shall comply with the Barrier Free Subcode and a plan note should so indicate. An accessible curb ramp is necessary at the two accessible parking spaces in front of the building. We recommend that a low perimeter hedge or shrubs be provided along the outside (east and north sides) perimeter of the parking areas. On-site maneuvering of trucks on the southeast corner of the site to the warehouse building without interference with the balance of the site should be clarified. We will defer to the determination of the Board Engineer for this item. The balance of the comments are technical in nature.

Mr. Miri Esq. appeared on behalf of the applicant with Mr. Burdick as the engineer. Mr. Burdick stated they are on a consent order on this property based on the county and state purchasing and building the additional interchange on the parkway. They are restricted to right in only at the northeast corner of the property and unlimited access off of Airport Road and that is how they designed this site plan. With regards to Mr. Peters report, they will comply with the exception of the sidewalks, they would like a waiver as this is in the industrial zone in a somewhat remote area and there are no sidewalks in the area. Mr. Neiman asked if the dumpster is for both buildings and Mr. Burdick said yes, and they would provide additional information and if there was the possibility of an additional dumpster needed they could construct one in the loading area and there will be screening for both dumpsters. They agree to comply with the remaining comments in Mr. Peter’s

letter. With reference to Mr. Slachetka's report, they believe wood shops is consistent with section 903 0-1P 3 & 4 which allows for wood products, manufacturing and assembly, and wood container assembly within the PS zone. The parking does meet the Township requirements and they will add a note to the plans making sure no medical or dental offices are in there requiring additional parking. With regard to traffic, this intersection was recently improved and he believes he was improved sufficiently to handle the traffic for this property and they will provide that information. Mr. Neiman asked if there was a traffic light at the corner and Mr. Burdick said yes but there was no concern with stacking. Mr. Burdick said with regard to the buffer planting, there was a typo on the planners' report and as far as the truck entrance, the larger trucks would enter through Cedar Bridge Avenue and they anticipate 2-3 per week and the smaller trucks, UPS and the like could maneuver through Airport Road. The truck maneuvering area is for exit only, so there will be no 2 way traffic there. They will also comply with the Shade Tree as much as possible and will comply with the remainder of the planner's comments.

Motion was made by Mr. Herzl, seconded by Mr. Mr. Franklin, to advance the application to the meeting of November 27, 2007

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Neiman; yes, Mr. Fink; yes, Mr. Percal; yes

5. SD # 1609 (VARIANCE REQUESTED)
APPLICANT: ALIZA JACOBOWITZ & BARBARA ZELINGER
Location: 11th Street, west of Princeton Avenue
Block 150.06 Lots 17 & 18
Minor Subdivision to adjust lot line

Mr. Peters stated the applicant is seeking Minor Subdivision Approval to reconfigure Lots 17 and 18 into two new Lots 17.01 and 17.02. The existing dwelling and its garage on old Lot 17 is to be removed. A two story dwelling is proposed on each of the new lots. The property is situated along Eleventh Street, within the R-10 Zoning District. The proposed site is located in the R-10 Zoning District. The applicant based their zoning schedule on the R-7.5 Zone. Based on the current zoning requirements for the R-10 zone, the following variances are required for Lots 17.01 and 17.02: Minimum lot area: 10,000 sf are required, where 6,138.6 are proposed. Minimum lot width: 75 ft are required, where 65 ft are proposed. Minimum front yard setback: 30 ft are required, where 25 ft are proposed; Minimum rear yard setback: 20 ft are required, where 15 ft are proposed. Minimum side yard setback: 10 ft one side and 25 ft aggregate are required, where 7 ft one side and 15 ft aggregate are proposed. Maximum building coverage: 25% maximum is permitted, where 29.3% is proposed. The applicant shows on the zoning schedule 3 off-street parking spaces are provided for each of the proposed dwellings; however, on the Improvement Plan the applicant shows driveways that can only accommodate one car. The applicant shall revise the driveways to provide the minimum 3 off-street parking spaces for each proposed lots. The Planning Board should determine if 3 off-street parking spaces are adequate for this project. Ocean County Planning Board and Ocean County Soil Conservation District approval will be required. Evidence of this approval shall be made a condition of final subdivision approval. The proposed residence will be serviced with public sewer and water. Curb and sidewalk are shown on the plan. The applicant shall

call out these existing features on site. In addition, the applicant shall label all existing structures which are to be removed as to be removed on the plans. The applicant shall show existing and proposed water and sewer connections on the plans. A Roadway Repair Detail shall be added to the Improvement plan. A 6 ft wide shaded tree and utility easement is proposed to be dedicated to the Township along Eleventh Street frontage of the property. The remaining comments are technical in nature.

Mr. Truscott read from a letter dated October 4, 2007. The applicant requests minor subdivision and variance approvals to create two (2) undersized lots at the above-reference location. The subject site is 12,277 square feet (0.28 acres) in area and is situated on the north side of Eleventh Avenue approximately 70 feet west of Princeton Avenue. The property contains a single-family residence, which will be removed. The subject property is located in the R-10 Residential Zone District. The following variances are required: Lot Area: Lots 17.01 and 17.02 have a proposed lot area of 6,138.6 square feet; a minimum of 10,000 square feet is required. Lot Width: Both lots are 65 feet in width; a minimum of 75 feet is required. Front Yard: 28 feet provided; 30 feet required for both lots. Rear Yard: 15.44 feet provided, and 20 feet required (both lots). Maximum Building Coverage: 29% proposed, and a maximum of 25% permitted (both lots). The positive and negative criteria for the requested variances must be addressed. The applicant should present testimony concerning the surrounding properties addressing the land uses and prevailing lot sizes. A tax map exhibit and tabulation of lots should be presented. The subdivision plat should be revised to indicate the correct zone district (R-10). The plat should be revised to show the correct bulk requirements in the Zoning Chart and in the plan view. All variances should be denoted in the Zoning Chart. The subdivision plat indicates that the lots will be serviced by public water and sewer utilities. The map should indicate that off-street parking will be in compliance with the NJ RSIS. Although the plan indicates that three (3) parking spaces will be provided, the plan does not identify sufficient area for three vehicles. There is existing sidewalk in front of both proposed lots. The remaining comments are technical in nature.

Mrs. Weinstein, Esq. appeared on behalf of the applicant with Mr. Flannery testifying for the engineer. There was a discrepancy with the zoning of this property and the correct zone is R-10. They will re-notice for the public hearing even though their notice has a catch all. Mr. Kitrick agreed. Mr. Franklin suggested getting a copy of the tax map for reference. Mr. Neiman asked if they were moving a lot line and Mrs. Weinstein explained there are currently 2 lots on this property, when the applicants bought the property it was represented by the sellers it was 2 lots and saw one was undersized but both owned by one owner which meant they would be combined by the assessor, so as of right now they are still 2 lots and they are trying to avoid the problem later. They will present testimony of the lots being in character with the neighborhood.

Mr. Neiman said they also have to address the parking issue with the accommodation of 3 cars vs. what the professionals state in their report, and also bring a tax map to the public hearing. Mr. Flannery agreed. Mrs. Johnson stated Mr. Mack provided a letter showing the correct zoning is an R-10 and not an R 7.5.

Motion was made by Mr. Herzl, seconded by Mr. Gatton, to advance the application to the meeting of November 27, 2007

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Neiman; yes, Mr. Fink; yes, Mr. Percal; yes

6. SD # 1610 (VARIANCE REQUESTED)

APPLICANT: MOSES STERN

Location: Bruce Street @ corner of Pearl Street
Block 248.02 Lots 31-34

Minor Subdivision for 4 lots

Mr. Peters stated the applicant is seeking Minor Subdivision Approval to re-configure four (4) existing lots into four (4) new lots. Existing dwellings are located on the old Lots 31, 33, and 34. Existing Lot 32 is currently vacated. The dwellings and garages on Lots 33 and 34 are to be razed. The dwelling and garage on the Lot 31 will remain. No new dwellings are proposed on the new lots under this application. The property is situated at the corner of Pearl Street and Bruce Street, within the R-7.5 Zoning District. The applicant is requesting the following variance and for proposed Lot 31.01: Front yard setback; 25 ft is required, where 24.8 ft is provided to Bruce Street. Front yard setback for the garage, 25 ft is required where 20 ft is required. Rear yard setback for the garage; 7 ft is required, where 6.5 ft is provided. In addition to the above variances, the applicant is requesting a wavier for providing 40 ft street R.O.W on Pearl Street, where 50 ft R.O.W is required. If required by the Board, additional R.O.W dedication or easements would take away for the parking area for Lot 31.01. All the variances and wavier condition are for existing conditions. A note shall be added to the plan stating a minimum of three (3) off-street parking spaces shall be provided if single family homes are proposed on the new Lots. The board should determine how many parking spaces will be required for duplex units. Per RSIS five (5) parking spaces are required for duplex units. The required and proposed number of parking spaces shall be added to the zoning table. The number of parking spaces required for single family and duplex homes shall be shown. The board should be aware that a minimum lot area of 10,000 sf is required in the R-7.5 zoning district in accordance with Lakewood UDO, if two family/duplex structure is proposed in the future. Ocean County Planning Board approval will be required. Evidence of approval shall be made a condition of final subdivision approval. The existing dwellings and garages on old Lots 33 and 34 shall be removed prior to signature of the final plat or a bond posted to ensure prompt removal of these existing structures. Six (6) foot wide shaded tree and utility easements are proposed to be dedicated to the Township along the Bruce Street and Pearl Street frontage of the property. A sight triangle easement is to be dedicated to the Township at intersection of the two streets frontage of the property. Curbs and sidewalks are existing along Bruce Street and Pearl Street frontage of the property. The curbs and sidewalks are generally in poor condition. A note shall be added to the plan stating any deteriorated curb and sidewalk shall be replaced as directed by the Township Engineer. The remaining comments are technical in nature.

Mr. Truscott read from a letter dated October 3, 2007. The applicant is seeking minor subdivision approval to consolidate Lots 31, 32, 33, and 34 and create four building lots. The property is 39,876.6 square feet (0.915 acres) and situated in the R-7.5 Residential Zone. The subject property is located at the northwest corner of the intersection of Bruce Street and Pearl Street in the northern part of the Township. The tract contains three

existing dwellings, two of which will be removed. The subject property is located in the R-7.5 Zone and single-family dwellings are a permitted use. The following variances are requested: Front Yard Setback: The existing dwelling on proposed Lot 31.01 has a front yard setback of 24.8 feet (Bruce Street) and a minimum of 25 feet is required. Front Yard Setback/Accessory Building: The existing two-car garage on proposed Lot 31.01 has a front yard setback of 20 feet (Pearl Street) and a minimum of 25 feet is required. Rear Yard Setback/Accessory Building: The existing garage on proposed Lot 31.01 is setback 6.5 feet from the rear property line, and a minimum of 10 feet is required. The applicant should address the positive and negative criteria for the requested variances. The plat should be revised as follows: The bulk chart should be revised to reflect the required rear yard setback of proposed Lot 31.01. The combined side yard setback for Lot 31.01 is not applicable. The figures for maximum building height and maximum building coverage should indicate less than the required figure. Existing sidewalk is shown along the frontage of the subject lots on both Bruce Street and Pearl Street. Street trees are not proposed along the frontage of the subject lots. The remaining comments are technical in nature.

Mr. Flannery appeared on behalf of the applicant and stated the comments are minor and they will make the changes.

Motion was made by Mr. Herzl, seconded by Mr. Fink, to advance the application to the meeting of November 27, 2007

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Neiman; yes, Mr. Fink; yes, Mr. Percal; yes

7. SD # 1611 (NO VARIANCE REQUESTED)

APPLICANT: DAVID FLAM

Location: southeast corner of Pearl Street & Bruce Street
Block 246 Lots 47-50

Minor Subdivision for 3 lots

Mr. Peters stated the applicant is seeking Minor Subdivision Approval to realign four (4) existing lots to create three (3) new lots. Existing dwellings are located on old Lots 47, 49, and 50. Existing Lot 48 is vacant. All existing structures are to be razed within the property limit. No new construction is proposed for this project. The property is located at the corner of Pearl Street and Bruce Street, within the R-7.5 Zoning District. No variances are requested by the applicant. The applicant should request a wavier for providing 40 ft street R.O.W on Pearl Street, where 50 ft R.O.W is required. The applicant has proposed a road widening easement to yield a 25' half width equivalent. The minimum rear yard and side yard setbacks for accessory building shall be revised to 7 ft in accordance with current UDO. Ocean County Planning Board approval will be required. Evidence of approval shall be made a condition of final subdivision approval. All existing structure to be removed shall be removed prior to signature of the final plat or a bond posted to ensure prompt removal of these existing structures. A note shall be added to the plan stating a minimum of three (3) off-street parking spaces shall be provided if single family homes are

proposed on the new Lots. The board should determine how many parking spaces will be required for duplex units. Per RSIS five parking spaces are required for duplex units. The required and proposed number of parking spaces shall be added to the zoning table. The number of parking spaces required for single family and duplex homes shall be shown. The board should be aware that minimum lot area of 10,000 sf is required in the R-7.5 zoning district if two family/duplex structures are proposed in the future. A six (6) foot wide shaded tree and utility easement is proposed to be dedicated to the Township along the Bruce Street and Pearl Street frontages of the property. A sight triangle easement is to be dedicated to the Township at intersection of the two streets at the frontage of the property. A 5' wide road widening easement is proposed to be dedicated to the Township along the pearl Street frontage of the property. Curbs are existing along Bruce Street and Pearl Street. Sidewalk is existing along the Pearl Street frontage of the property. The curbs and sidewalks are generally in poor condition. A note shall be added to the plans that any deteriorated curb and sidewalk shall be replaced prior to issuance of a certificate of occupancy. New sidewalk shall be added along the Bruce Street frontage of the property. The remaining comments are technical in nature.

Mr. Truscott read from a letter dated October 3, 2007. The applicant is seeking minor subdivision approval to consolidate Lots 47, 48, 49, and 50 and create three (3) building lots. The property is 30,000 square feet (0.68 acres) and situated in the R-7.5 Residential Zone. The subject property is located at the southeast corner of the intersection of Bruce Street and Pearl Street in the northern part of the Township. The tract contains two existing dwellings and several accessory buildings, all of which will be removed. The subject property is located in the R-7.5 Zone and single-family dwellings are a permitted use. No variances are requested. The applicant should discuss the rationale for configuring two (2) of the three (3) lots with frontage on Pearl Street. We note that Lots 47-50 currently front on Bruce Street. The plat should be revised as follows: The bulk chart should be revised to reflect the required rear yard setback of proposed Lot 47.01 as 15 feet. The combined side yard setback for Lot 47.01 is not applicable. The figures for maximum building height and maximum building coverage should indicate less than the required figure. Existing sidewalk is shown along the frontage of Pearl Street, but not along Bruce Street. The Planning Board should decide if sidewalk is appropriate along Bruce Street. The balance of the comments are technical in nature.

Mr. Neiman asked if there were sidewalks along Bruce Street and was told there were not but that there would be sidewalks there by Mr. Flannery who said that Mr. Banas would be back by the public hearing. Mr. Flannery said they would address the comments in the professionals report. Mr. Percal asked if this applicant was related to the prior application and was told it would have to be treated as 2 different applications.

Motion was made by Mr. Herzl, seconded by Mr. Fink, to advance the application to the meeting of November 27, 2007

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Neiman; yes, Mr. Fink; yes, Mr. Percal; yes

8. SD # 1405A (NO VARIANCE REQUESTED)
APPLICANT: GUDZ ROAD LLC
Location: Gudz Road, south of Miller Road
Block 11.01 Lots 1 & 13
Extension of Preliminary & Final Major Subdivision for 8 lots

Mr. Truscott stated that the applicant requested and extension of a previously approved or a re approval but their findings are that it is a new approval, as all the old approvals have expired. It is being treated as a new application, new ordinance to apply. Mr. Kitrick agreed.

Mr. Peters stated the applicant is seeking Preliminary and Final Major Subdivision Approval to subdivide two (2) existing lots into nine (9) new lots. The site currently contains two single family dwellings. The existing dwelling at frontage of the property is to be remained and the dwelling at rear of the lot is to be removed. Seven (7) new single family homes are proposed. A proposed stormwater basin is to be located on new Lot 13.04. The project is located along Gudz Road, within the R-12 zoning district. No variances have been requested by the applicant. The outside agency approvals are required from the Ocean County Planning Board and Ocean County Soil Conservation District. NJDEP permit for Treatment Works Approval and Water Main Extension are also required. Evidence of approvals shall be made a condition of final subdivision approval. The proposed street name "Ilan Court" shall be approved by the Lakewood Zoning Secretary and evidence of approval provided. The applicant shall revise the development plans to show lot area for Lot 13.04 is the same as the lot area shown on the Final Map. The bearing length of 247.56' at south property boundary shall be revised to 318.11' as well. The applicant shall remove comments regarding existing Lot 16.01 from zoning schedule. Lots 13.01 and 13.09 shall be deed restricted to prohibit access on Gudz Road. The proposed dwellings will be served by public sewer and water lines. The applicant shows on the Utilities, Grading & Drainage Plan the existing building on Lot 13.01 will be served by public sewer and water lines, but the exist disposal field for the dwelling is labeled to be remain. The disposal field should be removed in accordance with NJDEP standards. The applicant shows in the zoning schedule 3 off-street parking spaces are provided for each dwelling. The Planning Board should determine if the 3 off-street parking spaces are adequate for this application. A 20 ft wide utility easement is proposed through neighboring Lot 4.04. Easement agreement documents shall be submitted to Planning Board Solicitor for review, and the legal description submitted to the Planning Board Engineer for review. The easement agreement shall be finalized prior to signature of the final plat. The applicant shall revise the plans to show radius of the proposed cul-de-sac. Minimum of 40 ft radius is required for cul-de-sac in residential area by RSIS; however, it is our understanding if school buses will access a cul-de-sac if the turning radius must be a minimum of 55 ft. The board should determine if the applicant should increase the size of the cul-de-sac to allow for school bus access. The applicant shows on the Final Map a 6' wide shaded tree and utility easement is proposed to be dedicated to the Township along ILAN Court and Gudz Road frontage of the property. In addition, the applicant shows on the plans sight triangles at entrance of the development to be dedicated to the Township. Concrete curb is existing along Gudz Road and is proposed along the cul-de-sac. No sidewalk is existing or proposed and shall be added to the plans. The applicant shall show and call out proposed curbs, sidewalks, handicap ramps, trash enclosures,

depressed curbs, street signs, traffic control signs, stop bars, fire hydrants and any other proposed features. The radii of all curves shall be shown on the plans. The radius of the curb at the intersection of the cul-de-sac and Gudz Road shall be a minimum of 25 feet. The applicant shall show on the Layout Plan dimensions of the proposed driveways. The Stormwater Management Report shall be submitted for review. The report shall address the requirements of N.J.A.C. 7:8 Stormwater runoff from or passed through impervious area shall be pretreated prior to enter the proposed underground recharge pipes. The remaining comments are technical in nature.

Mr. Truscott read from a letter dated October 5, 2007. The applicant requests two one-year extensions of the prior subdivision approval for the above-referenced project. However, our information indicates that Final Major Subdivision approval was granted by resolution memorialized on November 18, 2003. Final approval expires after two years unless extensions are granted. It is our position that the approvals have expired and, therefore, a new approval is required. Therefore, we have reviewed the application as a new application under the current UDO requirements. The applicant proposes to create seven new single-family residential lots and one lot for a stormwater management basin. The applicant proposes to construct a cul-de-sac street for access to the subject lots and a stormwater management basin. The basin will be owned and maintained by a Homeowners Association. The 3.5-acre parcel is located on the south side of Gudz Road. The property contains two existing dwellings. The existing residence located near the front of the site will remain, and the other residence will be removed. The property is located in the R-12 Residential Zone and single-family dwellings are a permitted use. No variances are requested. The subdivision plat should be revised to identify the access restriction to Lots 39.01 and 39.09 on the subject lots. The note on the bottom of the sheet is not sufficient. The applicant should confirm that the list of property owners on the cover sheet of the plans is current. A copy of an Environmental Impact Statement should be submitted. The applicant must address Section 18-803.H (Tree Protection). The engineering drawings must be revised to address the following: The lot areas in the bulk chart for new Lots 13.04, 13.05 and 13.06 do not match the lot areas in the plan view. The lot area of new Lot 13.09 does not match the lot area shown on the plat and must be corrected. Clarify "WP" on the Landscape Plan (Sheet 5). The Landscape Plan should be revised to provide a mix of landscaping around the basin, including shrubs and trees. The applicant should address compliance with Chapter 18-1010.9., which requires that commonly-owned areas be owned and maintained by a non-profit homeowners association. The Township UDO identifies specific requirements as well as requiring that the applicant adhere to the New Jersey Department of Community Affairs (NJDCA) requirements. The document must be filed with the NJDCA. Off-street parking for all proposed lots must comply with NJ RSIS standards. The plans indicate the existing structures are to be removed. All structures must be removed or a bond posted for such removal prior to the signature of the plat by the Planning Board. The applicant should indicate if the plans are in compliance with the new Stormwater Management Regulations. The remaining comments are technical in nature.

Mr. Miri, Esq. appeared on behalf of the applicant with Ray Carpenter as the engineer. Mr. Carpenter said the only issue needed to be resolved is the issue of the school buses and they have no intention of school buses entering the subdivision since it is only 7 houses. They can comply with the remaining comments in both professionals' reports.

Mr. Neiman asked if there were basements in the units and outside entrances and Mr. Carpenter stated there were and he believed the entrances were in the rear of the buildings. Mr. Neiman said he would need more parking spaces than 3 if there were basements and Mr. Carpenter said he would clear that up with the applicant and find out where the location of the entrances were, whether internal or external. He also stated sidewalks would be added to the plans.

Motion was made by Mr. Herzl, seconded by Mr. Fink, to advance the application to the meeting of November 27, 2007

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Neiman; yes, Mr. Fink; yes, Mr. Percal; yes

9. SD # 1612 (NO VARIANCE REQUESTED)

APPLICANT: CONGREGATION ZICHRON SCHNEUR INC.

Location: Oak Knoll Road between Case Road & Arbutus Road
Block 24.01 Lots 19 & 62

Minor Subdivision to create 2 lots

Mr. Peters stated the applicant is seeking Minor Subdivision Approval to re-configure Block 24.01, Lots 19 and 62 into two new lots. A synagogue and a two story dwelling exist on Lot 19 and 62 respectively. No new construction is proposed under this application. The property is situated on Oak Knoll Road, within the R-20 Zoning District. No variances are requested by the applicant. The applicant shall revise the plan to show the existing parking spaces on Lot 19.01, to confirm 20 spaces are existing. In the zoning schedule, the applicant shows 1 parking space is required per every 100 sf of sanctuary for the synagogue parking calculations. Per section 18-905 of the UDO the 1 parking per 100 sf rule is only valid for synagogue with main sanctuary space between 800 and 1999 square feet. The applicant shall provide documentation on the square footage of the sanctuary space in the synagogue. Ocean County Planning Board approval will be required. Evidence of this approval shall be made a condition of final subdivision approval. A 6 ft shade tree and utility easement is proposed to be dedicated to the Lakewood Township along Oak Knoll Road frontage of the property. Curbs are existing along the Oak Knoll Road frontage of the property, new concrete sidewalk is proposed. The applicant shall show and call out any depressed curbs and aprons on the plan, details shall be added to the plan as well. Section 18-905 of the Lakewood UDO requires a 20 ft buffer to be provided when places of worship are adjacent to residential lots. The applicant shows on the plan an existing fence around the synagogue to separate it from neighboring residential lots. The applicant shall clarify type of the fence on the plan. The Township should determine if additional screening is required. The remaining comments are technical in nature.

Mr. Truscott read from a letter dated October 3, 2007. The applicant is seeking minor subdivision approval to consolidate the rear portion of Lot 62 with Lot 19. No new building lots are being created by the proposed subdivision. The property is 39,495 square feet (0.907 acres) and situated in the R-12 Residential Zone. The subject property is located

on the north side of Oak Knoll Road, approximately 120 feet northwest of Case Road. A one-story synagogue is situated on existing Lot 19 and a two-story dwelling is located on Lot 62. Both structures will remain. The subject property is located in the R-12 Zone. Single-family dwellings and houses of worship are permitted uses. No variances are requested. Existing sidewalk is shown along the frontage of the subject lots. The plat indicates that lot numbers have been approved for the subject lots. The plat indicates that the lots are served by private well and septic systems. Please confirm that the proposed subdivision will not adversely impact and sewer services for both lots. Correct the new lot number of 62.01 shown on the plat. The balance of the comments are technical in nature.

Mrs. Weinstein, Esq. appeared on behalf of the applicant. She stated they will comply with the comments in the professionals' reports. The purpose of this subdivision is solely for parking, to make additional spaces for parking. They will calculate the parking spaces that exist and will calculate the spaces that will be created. There is not septic and well, that is a mistake, no one would build a synagogue with septic and well. As far as the buffer, what is existing is to remain and the applicant is planning on adding a fence along the perimeter of the new portion they are subdividing and they will show it on the plans. Sidewalks are proposed along the entire frontage.

Motion was made by Mr. Herzl, seconded by Mr. Franklin, to advance the application to the meeting of November 27, 2007

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Neiman; yes, Mr. Fink; yes, Mr. Percal; yes

5. PUBLIC PORTION

Mr. Michael Field, who represents Mordechai Minzer who owns property adjacent to the property to the application SD # 1405A. He wanted to put on record this evening his concern with the rear yard drainage on the property that will be abutting his. Mr. Neiman said at the public meeting of November 27th, anyone with concern can voice them. He has no problem with him voicing it now but the board cannot comment on it, the proper time would be at that public meeting. Mr. Field said his other issue was that they were hoping to hook up to the sewer line and they were hoping to get some sort of easement to do that. Mr. Neiman said that this may not be the place to do that, maybe he should speak to the applicant's engineer.

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

6. CORRESPONDENCE

None other than the letter distributed by Mr. Mack the zoning officer.

7. APPROVAL OF MINUTES

- Minutes from September 11, 1007 Special Planning Board Meeting

Carried to the meeting of October 23, 2007

- Minutes from September 18, 2007 Planning Board Meeting

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

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Neiman; yes, Mr. Fink; yes, Mr. Percal; abstain

8. APPROVAL OF BILLS

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

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Neiman; yes, Mr. Fink; yes, Mr. Percal; yes

9. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Chris Johnson
Planning Board Recording Secretary