

**LAKWOOD PLANNING BOARD
PLAN REVIEW MEETING
MINUTES
OCTOBER 31, 2006**

I. CERTIFICATION OF COMPLIANCE

Chairman Banas called the meeting to order at 6:00 p.m. with the Pledge of Allegiance and Mr. Kielt read the Certification of Compliance with the NJ Open Public Meetings Act:

“The time, date and location of this meeting was published in the Ocean County Observer and posted on the bulletin board in the office of the Township of Lakewood. Advance written Notice has been filed with the Township Clerk for purpose of public inspection and, a copy of this Agenda has been mailed, faxed or delivered to the following newspapers: The Ocean County Observer, or The Tri-Town News at least 48 hours in advance. This meeting meets all the criteria of the Open Public Meetings Act.”

2. ROLL CALL

Mr. Franklin, Mr. Banas, Mr. Dolobowsky, Mr. Akerman, Mr. Gatton, Mr. Percal

Mr. Banas asked Mr. Kielt if there were any changes to the agenda. Mr. Kielt replied that item #2 SP#1851-Condor Jackson table to 12/05/06 because of deficient notice. Item #5 SD 1563 - Moshe Aryeh, not noticed, so it is being tabled to 12/5/06 and must be noticed.

Discussion item #12 is really item #11 and will be carried to 11/14/06.

Motion was made by Mr. Franklin, seconded by Mr. Akerman to table discussion item to 11/14/06

ROLL CALL: Mr. Franklin; yes, Mr. Banas; yes, Mr. Dolobowsky; no, Mr. Akerman; yes, Mr. Gatton; no, Mr. Percal; abstain

Motion carries

3. SWEARING IN OF PROFESSIONALS

4. OLD BUSINESS

1. SD # 1366B

Applicant: Ralph Clayton & Sons - Jule Estates

Location: Gudz Road

Block 11.05 Lots 13-17, 19, 19.01, 84, 85

Informal Review of proposed Major Subdivision

Mr. Peters stated the applicant submitted a concept plan for major subdivision review. The applicant proposes subdividing non existent lots containing 3 existing dwellings in to 37 lots,

36 single family homes with 2 existing. One lot is for stormwater management and recreation and dedicated to Lakewood Township. Located in the R-12 zone; the applicant is proposing the reduction of the residential lot requirements for recreational purposes. The lot area may be reduced by 15% but the difference must be used for recreational purposes. The lot width may be reduced by 10%. The applicant has followed the ordinance requirements for the lot size reductions and no variances are required. The board should determine if the wetland areas to be dedicated to Lakewood Township will be considered as recreational area, per Section 18-908 of the UDO. The parking tabulation state 3.5 spaces are proposed where 2.5 are required by RSIS. The parking will be provided by 2 car garages and 2 cars in the driveway for each single family home. The applicant will be required to provide curb and sidewalk and shade tree easements along the proposed roadways. The board should determine if curb and sidewalk are required along Gudz Road, and Lakewood New Egypt Road. All outside agency approvals must be obtained by the applicant, and wetland buffer averaging will be required for the construction of the main cul de sac near its' intersection with Gudz Road. The RSIS allows for a maximum of 250 vehicle trips a day, without having a boulevard-type configuration at the entrance of the cul de sac. This translates into a maximum of 24 single family homes. The applicant is proposing 27 homes to be accessed through the main road, which will require the boulevard type entrance with a wider right of way. The applicant should confirm if additional right of way would be required along Lakewood New Egypt Road. The plans show the right of way is 50 ft, and the tax map show 65 feet.

Marty Truscott read from a letter dated October 30, 2006. The applicant proposes building 2 new roads, both cul de sacs, stormwater management facilities, and install utilities. The tract is mostly wooded and contains freshwater wetlands. The area of the tract is 19.98 acres. A similar application was discussed at the Planning Board Meeting. The applicant is proposing to reduce the lot sizes by 15% from 12,000 sf. to 10,200 sf., and reducing the lot width by 10% from 90 ft to 81 ft. The applicant should discuss the status of the NJDEP freshwater approval which includes filling the wetlands in the northeast section of the tract. The plans indicate that new lots 14.02 and 14.37 will mostly consist of freshwater wetlands and stormwater basin; there does not appear to be any recreational benefit to this area, and the applicant is transferring the burden of the stormwater management to the municipality. Section 18-908 B5 requires that land to be dedicated to recreation must be deemed suitable for recreational purposes.

Mr. Penzer, Esq. appeared on behalf of the applicant. He stated the applicant had previously been granted approval 3 years ago for 44 lots; 42 detached single family dwellings and 2 were recreational and stormwater management lots. The county redid the wetlands map and eliminated some lots. So now the applicant is back to get guidance to proceed.

Bill Stevens, the applicant's engineer stated the applicant had previously been granted approval 3 years ago. They propose a single cul de sac off of Gudz Road. The applicant proposes giving a lot, located in the middle of the development, approximately 5 acres to the Township for open space recreation to be utilized. Mr. Penzer stated if they meet the recreational requirements, there will be no variances. Mr. Stevens stated that the Westgate subdivision has a 50 ft wooded buffer that continues to this development, and the applicant would continue that along with the 5 acres to be given to the Township. Mr. Penzer stated that was the same features given in the prior approval, and they are trying to stay as close as they can to the original approval, just reconfiguring the lots.

Mr. Banas asked where the wetlands were and Mr. Stevens stated there are 2 areas, one on the right hand portion and the left hand side. The engineer does not agree with the county on the wetland delineations. There is an LOI given to the county verifying the line and the engineer has been fighting for 2 years to change it, but no avail.

Mr. Banas asked if the land being donated to the Township was wet, and then questioned where the recreation would go. He feels you have to provide something for the residents in the development. Mr. Dolobowsky questioned where the 5 acres were.

Mr. Penzer stated they had no problem putting curb and sidewalk along Gudz Road, but questioned whether they really wanted them along Lakewood New Egypt Road. Mr. Banas said yes. The discussion went to Mr. Peter's statement about the boulevard type entrance. Mr. Stevens agreed with Mr. Peters and would install a boulevard type access. They are asking the board's opinion on this application. Mr. Dolobowsky questioned the buffers that were created, and how some really extend into the lots, Lot 14.04 is the worst. That poor homeowner will probably never have a backyard, so monuments are needed. He also questioned the 5% for recreational, he doesn't see where recreation will be. They would have to go out of the development, walk up Gudz Road, on to Rte.528, and then come back into the park. That is not a neighborhood park. Mr. Penzer said they would work on that. Mr. Penzer asked if they could put bird watching as passive recreation, instead of a playground and Mr. Banas deferred that to Mr. Peters. Mr. Peters stated it was up the board to approve. Mr. Banas asked if there was any other place to build recreation, and was told there was always a possibility. Mr. Gatton questioned the effect the board had 3 years ago, and was told this was an amended application because of the County.

Mr. Penzer was concerned with the recreation, and said maybe they could put in a tot lot, but there was not much else to do. Mr. Banas felt with the size of the property, there should at least be a tot lot with some benches. Mr. Stevens said they would try.

No motion was necessary.

5. NEW BUSINESS

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

Mr. Peters stated the property has an existing area of .96 acres and is located at the corner of Route 9 and Yale Road. It is also adjacent to unimproved Idalia Ave. The property is in the HD-7 zoning district. The applicant has indicated that Idalia Ave. will be vacated by Lakewood Township and shall provide document of the vacation once completed. The site contains an existing building onto which a 6,120 sf addition is proposed. The existing access points from Route 9 & Yale Drive will be upgraded and one way parking area is proposed along Yale Avenue frontage and southern property line. Access and parking is also proposed in the rear of the building. The cartway of Rte 9 will be widened to 8 feet along the property frontage. Variances are required for: lot area; 0.93 acres are proposed where 1 acre is required. Front yard setback: required is 150 feet from Rte 9; applicant is providing 28.1 feet. This is an existing setback that has been reduced by the dedication of a portion of the front yard to the NJDOT. The NJDOT dedication should be increased to provide the typical desired section half width of 57 ft. This will increase the front yard setback variance by 2 ft. For rear yard; 50 ft is required, the applicant has provided 47.9 ft. This variance is listed in the zoning table but not in the list of variances. The variance list shall be revised. For buffer width; 25 ft. is required, the applicant has requested 3 ft. buffers. For buffers for residential properties, the buffer is 50 ft. is required, the applicant has requested a 16 ft. buffer. For parking setback; 10 ft. is required, the applicant has requested a 6 ft. setback from Yale Avenue. All outside agency approvals must be obtained by the applicant. As per NJAC 13:40, a signed sealed copy of the outbound survey prepared by a licensed surveyor must be submitted for review. The applicant has removed the trench drains in favor of type B inlets as requested, the curb piece shall be revised to be a type N curb piece. The plans show stormwater run off from paved areas will be pre-treated prior to discharge to the underground infiltration system. The applicant shall provide a revised stormwater report that addresses the design standards for bio infiltration systems, and include water quality calculations. Additional grades are required to show how the northern bio filter will be constructed.

Mr. Truscott read from a letter dated October 27, 2006. The applicant is proposing an addition to an existing one story masonry building of 4,037 sf in area. The proposed use of the addition would be retail. The property has 200 feet of frontage, both on Yale and River Avenues. Retail business establishments are permitted uses in the HD-7 zone. The same variances are required as mentioned by the Planning Board Engineer. A parking variance is required for off street spaces; 40 spaces are required, 39 are proposed.

Under review comments, he asked the applicant to describe the characteristics of the facility including the anticipated retail uses, number of employees and hours of operation. The applicant should also describe the on sight compatibility between the existing warehouse and the proposed retail uses. Based on the architectural plans, the future building will contain 8,160 sf consisting of 2,040 ft. of show room, 2,000 ft of warehouse, and 6,120 sf of retail space. The Site Plan should be revised to show the show room space per the architectural plans. All proposed lighting should be shielded in order to minimize spillage onto off site areas. The signage plans shall be provided. The balance of the comments were technical in nature.

Jeff Carr, from Lindstrom, Diessner & Carr, appeared for the applicant. Mr. Banas asked if the plans met the profile of 57 feet and Mr. Carr said yes. They are widening Rte. 9 in accordance with the NJDOT requirements, and are also providing the desired typical section. They also made some changes since the last appearance to reduce some of the variances. The lot area and front setback is an existing condition, which is being exacerbated by the fact that they are decreasing the right of way. The other variances are very small in nature, and they are ready to proceed with the applicant. With regard to the planners' comments, they concur with the remarks and state the Idalia Avenue has been vacated and has the paperwork (ordinance) from the Township Committee and does not yet have the deed, but will provide when available. Mr. Banas asked whether the new building is being extended along the front setback and was told it was. Mr. Banas stated he could understand the 150 feet being on the existing building being grandfathered, but not the new addition going in for variance and not meeting the ordinance. If you took the portion from the back and attach it to the existing building, move it back, it would satisfy the ordinance of 150 ft. Mr. Carr said it would not. Mr. Carr stated Mr. Peters report is similar to the planners' report, and he concurs with the report.

Mr. Dolobowsky questioned the 57 ft vs. the 55 ft. Mr. Carr stated he had a letter from Mr. Lines stating it was only 55 ft. Mr. Dolobowsky re-iterated that later meetings with the State stipulate 57 ft. and Mr. Carr said he would adhere to that.

A motion was made by Mr. Dolobowsky, seconded by Mr. Gatton to advance this application to the meeting of January 23, 2007.

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

2. SP # 1851 (Variance requested)

Applicant: Condor Jackson LLC

Location: West Kennedy Boulevard @ east corner of Forest Avenue
Block 57 Lot 1

Preliminary & Final Major Site Plan for 2 story office building

Tabled to 12/05/06 because of deficient notice

3. SP # 1852 (Variance requested)

Applicant: Isser Kotler

Location: Laurelwood Avenue @ southeast corner of Tuxedo Terrace
Block 32 Lot 1

Preliminary & Final Site Plan for residence with synagogue in basement

Mr. Peters stated the applicant is proposing a 10 bedroom single family home with an attached synagogue. Location at the intersection of Tuxedo Terrace and Laurelwood Avenue in the R-12 zoning district. Variances are required for: front yard setback, 30 ft required; 29 ft. proposed. Lot coverage: 25% maximum; 41% proposed. Parking: 15 spaces required for synagogue, no parking spaces for the residences have been calculated. A minimum of 3 parking spaces will be required for the residence, and the board may require more based on the number of bedrooms proposed. The applicant has proposed 3 off street parking spaces. All outside agency approvals must be obtained by the applicant, including the Ocean County Soils Conservation District. The applicant has not provided any handicapped parking spaces; none are required for the residence, but 1 is required for the sanctuary. Perimeter buffers must be provided per section 905 of the UDO; additional regulations pertaining to houses of worship. The applicant has not provided the required reduction in stormwater run off generated from the 2 year storm event. Minor grading modification and enlarging infiltration system can reduce the flows as required. Applicant shall provide soil borings and percolation tests.

Mr. Truscott read from a letter dated October 27, 2006. The lot currently contains a detached single family dwelling which will be razed. The improvements include stormwater management, offstreet parking area, curb and sidewalk and landscaping. The surrounding land use is generally residential. The review comments were similar to Mr. Peters with regard to variances, landscape buffers and parking requirements. He recommended screening the parking area from adjoining residents on Laurelwood Ave. with small shrubs.

Mr. Penzer appeared on behalf of the applicant. He said the applicant, Rabbi Kotler, has a medical problems and cannot go out to pray, so the neighbors came to his house and created a study place and for prayer. It is grown beyond proportions, and now into his living room. This is why the house needs to be knocked down and rebuilt. The neighbors need and support this application. The applicant is asking for little or no parking because the people who are using it are all in the neighborhood. The actual bedrooms is 5 on the first floor, for him and his family and 2 for a guest room, not 10 bedrooms. Mr. Dolobowsky stated the plans showed 5 on the first floor but in the attic shows 4 bedrooms. The architect stated they were old plans, and new plans are available, and will be submitted. He agreed with most of the comments, and will provide testimony on the parking. Mr. Banas stated 41% where a maximum coverage of 25% is too large. Mr. Penzer said there would be an elevator, so the house needs to be big. Parking was also an issue. Mr. Penzer said there are 5 synagogues within a 3 block area, so people walk. There is plenty of parking on the street, and the ordinance allows that any on street parking within 200 feet can be combined. Mr. Banas stated they needed a handicapped space. The applicant agreed with all the comments in Mr. Slachetka's letter including the need for a variance for the rear yard setback.

Mr. Dolobowsky questioned the size of the home compared to the maximum coverage allowed, and the drainage problems encountered. He spoke about an article about a homeowner who stated when a mc mansion was built next to his home it caused massive flooding to his foundation and basement. Mr. Carpenter stated that in the grading and drainage plans there is a double row of perforated pipe, which is quite a large recharge system for a house this size, direct from the roof leaders. Mr. Peters stated that it looks like the drainage is sufficient, as long as the engineer provides the additional reports he requested in his review letter.

A motion was made by Mr. Dolobowsky, seconded by Mr. Akerman to advance this application to the meeting of January 23, 2007

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

4. SP # 1853 (Variance requested)

Applicant: K'hal Chasdim Inc.

Location: corner of 14th Street and Cedar Row
Block 25.11 Lot 18.01

Preliminary & Final Site Plan for 2 story synagogue

Mr. Peters stated the applicant is proposing a 2 story synagogue with a finished basement with associated site improvements. The subject property lies at the intersection of 14th Street and Cedar Row in the R-12 zone. The property is currently vacant with few existing trees. Variances are required for the following: Front yard setback, 30 ft required, 23.08 ft proposed. Rear yard setback, 20 ft required, 10 ft proposed. All outside agency approvals must be obtained by the applicant, including the Ocean County Soils Conservation District. The lot area on the layout plan and the cover sheet do not match and should be revised. The applicant has proposed 16 off street parking spaces, which conforms to the ordinance requirements, one which will be handicapped accessible. Curb and sidewalk are proposed along the property frontages and a 6 ft. wide shade tree easement along the property frontage to be dedicated to Lakewood Township. A copy of the easement description should be submitted to the planning board engineer for review, and the copy of the easement language should be submitted to the planning board solicitor for review. A board on board fence should be extended along the eastern property line in the southerly direction to the front yard setback, which will help shield the view from the neighboring residential property. Stormwater management calculations show an increase in the stormwater run off generated by the 2 year storm event, which does not meet the ordinance requirements. A yard drain may be used to capture additional run off and direct it to the infiltration system, which may reduce the run off requirements a level required. Borings and test pits shall be provided in the area of the recharge basin, permeability tests shall be provided for justification in the infiltration basin design.

Mr. Truscott read from a letter dated October 27, 2006. The area is 2.8 acres and will be serviced by public sewer and water. The surrounding land uses are generally residential.

Synagogues are a permitted use in the R-12 zone. Under review comments, a six foot fence is required under Section 905a-2 Chapter 18 of the UDO to screen the parking area along the property line of lot 19. The location of the parking lot driveway relative to the proximity to the intersection should be reviewed by the board engineer for consistency with traffic engineering standards. Shade trees should be provided along 14th Street with root barrier protection.

Mr. Penzer appeared on behalf of the applicant. The current applicant has been in this area for over ten years, and need to expand. Parking is not a problem. They need to go into the front and rear setback because they need the room. He agrees with the comments from Mr. Peters.

Most of the comments with Mr. Slachetka's letter were agreeable except for the variance for the trees and that the language of the UDO was vague, so Mr. Banas asked that it remain a variance.

Mr. Penzer wanted to put the easement right on the map instead of description and language on a deed, and Max agreed to that as long the they file the map. Max and Ray Carpenter will meet about the proximity of the exit to the intersection. The location of the garbage was to be placed at the rear of the northeast corner of parking lot, 5 ft. off the property line, but the size of the container will be discussed with the applicant.

Mr. Franklin questioned the engineer where the 36 inch perforated pipe would be discharged, and Mr. Carpenter stated it would be stored before it went into the street, and the details would be provided on the revised plans.

Mr. Dolobowsky voiced a concern about the density of the area, and the need to speak to the neighbors about the height of the building and them opinion. Mr. Penzer said they would speak to them before the next meeting. Mr. Banas asked how many trees are there and how many will remain. There are 11 trees and none are to remain. Mr. Banas requested that some will be saved.

A motion was made by Mr. Dolobowsky, seconded by Mr. Akerman to advance this application to the meeting of January 23, 2007

ROLL CALL: Mr. Herzel; yes, Mr. Franklin; yes, Committeeman Miller; yes, Mr. Banas; yes, Mr. Dolobowsky; yes, Mr. Akerman; yes, Mr. Gatton; yes, Mr. Percal; yes

5. 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

Tabled to 12/05/06 because of deficient notice

6. SD # 1564 (No variance requested)

Applicant: H&C Development

Location: Lanes Mill Road, between Barrymor Drive and Malibu Drive
Block 187.15 Lot 9

Preliminary & Final Major Subdivision – 15 lots

Mr. Peters stated that Hidden Lane will be extended and a new road, Hershey Lane will be constructed to connect Lanes Mill Road. Single family homes are proposed. The zone is R-15 and the majority of the site is vacant with a single family residence that will be removed. All outside agency approvals must be obtained by the applicant, including the Ocean County Soils Conservation District, and NJDEP for treatment approval. The applicant has proposed 3 off street parking spaces for each lot. The proposed parking count is based on 1 car in a two car garage and 2 cars parked in the driveway, and satisfies the requirements of the RSIS. Curb, sidewalk and shade tree easements are proposed along the interior and exterior roadways. The applicant has proposed a 32 ft. wide roadway with a 50 ft. wide right of way, which will allow for 2 way traffic and parking on both sides of the street. The application calls for the removal of an existing cul de sac at the end of Hidden Lane and extending it into the development. This would require the removal of a portion of the public roadway adjacent to existing lots 24 & 25. The board may wish to have the applicant request the Township Committee to deed a portion of the right of way around the cul de sac bulb to the adjacent lot owners. The plans should be revised to show the driveway to lot 24 extended to the new curb line. New depressed curb and concrete aprons are required as well. The lots with 2 frontages should be deed restricted to allow access only from Hidden Lane or Hershey Lane and should be noted on the subdivision plat. Stormwater management basin should be shown on a separate lot rather than an easement. This will create the need for a variance for an undersized lot. The applicant has not proposed any type of play area and the board should determine if a community playground is required.

Mr. Truscott read from a letter dated October 30, 2006. The proposed development will be serviced by public water and sewer. The existing lot is 6.9 acres, and the surrounding land use is generally residential. The lot width of proposed lot 9.03 scales at 98 ft. at the front yard setback line, and the minimum required is 100 ft. making this a variance. The lot configuration of lot 9.04 and its pie shape should be discussed by the board for future improvements such as a pool. Lot numbers have been approved by the tax assessor's office. The applicant should submit a presence or absence letter from the NJDEP concerning the potential for freshwater wetlands on subject tract. The garage for new lot 9.25 should be shifted to the north so the driveway is located farther away from Lanes Mill Road. A design waiver will be required for proposed lot line for new lots 9.01, 9.06, since the lot line is not completely perpendicular to the street line. Landscape buffer should be provided on new lot 9.01 because of frontage on 2 streets. A minimum of 4 basic house designs are required per the building uniformity in Chapter 18 section 8-21. An easement on new lot 9.11 should be granted to a homeowners association for maintenance of the stormwater management basin.

Mr. Pfeiffer appeared on behalf of the applicant. He agreed with Mr. Peters comments on page one and disagreed with the stormwater management basin be on one lot. Mr. Carpenter stated the board does not want to maintain and instead of a homeowners association, only one person is responsible for the maintenance, and they do this in other town. Mr. Peters thought it a better idea to keep it on a separate lot to be maintained by a homeowner's association instead of one homeowner.

Mr. Dolobowsky questioned where a tot lot would be and recommended one. Mr. Pfeiffer did not agree because the ordinance does not require it for 15 lots, and if they put the stormwater basin on a lot, it would make it an undersized lot, needing a variance, one build able undersized lot and one basin. Mr. Banas requested a tot lot and Mr. Pfeiffer did not agree, and stated the applicant did not want that. Mr. Banas stated the board would want one.

Mr. Pfeiffer commented on the letter from Mr. Slachetka. He spoke about the lot width on the plans being 98 ft. instead of 100 ft. and stated they would testify to that. They also did not want to change the lot configuration of lot 9.04. They were agreeable to the rest of the comments.

Mr. Dolobowsky had questions about Hidden Lane and the removal and if the neighbors are acceptable to that. Mr. Carpenter stated the applicant would speak to the neighbors. Mr. Dolobowsky also questioned the new cul de sac having no buffers. Mr. Carpenter said they would put a 6 ft. fence along that portion of the cul de sac. Mr. Dolobowsky suggested shortening the road and putting shrubs instead of a fence.

A motion was made by Committeeman Miller, seconded by Mr. Herzl to advance this application to the meeting of January 23, 2007

ROLL CALL: Mr. Herzel; yes, Mr. Franklin; yes, Committeeman Miller; yes, Mr. Banas; yes, Mr. Dolobowsky; yes, Mr. Akerman; yes, Mr. Gatton; yes, Mr. Percal; yes

Committeeman Miller left for another meeting

7. SD # 1565 (Variance requested)

Applicant: Nathan Schlesinger

Location: Gudz Road, between Central Avenue & Lakewood New Egypt Road
Block 11.05 Lot 18

Preliminary & Final Major Subdivision – 5 lots

Mr. Peters stated the application is for 5 single family homes, one lot being a flag lot. The majority of the property wooded with one existing residence which will be removed, and located in the R-12 zone. No variances are required for this application. All outside agency approvals must be obtained by the applicant, including the Ocean County Soils Conservation District, and NJDEP for treatment approval. The development plans for neighboring lots 14-17 show wetlands and wetland buffers exist on lot 18. The applicant should obtain a LOI from the NJDEP to verify the absence of wetlands or the limits of the

wetlands and buffers. The parking proposed 2.5 parking spaces per lot. Lots 18.01 – 18.04 can provide 1 off street parking space in the garage and 1 in the driveway; 1 additional is required and can be accomplished by provided a driveway that is 2 cars wide or moving the houses back on the lot to provide a 2 car deep driveway. Curb, sidewalk and shade tree easements are provided along the interior and exterior road frontages. The applicant has proposed a 32 ft. wide cartway with a 50 ft. wide right of way and a full cul de sac bulb for turnaround. Two way traffic flow and parking on both sides is accommodated. The applicant shall indicate if the new roadway be public or private, the township may not want to assume the maintenance of the roadway due to the underground detention system. If the roadway is private, a homeowners association will be required. A copy of the homeowners association should be submitted to the planning board solicitor and planning board engineer for review and should address the ownership and maintenance of the stormwater management system and roadway. The board may wish to discuss the extending the western property line of the flag lot. The development will be serviced by well water and public sewer by way of grinder pumps. The applicant should provide testimony on the location of the nearest connection to public water.

Mr. Truscott read from a letter dated October 20, 2006. A new road, Oasis Court is provided for street access to the proposed lots. The project site is 2 acres in area. The review comments are that a review of the conceptual plans for Jule Estates which abuts this parcel indicates there is a strong potential for a freshwater wetlands and transitional area located on the property, and this area should be investigated for the presence of wetlands and the impact on the proposed lot layout re-evaluated. Vegetative screening should be provided along the rear of new lot 18.05 adjacent to existing lot 15. Screening for the easement of new lot 18.05 for the access driveway should be varied and an area should be provided street side for garbage pick up. Architectural's are required on flag lots.

Mrs. Weinstein appeared on behalf of the applicant. She agreed to a new set of plans with a buffer line showing wetland delineation. The other issues were turned to Mr. Carpenter who agreed to comply with Mr. Slachetka's recommendation. Mr. Carpenter agreed with all comments on Mr. Peter's letter except for the sewer and water. Mr. Carpenter stated it was not feasible the connect with sewer, about 1200 – 1500 feet away.

Mr. Dolobowsky asked why the street can be extended so the cul de sac serves the last property and another property fits in next to it and you don't need a flag lot. Mr. Carpenter said because it would use a tremendous amount of build able area. Mrs. Weinstein stated there would be a buffer problem. Mr. Banas asked how many feet in the pole portion of the flag lot and Mr. Carpenter said approximately 2,000 ft (20 x 100). They would review the flag lot for possible re-configuration.

Mr. Truscott commented that Jule Estates, which was approved by the board, had sewer and water, and it is adjacent to this project, and asked whether is could be extended to this project.

A motion was made by Mr. Dolobowsky, seconded by Mr. Percal to advance this application to the meeting of January 23, 2007

ROLL CALL: Mr. Herzel; yes, Mr. Franklin; yes, Mr. Banas; yes, Mr. Dolobowsky; yes, Mr. Akerman; yes, Mr. Gatton; yes, Mr. Percal; yes

8. SP # 1855 (Variance requested)

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

Mr. Peters stated the applicant is seeking to create 98 multi family residential units. The site is currently wooded and crossed by a number of existing paper streets. Located in the R40/20 cluster zone and affordable housing is permitted in this zone. No variances are required for this application. All outside agency approvals must be obtained by the applicant. The existing paper streets shall be vacated as a condition of approval and applicant should provide evidence of vacations. The development will be serviced by public water and sewer. Curb and sidewalk are provided around the interior of the site. No curb and sidewalk are proposed along Oak Street and the board should determine if the applicant will be required to install. If signage is proposed, the applicant should show on the site plan and provide details. The applicant shall indicate if a name for the private access drive is proposed and must be approved and street sign located on the plans. The board has required playground areas and a community building to be included with similar applications. The applicant has indicated 5% of the project area will be for recreational use. This is an open area for passive recreation. The architectural plans for the sale and rental units look the same. The applicant should provide testimony on the different types of units. The applicant has not submitted a subdivision plan to create lots for the for sale units, and should provide testimony on how the units will be sold, whether fee simple or condominium etc. It appears the units will not have basements, this should be confirmed.

Mr. Truscott read from a letter dated October 30, 2006. The property is 10.6 acres in area. Variances are required for the following: single family dwellings are permitted in the R40/20 zone and the at least 2 housing types be provided on the plans, and the applicant has only provided one type. The application should be amended to request preliminary and final major subdivision approval, and a final major subdivision map must be submitted for review. Deed restriction should be filed for low and moderate income households. The architectural drawing show the residences will be 2 story 3 bedroom units. Sidewalks should be provided along Oak Street.

Mr. Doyle appeared on behalf of the applicant. Jamie Gerintano from PMK was introduced.

Stated the street vacations have been granted and he has the paperwork. NJ American Water will be providing the water and sewer. There is curb on Oak Street but no sidewalk on that side of the street, but Mr. Banas was adamant to putting in sidewalk. Mr. Doyle stated they have provided 5% of the developable portion of the entire tract. Mr. Banas did not think that what was the ordinance stated. Mr. Doyle said the tract is impressed by 35% tree preservation, and what they provide now is about 4.5-4.6% of the entire tract. They can get increase it to 5% but it would not be contiguous. They would change the façades of the architectural plans to show different designs. As far the subdivision map is concerned, it is the applicant's intent to have the entire site presently as condominiums, 98 units, 70 rental and 28 sale units (29 condominium units, 1 rental site and 28 individual for sale units, with no basements). Mr. Banas questioned B5 on the engineers report. Mr. Gerintano stated at the time they did not know who was extending the utilities to the site but will provide testimony at the public hearing and the plans should reflect the change.

On the planning report, the variance required is for not having more than 1 housing type. They are less than 100 units, and they are townhouse type units, similar to STEPS.

Mr. Dolobowsky questioned the tree preservation area, why are the trees pulled 30 ft. from the fence, and Mr. Gerintano stated the grading disturbance and with CAFRA approval it would be necessary with a buffer to insure the 35% preservation is maintained and also an area for maintenance of the infiltration basin. Mr. Banas questioned how many trees would be left in the area where the buildings are constructed, and was told 0. Due to the topography of the site, there is a 22 ft elevation change from Oak Street within the project area it is 20 ft. so with the fill needed, there would be a fence around the basin. Mr. Gatton made a comment about not being able to save trees and thought there should be a different approach to tree saving, instead of how they can't save them.

A motion was made by Mr. Herzl, seconded by Mr. Dolobowsky to advance this application to the meeting of January 23, 2007

ROLL CALL: Mr. Herzel; yes, Mr. Franklin; yes, Mr. Banas; yes, Mr. Dolobowsky; yes, Mr. Akerman; yes, Mr. Gatton; yes, Mr. Percal; yes

9. SD # 1567 (Variance requested)

Applicant: Kelli Dalrymple

Location: Whitesville Road and Lafayette Boulevard
Block 252 Lot 4.02

Minor Subdivision to create two lots

Mr. Peters stated the property is currently vacant, no new dwellings are proposed at this time. A variance will be required for minimum lot width, Lot 4.03 proposed 77.53 ft. where 90 ft. is required. OCPB approval will be required. Testimony should be given on the future use of these lots, if homes are proposed, the applicant shall address the parking requirements. The proposed lots will be through lots to an unimproved street, and be deed restricted to prevent access to Lafayette Blvd. in the event the street is improved in the future. A 5 ft. buffer shall be imposed along the rear lot line of the

proposed lots to screen them from Lafayette Blvd. if the street is constructed in the future. The board should determine if curb and sidewalk will be required along the property frontage.

Mr. Truscott read from a letter dated October 27, 2006. The parcel is located in the R-12 zone, and is .59 acres in area. New Lot 4.03 has frontage on 2 streets, and in accordance with the UDO a landscaping buffer is required on the secondary frontage. The drawings are dated 2005 and should be updated and a new zoning map should be included.

Mr. Penzer appeared on behalf of the applicant. Mr. Flannery appeared as the engineer. Mr. Flannery stated they would put a note on the plans that curb, sidewalk and shade tree easement will be provided and have that a condition of the building permit. Mr. Peters felt it would be safer to keep it on the plan, and Mr. Flannery stated it would be shown on the map, but not a condition of the filing of the map. Mr. Flannery stated they would comply with all the comments on the reports.

Mr. Dolobowsky asked whether there were wetland in that area and Mr. Flannery stated that Trident Environmental did an LOI and there were none on this site. Mr. Percal wanted to know what the square footage would be and was told by Mr. Flannery that 1 lot would be 12,000 sf and the other 1370 sf approximately.

A motion was made by Mr. Akerman, seconded by Mr. Dolobowsky to advance this application to the meeting of January 23, 2007

ROLL CALL: Mr. Herzel; yes, Mr. Franklin; yes, Mr. Banas; yes, Mr. Dolobowsky; yes, Mr. Akerman; yes, Mr. Gatton; yes, Mr. Percal; yes

10. SP # 1763A (No variance requested)

Applicant: Clayton Block Co. LLC

Location: Havenwood Court & Prospect Street
Block 386 Lots 1.01, 1.03 & 1.04

Amended Site Plan for additional concrete areas and detention basin

Mr. Peters stated the application is seeking approval for modifications made during construction. The original approval was adopted on May 18, 2004. Located in the M-1 industrial zone. The applicant has provided 79 parking spaces, but does not list the number of employees of the maximum shift. Testimony shall be provided on the number of employees with conformance with the parking regulations. The stormwater management design does not provide the required reductions in run off generated from the 2 year storm event. The applicant should revise the stormwater management basin to conform to the 50% reduction for the 2 year storm as required by the township's stormwater management ordinance.

Mr. Truscott read from a letter dated October 30, 2006. The tract is 30 acres in area and contains 1 existing building and associated parking storage and drainage facilities. The purpose of the increased concrete area should be discussed with the board.

Mr. Gertner appeared on behalf of the applicant. He stated the maximum shift is 50 employees at any time. Mr. Jackson said he spoke with Mr. Peters and questioned whether this could be handled as an administrative approval, and has since spoken to Mr. Gertner, and thinks it could be handled in that matter. Mr. Banas stated the board should hear from Mr. Gertner. Mr. Gertner stated they answered the question about the employees and the rest could be handled administratively by the planning board engineer. Mr. Banas questioned if there were any changes in the footprints of the application, and was told there was some paving. Gordon Milne testified about an aerial photo but was too far from the microphone to be heard except to point out that some areas that were gravel were paved over by the applicant and they had thought there was not problem with that, but there was, and that is why they are back at the board. He also spoke about the discharge rate and volunteered to install a hydro cone the meet the needs from the planning board engineer. Mr. Banas stated that what they did was change the area from pervious to impervious with the additional paving done, and asked what the % of impervious coverage was and was told it was 60%, when the maximum in the zone was 80%.

Mr. Gatton asked if they were now asking for approval on something that already was done, and was told yes.

A motion was made by Mr. Dolobowsky, seconded by Mr. Percal to approve the application.

ROLL CALL: Mr. Herzel; yes, Mr. Franklin; yes, Committeeman Miller; yes, Mr. Banas; yes, Mr. Dolobowsky; yes, Mr. Akerman; yes, Mr. Gatton; yes, Mr. Percal; yes

Mr. Jackson will prepare an amended resolution for this application.

11. DISCUSSION - Ordinance for review and recommendation re: to delete Multi-Family and townhouse uses in ROP Zone

Tabled until 11/14/06 Planning Board Meeting

7. CORRESPONDENCE

Letter from the County about the striping on Central Avenue.

8. PUBLIC PORTION

Mr. Charash, 3 Devash Court, wanted to know how many trees the zoning board permit the builder to leave on the property. Mr. Kielt stated he came to the wrong meeting and he needed to go to the Zoning Board

No one else came forward and the public portion was closed.

Mr. Jackson spoke about the timing issues with the Master Plan Review with Mr. Slachetka and was told the Coaster Center Designation would be lost if not done by 11/23/06. Mr. Banas stated that he was going to suggest that all of the suggestions that were made at the previous meeting along with the suggestions from the 2nd and put it on the web site as a possible change. Mr. Jackson said they needed 10 days for publication. Mr. Dolobowsky stated he didn't think they would be done on the 2nd. With 35 zoning changes, chances are they would not finish on the 2nd, and the 14th would be too late for the 10 day notice. November 8th was suggested and there were no rooms available. Mr. Kielt said he would see if whoever has this room would like to change rooms with the Planning Board so they could have the meeting. Mr. Jackson was concerned that the public was only told the 2nd and the 14th and having one on the 8th might cause a problem with the public.

A motion was made by Mr. Dolobowsky, seconded by Mr. Percal for Mr. Kielt to pursue using a room for a meeting on November 8, 2006. All were in favor.

9. APPROVAL OF BILLS

Motion was made and seconded to approve the bills.

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

10. APPROVAL OF MINUTES

- April 25th, 2006
- May 2nd, 2006
- October 17th, 2006

Motion to approve the minutes by Mr. Banas

ROLL CALL: Mr. Herzl; yes, Mr. Franklin; yes, Mr. Banas; yes, Mr. Dolobowsky; yes, except for October 17th- abstain, Mr. Akerman; yes to May 2nd, Mr. Gatton; yes, Mr. Percal; yes

11. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Chris Johnson
Planning Board Recording Secretary