

**LAKWOOD PLANNING BOARD
MINUTES
DECEMBER 6, 2005 • 6:00 PM**

1. 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 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.”

II. ROLL CALL: Mr. Herzl, Mr. Franklin, Mr. Neiman, Mr. Banas, Mr. Dolobowsky,
Mr. Ackerman and Mr. Klein.

Mr. Banas asked if there were any changes to the agenda and Mr. Kielt replied that SP#1823 would not be heard because revised plans were not submitted. The application would be tabled to the meeting of January 3, 2006.

Also present were Attorney John Jackson, Engineer Maxwell Peters and Planner Martin Truscott.

III. OLD BUSINESS

- 1. SD #1454** (Variance requested)
Applicant: 1468 Towers Street LLC
Location: Towers Street, west of New Hampshire Avenue
Block 855.04 Lot 27.01
Revisions to approved (but not perfected) Preliminary & Final Major Subdivision

Mr. Peters stated the applicant was granted preliminary and final major subdivision approval on November 23, 2004. The lots were approved with service from public water and individual septic disposal systems. The wording of the resolution required the applicant to apply to the Lakewood MUA for public sewer connection. If available the applicant was to connect to public sewer and contribute to the cost of the utility extension an amount equal tot he cost of construction of the septic systems. The applicant should explain the reasons for the revised utilities for the subdivision.

Mr. Truscott stated the applicant was granted preliminary and final major subdivision approval with associated variances to create four building lots by resolution of the

planning board memorialized on November 23, 2004. The resolution contained the following condition "5. The applicant proposes that the lots will be serviced by public water. Applicant further proposes that the individual lots will be serviced by individual septic systems. However, if the Lakewood MUA is able to extend their lines to the subject property, the applicant would agree to contribute the cost same in lieu of constructing unnecessary septic systems." The applicant is required by the resolution to reapply to the planning board for approval of any substantial change in the plans. It is our understanding that the applicant was not able to reach an agreement with the Lakewood MUA regarding the water and sewer extensions to the site. The site is located in the R-20 zone. Variances were granted for a lot width of 87.5 feet for each of the proposed lots when a minimum of 100 feet is required. The revised plans indicate that an individual septic system and a potable well on each lot would serve each lot. A copy of the preliminary approvals from the MUA should be submitted to the Board for its review and information. The applicant should indicate the status of the approval of the well and septic system for the proposed development and explain the practical difficulties in complying with the subject condition. The applicant should indicate the status of compliance with all other conditions of the resolution.

Dennis Kelly, Esq., appearing on behalf of the applicant. He stated they were present for a minor change in the resolution. When the applicant originally came before the board, the design plans did have septic systems in each one of the properties. In the application process, the board asked if it was possible to approach the MUA to connect to their system. They agreed to do the same. It was not feasible.

John Ernst, P.E., stated they looked at the possibility of connecting to the existing gravity sewer system. There is a structure to the south of the project on New Hampshire Avenue. The line could not be extended so they could connect to the system because the grades would not allow that to happen. They received further information from the MUA to connect to a line to the north. The nearest line to the north was on Oberlin Avenue approximately 3,000 feet away. The third option was another connection further to the East off of Vassar Avenue which would require the line to be constructed over 5,000 feet. They did not go that route because they tried to go to the two nearest locations. The two nearest locations were not feasible. In having correspondence with the MUA, they also indicated that they would not be interested in providing water if they did not provide sewer. This is why they went back to the individual wells. They investigated the nearest options and had to fall back to where they started.

Mr. Neiman asked about a pump station. Mr. Ernst stated that for four houses they did not go that route because they were directed to look at a gravity system to service the homes. There was some discussion that the MUA might be providing service and they would just be contributing to that effort. Mr. Neiman stated the area is being built up. Mr. Ernst stated the homes would be designed with the septic systems in the front so that when the sewer system comes into the area they could be connected to both water and sewer.

Mr. Jackson stated that Mayor Coles, at the time, was at the meeting and this came in as an effort to try and bring the water and sewer to the area. It was an opportunity if it was available. It apparently is not available. Mr. Ernst stated they received correspondence dated March 8th from the MUA indicating that water would not be provided if sewer was not provided.

Mr. Banas asked where the water would come from. Mr. Ernst stated it was up to the well driller to determine the strata.

Mr. Neiman asked if there were wells in the area. Mr. Ernst stated all the homes are serviced by wells. Mr. Banas stated that if the water is not provided, it would put a strain on the strata and cause a problem similar to what happened on Ridge Avenue.

Mr. Dolobowsky stated he did not understand what the MUA was doing with requiring both. The board would like to see it and he wondered if the board asked rather than the applicant if it would make a difference. Some of the aquifers are not in the best shape for sinking new wells. He would prefer city water and understood about the sewer. He felt they should go back to the MUA and indicate that the board wanted it. If the answer was still no, they could proceed with the wells.

Mr. Neiman asked about the sewer mains. Mr. Ernst stated they would have to connect to the closest existing main. Mr. Dolobowsky stated water pipes are easier to run than sewer pipes. He suggested that they approve the request.

Mr. Banas asked if Mr. Peters saw any problems with the board insisting that the MUA provide water. Mr. Peters stated he did not see a reason why the MUA would be stubborn about it. Mr. Kelly stated the MUA was adamant that they wanted both. Mr. Banas suggested that they notify the MUA that they appeared again before the planning board and the planning board recommended very strongly that they, if possible, provide the water. Mr. Neiman stated the water bills are calculated primary based on sewer. They do not want to separate the two. Mr. Kelly stated they could send a letter requesting the water service. Mr. Jackson stated he did not know if this was a material change to the subdivision. The chairman could forward a letter urging that the water be put through and that the board has concerns about planning. There was no harm requesting that they reconsider putting the water in.

Mr. Kelly was concerned with how long it would take the MUA to respond. Mr. Jackson stated that the board would urge and the applicant would reurge and give it a period of time, if the MUA does not respond within sixty days than the applicant could proceed. He did not think it was a material change to the subdivision. He would amend the resolution for adoption at the next meeting to be sixty days from the date the Chairman sends the letter.

On motion by Mr. Dolobowsky and seconded by Mr. Neiman, the request by the applicant was hereby approved as discussed.

Mr. Neiman suggested going to the board that oversees the MUA in Newark. Mr. Jackson did not think that would be diplomatic.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; Mr. Ackerman, yes; and Mr. Klein, yes.

IV. PLAN REVIEW ITEMS

2. SP #1653A (Variance requested)

Applicant: Lakewood Plaza, Inc.

Location: Cedar Bridge Avenue @ the intersection of Dr. Martin Luther King Drive
Block 536 Lot 70

Preliminary and final site plan for addition to existing commercial building

Mr. Peters stated the applicant is seeking preliminary and final site plan approval for an addition to an existing commercial/retail building. The site is fronting Cedarbridge Avenue in the B-4 zone. A variance will be required for the number of parking spaces. The applicant has proposed 44 spaces where 50 spaces are required. The applicant provided 33 parking spaces under a previous plan. A variance will be required for the rear yard setback. A rear yard setback of 30' is required by the new ordinance where the applicant has proposed 18' to the proposed addition. There is a 14.1' rear setback from the existing building. The applicant will be required to obtain all outside agency approvals. The board should determine if a shade tree easement will be required along the property frontage. The applicant should provide testimony as to the use of the paved access aisle behind the store. Signage may be required to restrict access. The applicant should provide a sight triangle easement at the entrance to the parking lot. The easement appears to be smaller than required. The easement should be designed in accordance with the latest standards established by AASHTO. The balance of the comments were technical in nature.

Mr. Truscott stated the applicant is seeking preliminary and final site plan and variance approvals to construct a 3,900 square foot, one story addition to the existing commercial building. Off-street parking and stormwater and landscaping improvements are also proposed. The parcel is located on the north site of Cedar Bridge Avenue at the intersection with Martin Luther Drive. There is an existing commercial facility and off-street parking at this site. The parcel is 38,715 square feet in area. The applicant has revised the site plan to provide a single entrance on the west side of the site. The prior site plan reviewed by the board included two ingress/egress driveways. In addition, the number of proposed off-street parking spaces on the site plan has been increased from 33 spaces to 44 spaces. The site is located in the B-4 wholesale service zone district. Various retail, service, wholesale and other business uses are permitted. A variance is required for the rear yard setback which is an existing condition. A variance is required for off-street parking. The applicant should provide testimony concerning the positive and negative criteria for each of the requested variances. The testimony concerning the parking variance should address parking demands, list of current and proposed uses, and delivery schedules. An architectural drawing of the floor plan and the front elevation of the existing building with the proposed addition has been submitted. The applicant should indicate if the south side elevation will be consistent with the front. The architectural plan should be corrected to read "Cedar Bridge Avenue." Ground cover should be added under the shade trees as recommended by the Shade Tree Commission. No trash enclosure is shown in the plans. The applicant should provide testimony as to the solid waste manage for the subject tenants. The roof mounted HVAC equipment should be screened from view on Cedar Bridge Avenue. Outside agency approvals are required.

Abraham Penzer, Esq., appearing on behalf of the applicant.

Brian Flannery, P.E., stated the application is for an addition to the existing plaza. They received an approval several years ago for an addition but when the County widened Cedarbridge, they widened it from their side of the street. The comments in the professionals reports were mainly technical in nature and they would address the variances and other issues would be addressed at the public hearing. They would make the technical revisions requested.

Mr. Banas asked about the off-street parking. Mr. Flannery stated all of the parking is off-street.

Mr. Dolobowsky asked the location of the dumpster. Mr. Flannery stated that currently on the paved area that goes behind the building has dumpsters. They intend to use the same facilities. Mr. Banas asked if they would be enclosed. Mr. Flannery stated they have not been enclosed and were behind the building. They requested that they remain as it is now. Mr. Banas asked if there was room for the cars to pass with the dumpsters. Mr. Flannery stated they are doing it now without any problems. Mr. Banas suggested a fence. Mr. Flannery stated they would supply the fence. They would have containers with lids on them.

On motion by Mr. Dolobowsky and seconded by Mr. Neiman, the application would have public hearing on December 20, 2005.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; Mr. Ackerman, yes; and Mr. Klein.

Mr. Jackson stated the application would have public hearing on December 20, 2005 at 6:00 p.m. No further notice was required of the applicant.

3. SP #1829 (Variance requested)
Applicant: Congregation Yeshivos Pinchos
Location: Cabinfield Circle, west of Somerset Avenue
Block 208.02 Lot 1

Mr. Peters stated the applicant is seeking to change the use of the basement of a single family residence to a synagogue. Places of worship are an approved use. The basement will serve as a place of worship while the upper floor will remain a residence for the Rabbi and his family. An 18' x 10' addition is proposed to serve as an entry way and coat room. The property is located on Cabinfield Circle in the R-12 zoning district. Variances will be required for lot area where 11,883 square feet is existing and 12,000 square feet is required; front setback where 21.6 feet is proposed where 30 feet is required; rear setback where 10.5 feet is existing and 20 feet is required; accessory setback where 1 foot is existing and 10 feet is required; and parking where one space is proposed and 13 spaces are required. The variances for lot area, rear setback, and accessory setback are existing conditions. The board should determine if a shade tree easement will be required. The applicant shall provide testimony as to hours of operation and expected attendance. The zoning table should be revised to include adequate parking for both the

sanctuary space and the residential use of the lot. The required residential parking should be per the RSIS standards

Mr. Truscott stated the applicant is seeking preliminary and final site plan and variance approvals to convert the basement of a residence to a house of worship. The balance of the structure will remain as a single family residence. The applicant also proposes to construct a 180 square foot addition on the south side of the residence. The parcel is located on Cabinfield Circle in the R-12 zone. The surrounding land use consists primarily of single family residences. The use is permitted in the zone. Chapter 18, section 900.1 of the UDO indicates "any site or development may contain more than one use as long as the uses are permitted in the zoning district in which it is located. Variances are requested as indicated. The applicant should submit computations supporting the current and proposed building coverage. It appears that the building coverage exceeds 25% and a variance may be required. The positive and negative criteria for each of the requested variances must be addressed during the public hearing. Sheet 1 of 2 should be identified only as "site plan". The board should decide if sidewalk should be provided. Architectural floor plans and elevations have been submitted. The applicant should confirm that no additional site improvements are required. The purpose of the proposed addition on the south side of the structure should be provided to the board.

Abraham Penzer, Esq., appearing on behalf of the applicant. He thanked Mr. Kiert for his assistance. He stated the Rabbi is a world renowned scholar. He did it informally but it grew. They were making the existing situation legal.

Brian Flannery, P.E., stated the application is to make this a dual use which is permitted by the ordinance. The basement would be the synagogue. The comments were minor in nature and they would provide the technical detail that is required. Item B.4 of the planner's report asks for computations on the building coverage and the coverage is actually 25.3% which is .3% in excess of what is permitted. They would provide the computations. They would request the variance.

Mr. Penzer stated there might be an issue about renoticing. Mr. Jackson stated that the notice is sufficient. The applicant would not have to renotice.

Mr. Flannery stated they would submit revised plans. Sidewalks are existing and they were proposing sidewalk to the building. Mr. Banas asked about a ramp to the basement. Mr. Flannery stated they would address that with the applicant. Mr. Banas stated it should be handicapped accessible. Mr. Flannery stated that the applicant would have to comply with the ADA requirements. They could address it and resubmit the information. Mr. Banas stated it might increase the coverage. Mr. Flannery did not think it would be an increase in the coverage. A ramp would not count in the coverage calculations. Mr. Banas wanted to see the plans for the same.

Mr. Dolobowsky stated the building would have to be ADA compliant and parking would be an issue. He felt that if another structure was needed, he would rather get it in now rather than later. Mr. Flannery stated the same would be addressed.

On motion by Mr. Dolobowsky and seconded by Mr. Neiman, the application would have public hearing on December 20, 2005.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes;
Mr. Dolobowsky, yes; Mr. Ackerman, yes; and Mr. Klein, yes.

Mr. Jackson stated that the application would have public hearing on December 20, 2005 at 6:00 p.m. No further notice was required of the applicant.

4. SD #1507 (No variance requested)
Applicant: Hamilton Partners LP
Location: Swarthmore Avenue, east of Lehigh Avenue
Block 1606 Lots 6 & 9
Minor subdivision to re-align the property line between the two lots

Mr. peters stated the applicant is seeking a minor subdivision of block 1606 lots 6 and 9. No new lots will be created. A portion of lot 9 totaling 1.250 acres is to be conveyed to lot 6. Both the existing and proposed use of lot 6 is industrial. No new structures are proposed for lots 6 and 9. The site is located on Swarthmore Avenue in the M-1 zoning district. A variance may be required for front yard setback for lot 6. The existing and proposed setbacks are 52.2 feet. The required setback is 100 feet, but can be reduced to 50 feet with the consent of the planning board. The applicant will be required to obtain outside agency approval. The zoning table should be revised to indicate the existing combined side yard setback.

Mr. Truscott stated the applicant is seeking a minor subdivision approval to acquire a 1.25 acre portion of lot 9 and add the acreage to lot 6. The area to be conveyed is situated in the south of lot 6. Lot 6 currently contains a light industrial building and parking area. No development is proposed at this time. Existing lot 9 is 28.5 acres in area and existing lot 6 is 3.7 acres in area. The entire tract is 32.35 acres. Both lots have frontage on Swarthmore Avenue. No variances are requested. Existing lot 6 complies with the bulk requirements of the M-1 zone. The proposed conveyance will provide additional lot area. Lot 9 greatly exceeds the minimum lot area for the M-1 zone. Compliance with the Map Filing Law is required. The assessor should approve the new lot numbers. Evidence should be submitted to the board engineer. Outside agency approval of the Ocean County Planning Board is required.

Lou Felecetta, Esq., appearing on behalf of the applicant. They were redrawing the lot lines. Lot 9 is in the rear of the property which they were giving a portion to lot 6.

Charles Witte, P.E., stated lot 6 is irregularly shaped and they were giving a portion of lot 9 to lot 6 for future use.

On motion by Mr. Dolobowsky and seconded by Mr. Ackerman, the application would have public hearing on December 20, 2005.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes;
Mr. Dolobowsky, yes; Mr. Ackerman, yes; and Mr. Klein, yes.

Mr. Jackson stated the application would have public hearing on December 20, 2005 at 6:00 p.m. No further notice was required of the applicant.

5. SD #1509 (No variance requested)

Applicant: Hermann Voorhand

Location: Massachusetts Avenue, south of Prospect Street
Block 445 Lot 18

Preliminary and final major subdivision for 19 units (15 two family & 4 one family townhouse units)

Mr. Peters stated the applicant is seeking preliminary and final major subdivision approval to construct 17 two-family townhouse units on 2.295 acres. The property is currently a single family residence. The property is located on Massachusetts Avenue, south of Prospect Avenue, in the R-M zoning district. No variances have been requested. Outside agency approvals will be required. RSIS requires 2.4 parking spaces be provided for each townhouse unit with three or more bedrooms. The applicant has prepared their parking schedule using a more conservative value of 2.8 parking spaces for each unit, for a total of 48 required spaces. The applicant has provided 51 of street parking spaces. The ordinance defines any townhouse with a basement as a two unit structure. If the basement units are to be residential, then revised architectural plans shall be submitted and the parking calculations revised to include the number of bedrooms in the basement unit. This may cause a variance. If the basement units are to be used for storage, no additional parking will be required, although, the board may wish to impose a restriction on the property to ensure no future conversion of the basement to a residential use. Ordinance section 900 H.10 requires a structure with more than two units in one facade have a variation in offset of at least two feet. The site plans shows the front facade of the units to be straight across. This requires a variance. There are some minor discrepancies between the building footprint dimensions shown on the architectural plans and the site plans. Please revise. The application form states the application is for 19 townhouses, 15 with basements, 4 without basements. The plans indicate 17 townhouses, 16 with basements, and one without. The application form shall be revised. The board should determine if a shade tree easement is required along Massachusetts Avenue. The applicant shall provide testimony as to how garbage collection will be handled, whether it will be private or public and where containers will be stored. The provided turn around areas appear insufficient for large emergency vehicles. It does not appear that a turn around area of adequate size can fit at that location. Turn arounds may be possible utilizing a combination of townhouse driveways, drive lane and adjacent parking spaces. If this route is taken, the aprons, sidewalks and driveways should be of adequate thickness to handle the weight of large emergency vehicles. We previously reviewed the site plans for improvements to neighboring lot 17. Lot 17 has a proposed retaining wall in close proximity to one being installed along the northern property line. We have concerns that the minimal separation between the two walls will impact their performance. The applicant's engineer must be aware of the tiered wall situation when designing the proposed retaining wall. We recommend a light be installed for the proposed playground. The balance of the comments are technical in nature.

Mr. Truscott stated the applicant is seeking preliminary and final major site plan and subdivision approval to construct 17 two family townhouse dwellings at the above referenced location. In addition to the residences, an access street, off-street parking area, stormwater management basin and tot lot will be constructed. The parcel is 2.295 acres in area and contains a single family dwelling and in ground pool. The majority of the parcel is wooded. The site has approximately 225 feet of frontage on Massachusetts avenue and is situated approximately 200 feet south of the intersection with Prospect Avenue. The board granted site plan and subdivision approval in October to LWI Enterprises, LLC for a 16 unit townhouse development on adjoining lot 17 to the north. Surrounding land uses consist of a multifamily residential development to the east, a proposed townhouse development on the adjoining vacant lot to the north, a single family residence to the south and vacant lands to the west. The site is located in the RM zone. Townhouses are permitted in the RM zone. No variances are requested. However, please refer to item C.3 of this report which indicates that a variance for the number of off-street parking spaces is required. Various corrections need to be made to the application form. Site plan detail comments are requested. The architectural drawing indicates that each unit will be twenty six feet wide, the site plan indicates that each unit will be twenty eight feet in width. The drawings must be reconciled. The site plan should identify the units that will have basements. Architectural drawings should be submitted for the units with basements. A variance will be required for the number of street parking spaces. The site plan indicates that 17 two family townhouse units are proposed. The parking computations indicate that 2.8 spaces each are required for 17 units, or a total of 48 spaces. A total of 51 parking spaces are proposed. However, the UDO chapter 18-902.M indicates "Notwithstanding the definition of townhouse in this chapter, for the purposes of this section, any townhouse with a basement should be considered to units." Therefore, if all of the townhouse dwelling shave basements, then the number of off street parking spaces should be double, or 96 parking spaces. All areas put into common ownership for common use by all residents shall be owned by a non-profit homeowners association in accordance with the requirements of DCA and the provisions of section 1010 of the UDO. There are landscaping and lighting comments and comments regarding the retaining wall. Outside agency approvals will be required.

Abraham Penzer, Esq., appearing on behalf of the applicant. They agreed to all the comments. The only issue dealt with parking. They provided more parking. He helped in the preparation of the ordinance and they had more than enough parking.

Ray Carpenter, P.E., stated they used 2.8 parking spaces per unit where the requirement was 2.4 parking spaces. They were not proposing any bedrooms in the basement. Mr. Banas reviewed the definitions of the ordinance. Mr. Truscott stated there was some confusion as to how many units were proposed and how many had basements. Mr. Carpenter stated there are 17 units with basements. Mr. Peters asked about a floor plan for the basement. Mr. Carpenter stated the basements would have an area for storage and would be accessed from the front and the inside. Mr. Banas stated he was not accepting the architectural plans because it was not sealed nor dated. Mr. Peters stated there was no plan for the basement. He was confused with the statement that the basement was a unit. Mr. Carpenter stated they were not saying that a basement was a unit. It has to be considered as a unit for the parking. Mr. Penzer stated they were willing to provide the parking for the units. RSIS requires the parking to be based on the

number of bedrooms. Since the basements have no bedrooms, they provided extra parking. It was a two step process. It has to be considered as a unit, but there are no bedrooms. Mr. Banas stated they have to work with real documents which they were not. They did not know what they were talking about. Mr. Penzer stated that it was a regular basement. Mr. Peters stated that they were anticipating that it was a basement and had to count it as a unit.

Mr. Dolobowsky stated if they consider this a two family, it could be used as such. This could create the need for additional parking. Mr. Penzer stated they would still have enough spaces. There are no bedrooms in the basements. Mr. Peters stated that he receive telephone calls form Mr. Kielt where floor plans have been submitted which are different from the architectural. Mr. Dolobowsky stated there was a lot of stuff on a small piece of property.

Mr. Banas wanted to see where the cuts were to see how close this comes to the streets. If it was only 200 feet and it does not work, it might be tight. Mr. Peters agreed. Mr. Carpenter stated the opening appears to be 75 feet north of the property line. Mr. Banas asked that it be included on the plans and Mr. Carpenter replied that it would be.

Mr. Penzer stated they needed guidance regarding the amount of parking that the board would be looking for. Mr. Dolobowsky felt it was overbuilt as did Mr. Banas.

Mr. Truscott stated they would have to provide 51 spaces which is what they were providing. If the board is comfortable with restrictions on the basements to ensure that it is only used for storage then it was acceptable. Mr. Banas stated that the architectural plans would indicate the use.

The board heard the next item so the applicant could review his application.

- 6. SP #1828** (No variance requested)
Applicant: Lakewood Associates
Location: Oberlin Avenue south, west of Syracuse Court
Block 1600 Lot 5
Preliminary and final site plan for proposed building addition

Mr. Peter stated the applicant is seeking to add on to an existing manufacturing facility. The addition will be a 6,019 square foot warehouse. It is located on Oberlin Avenue in the M-1 zoning district. No variances will be required. Outside agency approvals will be required. The applicant has provided sufficient parking spaces. We recommend that the roof drains be piped directly to an underground collection system. The down spout locations should be shown on the plans. The applicant has provided a drainage report indicated that no increased in flow will be realized as existing parking lot will be removed to accommodate the new addition. We agree with this statement. The grading plan should be revised to show finished floor elevations of the existing warehouse and the proposed addition. The applicant should provide testimony as to the use of the overhead doors. If used for deliveries, the plans must show adequate access for the largest vehicle anticipated. We have concerns regarding the drainage in the 4' strip between the existing building and the addition. The plans should be revised to show more detailed grading in this area, demonstrating the positive drainage will be achieved.

Mr. Truscott stated the applicant is seeking preliminary and final site plan approval to construct a 6,019 square foot addition to an existing warehouse. The parcel is 7.53 acres in area and contains an existing 40,000 square foot warehouse. Other site improvements are currently underway. The site is located on Oberlin Drive and abuts an existing fifty foot wide landscape buffer easement along New Hampshire Avenue. The surrounding developed land uses are primarily light industrial. No variances are requested. The applicant should discuss the impact, if any, of the proposed addition on site circulation in conjunction with the other site improvements. Additional information should be submitted to the board concerning the proposed site improvements by others. No information was submitted concerning site lighting. This should be addressed. Architectural floor plans and elevations have been submitted for review. A total of 123 off street parking spaces are provided per the site plan. Seventy spaces are required per chapter 18, section 903.M.6.c based on one space per employee and 20 spaces for executives. The applicant should confirm the current and potential future employment at this facility. Outside agency approvals are required.

Abraham Penzer, Esq., appearing on behalf of the applicant. They would have the roof drains piped directly. The drainage report has been submitted. They would revise the grading plans and have testimony regarding the overhead doors. A more detailed grading plan would be submitted. With regard to the planner's report, they would comply with items three through six.

Stuart Challoner, P.E., stated the applicant has a tenant for the new building. The site circulation has been designed by their in house engineer. There is no increase in impervious coverage. The parking is over an already paved area. The grading detail will be provided. The proposed site improvements by others is the existing building that is under construction currently. This application is just for the 6,000 square foot addition. The site was designed and it would function as approved by the previous application.

Mr. Dolobowsky asked about cars versus trucks. Mr. Challoner stated he would have testimony regarding the same. Mr. Dolobowsky asked why the building did not abut the existing building. Mr. Challoner stated he would be ready to address the same at the public hearing.

On motion by Mr. Neiman and seconded by Mr. Klein, the application would have public hearing on December 20, 2005.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; Mr. Ackerman, yes; and Mr. Klein, yes.

Mr. Jackson stated the application would have public hearing on December 20, 2005 at 6:00 p.m. No further notice was required of the applicant.

The board returned to SD#1509.

Mr. Penzer stated his client wants to take the worse case scenario and say there would be bedrooms upstairs and the basement would have two bedrooms. The question would be what the board would require for parking spaces. Mr. Banas stated he did not think the plans were ready for the public hearing on December 20th. The board did not know what they were doing. He suggested they review the plans and resubmit. He agreed that the site was too crowded. Mr. Penzer stated they would come back to the January 3, 2006 technical review meeting. He asked how many spaces they would require per unit. Mr. Neiman stated he would like to see five spaces per unit. Mr. Penzer stated he could not do five but he could do four spaces per unit. The issue of parking was discussed further as it related to spaces per unit.

On motion by Mr. Dolobowsky and seconded by Mr. Ackerman, the application would have reappear at the January 3, 2006 technical review meeting.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; Mr. Ackerman, yes; and Mr. Klein, yes.

Mr. Jackson stated the application would be heard again at the January 3, 2006 technical review meeting at 6:00 p.m. No further notice was required of the applicant.

V. PUBLIC PORTION

None at this time.

Mr. Kielt stated there was an item of correspondence. A letter was received from Abraham Penzer regarding SD #1432. This was an approval of five units. There was an issue with regard to the bedrooms. They were now putting two bedrooms in the attic. Mr. Penzer stated it did not affect the parking, just the attic. Mr. Banas stated that the board approved the application without the attic being an habitual area. If the board looked at it, the board would have asked for more parking spaces. Mr. Penzer stated RSIS is the standard. The decision of the RSIS is that they feel that at a certain point it does not tax the service or affect the parking. If it is increased, it would have to be decreased. There is no outside entrance to the attic.

Mr. Neiman stated this is the reason the board requires architecturals. Mr. Penzer agreed. Mr. Jackson felt the issue was whether it could be amended. If the architecturals are not submitted that way, the professionals and public do not have an opportunity to comment on it. The issue is whether it could be administratively approved. Mr. Banas stated if the building was constructed and in place and occupied, and if the person wanted to occupy the upstairs they would go to the zoning officer to convert it. This was different. The building was being constructed and differed than what the board approved.

Mr. Dolobowsky felt the applicant would have to appear at the next meeting. Mr. Jackson stated the board would have to determine if this was a material change. If it was, the applicant would have to renotice. The applicant would reappear at the next meeting as old business. Mr. Banas stated he has the architecturals which were not sealed nor dated. The submitted plans had to be proper.

On motion by Mr. Dolobowsky and seconded by Mr. Klein, the applicant would appear again at the next technical meeting.

Mr. Jackson felt that Mr. Peters should review the same to see if it is a material change. Ultimately, it was the board's decision.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; Mr. Ackerman, yes; and Mr. Klein, yes.

Mr. Jackson stated the applicant would appear at the technical review meeting January 3, 2006 at 6:00 p.m. No further notice was required of the applicant.

VI. APPROVAL OF MINUTES

On motion by Mr. Neiman and seconded by Mr. Dolobowsky, the minutes of October 11, 2005 and November 1, 2005 were hereby approved.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Dolobowsky, yes; Mr. Ackerman, yes; and Mr. Klein, yes.

VII. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted,
Elaine Anderson
Planning Board Recording Secretary