

**LAKESWOOD ZONING BOARD OF ADJUSTMENT  
MARCH 7, 2005  
MINUTES**

Meeting was called to order at 7:30 P.M.

Meeting properly advertised according to the Sunshine Law.

Roll call: Attending: Mr. Daniels, Mr. Gonzalez, Mr. Naftali,  
Mr. Zaks, Mr. Gelley, Mr. Halberstam, Mr. Sernotti

Absent: Mr. LeCompte

Also present: Jim Priolo, Engineer  
Glenn Harrison, Attorney  
Steve McCrystal, Court Stenographer  
Fran Siegel, Secretary

Salute to the flag.

Motion to accept minutes of February 7, 2005 with a waiver to read – Mr. Halberstam

Second – Mr. Gonzalez

Roll call vote: affirmative: Mr. Daniels, Mr. Gonzalez, Mr. Naftali, Mr. Gelley,  
Mr. Halberstam

**Appeal #3528 – Mark Properties** – Secretary read letter from Ray Shea requesting to carry until May 2nd meeting.

Chairman asked for re-notice.

Motion – Mr. Zaks

Second - Mr. Halberstam

Roll call vote: affirmative: Mr. Daniels, Mr. Gonzalez, Mr. Naftali, Mr. Zaks, Mr. Gelley  
Mr. Halberstam, Mr. Sernotti

**Appeal #3464 – David Godin**, 423 15th Street, Block 58 Lot 5, R-12 zone. Single family home on an undersized lot.

Secretary read reports.

**From: Jim Priolo, Engineer/Planner**

1. The property in question is located on Fifteenth Street and is within the R-12 (Residential) Zone. The applicant proposes to demolish the existing single-family dwelling and construct a new, larger single-family dwelling. The existing lot does not conform to the current zone requirements. In accordance with Section 18-12.2 of the ordinance, bulk variances will be required for the construction of the proposed single-family dwelling as follows:

	<b>Required</b>	<b>Existing</b>	<b>Provided</b>
Minimum Lot Area	12,000 s.f.	10,175 s.f.	10,175 s.f.
Minimum Lot Width	90 feet	75 feet	75 feet
Minimum Front Setback	30 feet	29.3 feet	N/A
Minimum Side Setback (One)	10 feet	8.0 feet	9.9 feet
Minimum Side Setback (Combined)	25 feet	16.8 feet	19.9 feet
Maximum Lot Coverage	25%	—	25.61%

2. The applicant must demonstrate to the Board that the requested variances can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.
3. The applicant should address the Board regarding the visual impacts which the new structure will have on the surrounding properties.
4. There appears to be an exterior entrance to the basement. The applicant should discuss the anticipated use of the basement.
5. Any approval should include a condition that the maximum elevation difference between finished floor and outside grade at the foundation is 30 inches.
6. Any approval should include a condition that all curb shall be replaced as directed by the Township Engineer. Concrete sidewalk and a concrete driveway apron should also be required.

**From: Ed Mack, Zoning Officer**

This project which involves the replacement of an existing house with a new structure will not have a large impact as there are other houses in the area which appear similar in size to the proposed house.

Mr. Harrison - Mr. Gelley is one of the neighbors and will disqualify himself.

Mr. Penzer asked Mr. Gelley if he was interested in buying or selling property.

Mr. Gelley responded no and then left the dais.

Abraham Penzer represented applicant. The other side did not want to buy or sell as well. This is an R-12 zone and there is 10,175 square feet existing. The house is about 44 years old. The applicant wishes to construct a single family home. Spoke to every neighbor and nobody opposes.

Charles A. Boyles – Flannery, Webb & Hansen, Engineer, sworn.

A-1 color rendering.

Mr. Boyles reviewed Mr. Priolo's report.

Mr. Boyles - agreed to the 30 inches.

Open to Public. Closed to public.

Motion to approve – Mr. Zaks

Second – Mr. Naftali

Roll call vote: affirmative: Mr. Daniels, Mr. Gonzalez, Mr. Naftali, Mr. Zaks,  
Mr. Halberstam, Mr. Sernotti

**Appeal # 3493A –Avinash Gupta, 15 Spruce St, Block 778.06 Lots 27, 52, 53 & 78,  
R-10 and HD-6 zones. Site Plan**

Secretary read reports.

**From: Jim Priolo, Engineer/Planner**

1. The subject property is located at the corner of State Highway Route 9 (a.k.a. River Avenue) and Spruce Street. The existing office building is located on Lots 27 and 78, which are within the HD-6 (Highway Development) Zone. The applicant proposes to raze the existing residential dwelling on Lots 52 and 53 and construct an addition to the existing office building. The proposed addition on Lots 52 and 53 will be located within the R-10 (Single-Family Residential) Zone.
2. The office building is a non-permitted use in the R-10 Zone. The applicant previously received approval from the Zoning Board of Adjustments under Appeal No. 3493 for use and bulk variances for the addition. The applicant is back before the Board to seek Preliminary & Final Site Plan approval.
3. Variances are required as follows:
  - a. In accordance with Section 18-14.9A(3), parking spaces shall be at least 10' x 20' in size, whereas 9' x 18' spaces are proposed.
4. The following comments should be addressed with regards to the Site Plan:
  - a. An additional handicap parking stall should be provided by the proposed office addition. Also, a handicap ramp should be installed for access to the handicap space.
  - b. The sidewalk that abuts the parking areas should be a minimum of 6 ft. wide, whereas existing sidewalk is only 4 ft. wide in some existing areas and 5 ft. wide in some proposed areas.
  - c. Striping and fire lanes in accordance with the Lakewood Township Bureau of Fire Prevention should be shown on the plans.
  - d. The applicant should discuss the location of the mechanicals for the building and how the noise produced will be shielded from the neighboring residential zones.
5. The following comments should be addressed with regards to the Grading and Drainage Plan and Stormwater Management Report:
  - a. Only one-third of the sidewalls of the infiltration trench sidewalls may be used in the infiltration rate. The calculations should be revised as well as any subsequent calculations that will be affected.
  - b. All proposed drainage pipe should be perforated.
6. The following comments should be addressed with regards to the Landscape and Lighting Plan:
  - a. The existing site lighting and landscaping should be shown on the plan to insure adequate lighting and landscaping has been provided for the entire site.

- b. A minimum of three (3) staggered rows of evergreen plantings should be proposed within the buffer area.
  - c. The retaining wall should be shown on the Landscape Plan. Additional plantings should be proposed along the top of the wall to screen the parking lot and trash enclosure from the adjacent residential property.
  - d. The existing trees within the buffer area and rear yard should be located and shown to be saved.
  - e. The "TOS" designation should be revised on the planting schedule.
7. The applicant should discuss vehicular circulation within the site including turnarounds, trucks, deliveries, trash removal, etc. It appears that the parking lot will generally be full leaving very little space for turning around and truck circulation.
8. Ocean County Planning Board approval should be indicated on the plan.

**From: Ed Mack, Zoning Officer**

Because of the prominence of the hospital, the nearby properties will begin to have more professional development and a reduction in the percentage of residential use. For this reason this type of redevelopment seems to make sense especially with the highway and other commercial uses already in existence. However care should be taken to protect the residential properties that remain.

Caroline Cassagrande, attorney, represented applicant. Requesting site plan approval. Second half of bifurcated application. Received approval for the use variance.

Charles Boyles, engineer, sworn.

Mr. Boyles referred to color rendering of site plan, A-1. Expand an existing medical office, a portion of which is in a residential zone. Also expanding a portion of the parking lot. Reviewed Mr. Priolo's report. Will continue to maintain the 25 foot buffer along the eastern property line to provide screening from residential properties. Agreed to readjust dumpster location. Agreed to stormwater management changes.

Mr. Priolo – 9 x 18 consistent with other applications – no problem.

Mr. Boyles – will add a handicap space on the NE corner of the property.

Mr. Priolo – will not be a lot of truck activity on site.

Mr. Boyles – garbage is picked-up once a week and there are no office hours at that time.

Ms. Caspran - Garbage usually picked up about 7 a.m.

Mr. Boyles- will comply with the triple row for buffer.

Open to Public. Closed to Public.

Motion to approve – Mr. Zaks

Second – Mr. Gonzalez

Roll call vote: affirmative. Mr. Daniels, Mr. Gonzalez, Mr. Naftali, Mr. Zaks,  
Mr. Gelley, Mr. Halberstam, Mr. Sernotti

**Appeal # 3548 – Preferred Enterprises**, Rutgers Blvd & Swarthmore Ave, Block 1609  
Lot 28.03, M-1 zone. Use variance to allow a parking facility.

Secretary read reports.

**From: Jim Priolo, Engineer/Planner**

1. The subject property is located on Rutgers Boulevard and is within the M-1 (Industrial) Zone. The lot is approximately 3.29 acres and is vacant. The applicant is seeking approval to use the lot as a parking facility to hold a maximum of 96 tractor trailer spaces or a maximum of 243 automobile spaces. The proposal is to construct a gravel lot, associated stormwater management, site lighting and landscaping.
2. The proposed use is not permitted within the M-1 Zone; and therefore, in accordance with Section 18-15 of the ordinance, a use variance approval is required from the Board of Adjustment.

The applicant must provide testimony to the Board detailing the special reasons, which would allow the Board to grant a variance to depart from the zoning regulations to permit a use in a district restricted against such use.

The applicant must demonstrate to the Board that the requested use variance can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.

3. The existing lot does not conform to the current zoning requirements. In accordance with Section 18-15 of the ordinance, bulk variances will be required as follows:

	<b>Required</b>	<b>Provided</b>
Minimum Lot Width	300 ft.	240 ft.

4. The following comments should be addressed with regards to the Site Layout Plan:
  - a. The plan proposes a stacking arrangement for the tractor trailer option and a traditional parking lot layout for the automobile option. The applicant should discuss the purpose and intent of each option.
  - b. A larger buffer (tree save area) should be provided along the eastern sideline adjacent to the parking lot.
  - c. The concrete curb along the site's roadway frontage should be removed and replaced. Additionally, concrete sidewalk should be proposed.
  - d. The proposed asphalt pavement should extend farther into the site.

- e. The property is encumbered by a power line easement from First Energy (JCP&L). The applicant should provide a statement of the approval from First Energy to allow construction activity within their easement.
  - f. The applicant should indicate how the parking stalls will be delineated.
  - g. The applicant should discuss trash collection and disposal.
5. The following comments should be addressed with regards to the Grading, Drainage and Utility Plan and Stormwater Management Report:
- a. The applicant should discuss the impacts on adjacent Lot 27 if the drainage system were to fail.
  - b. Split-rail fencing or another protective measure should be proposed around the stormwater management area.
6. The following comments should be addressed with regards to the Landscaping & Lighting Plan:
- a. The time of the proposed lighting should be indicated on the plans.
  - b. Berming and a more creative landscape design should be proposed along Rutgers Boulevard. Trees should be located within the existing tree area to determine if supplemental planting is required.
7. The applicant should submit to, and appear before, all other Local, State and Federal agencies having jurisdiction over this project.
8. Ocean County Planning Board approval should be indicated on the plan.
9. Prior to commencement of construction, the applicant shall post a performance guarantee and inspection fund in accordance with the provisions of the Township's Land Use Ordinance and Municipal Land Use Law.

**From: Ed Mack, Zoning Officer**

I have no objection to this use.

Mr. Halberstam secluded himself from the application.

Chairman announced that there were only 6 members available.

Jan Wouters represented applicant. Application for a use variance to permit the use of the property for the parking of automobiles and tractor trailers.

Albert Boufarah, 831 Gilmore Island, applicant. Do computer & electronic recycling. Now at 1955 Swarthmore Avenue about 6 years. Lot is across the street. For the parking of tractor trailers and automobiles for use of the business only. Owned property for about a year - purchased from the Township of Lakewood. Submitted a plan to the Industrial Commission before purchasing the property.

Gene Santana, 240 Grand Central Parkway, Bayville, NJ, engineer, sworn. Prepared plans for

this application. The site is an undeveloped parcel that has JCP& L energy lines.

Copy of letter was presented from 1st Energy giving their consent to utilize the property for the proposed use.

Mr. Santana – their comments are incorporated in the plan. Mr. Santana reviewed Mr. Priolo's report. A condition from JCP & L was that they asked that no vehicles be parked underneath their lines. Does not think that sidewalks would be necessary but would comply. Will supply a trash enclosure. Would like to put bollards around the storm water system facility.

Mr. Boufarah – They will have somebody clean the parking lot everyday and will agree to trash receptacles on site.

Discussion followed if there were presently tractor trailer trucks on the property now. It was agreed that it was not the applicants property.

Mr. Harrison read letter from First Energy.

Mr. Priolo – will require sidewalks. Recommend buffer alongside the sideline where the trailers are parked.

Mr. Boufarah – they have now about 120 trailers.

Mr. Santana – They will be about 40 feet away from the JC P & L lines.

Mr. Priolo - Ideally the buffer should be 25 – 50 feet.

Applicant agreed to trash receptacles.

Open to Public. Closed to Public.

Motion to approve provided that all conditions are met. – Mr. Gonzalez

Second – Mr. Daniels

Roll call vote: affirmative: Mr. Daniels, Mr. Gonzalez, Mr. Naftali, Mr. Zaks,  
Mr. Gelley, Mr. Sernotti

**Appeal # 3554 – Moshe Frankel**, 1494 Tanglewood Lane, Block 25.06 Lot 13, R-12 zone. Single family home on an undersized lot.

Secretary read reports.

**From: James Priolo, Engineer/Planner**

1. The property in question is located on Tanglewood Lane and is within the R-12 (Single-Family Residential) Zone. The applicant proposes to demolish the existing single-family dwelling and construct a new, larger single-family dwelling.

- The existing lot does not conform to the current zone requirements. In accordance with Section 18-12.2 of the ordinance, bulk variances will be required for the construction of the proposed single-family dwelling as follows:

	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>
Minimum Lot Area	12,000 s.f.	9,374.4 s.f.	9,374.4 s.f.
Minimum Lot Width	90 feet	75 feet	75 feet
Minimum Side Setback (One)	10 feet	8.46 feet	N/A
Minimum Side Setback (Combined)	25 feet	20 feet	N/A

- The applicant must demonstrate to the Board that the requested bulk variances can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.
- The applicant should provide testimony on the proposed use of the basement level. There appears to be an exterior access.
- Any approval should include a condition that the maximum elevation difference between finished floor and outside grade at foundation is 30 inches.
- Any approval should include a condition that curb and sidewalk shall be constructed as directed by the Township Engineer.

**From: Ed Mack, Zoning Officer**

I have no objection to the proposed single family home.

Moshe Frankel, affirmed. Build a one-family home on an undersized lot – no other variances. The exterior entrance to the basement will be in the back for things that are used for the summer.

Mr. Frankel agreed to 30 inches to plate

Open to Public. Closed to Public.

Motion to approve – Mr. Daniels

Second – Mr. Zaks

Roll call vote: affirmative: Mr. Daniels, Mr. Gonzalez, Mr. Naftali, Mr. Zaks, Mr. Gelley, Mr. Halberstam, Mr. Sernotti

**Appeal #3555 – Jacob Knobel**, 1411 14th Street, Block 25 Lot 5, R-12 zone. Single family home on an undersized lot.

Secretary read reports.

**From: James Priolo, Engineer/Planner**

- The property in question is located on Fourteenth Street and is within the R-12 (Single-Family Residential) Zone. The applicant proposes to demolish the existing single-family dwelling and construct a new, larger single-family dwelling.



- The existing lot does not conform to the current zone requirements. In accordance with Section 18-12.2 of the ordinance, bulk variances will be required for the construction of the proposed single-family dwelling as follows:

	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>
Minimum Lot Area	12,000 s.f.	11,118 s.f.	11,118 s.f.
Minimum Lot Width	90 feet	79 feet	79 feet
Minimum Side Setback (Combined)	25 feet	28.2 feet	24.5 feet
Maximum Lot Coverage	25%	N/A	28.7%

- The applicant must demonstrate to the Board that the requested bulk variances can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.
- The applicant should address the Board regarding the visual impacts which the new structure will have on the surrounding properties.
- Any approval should include a condition that the maximum elevation difference between finished floor and outside grade at foundation is 30 inches.
- Any approval should include a condition that curb and sidewalk shall be constructed as directed by the Township Engineer.

**From: Ed Mack, Zoning Officer**

I have no objection to the proposed single family home.

Jacob Knobel, affirmed. Existing home is on an undersized lot. Would like to take down the existing home and put up a new house. Agreed to 30 inches to grade.

Open to Public. Closed to Public.

Motion to approve – Mr. Zaks

Second – Mr. Daniels

Roll call vote: affirmative: Mr. Daniels, Mr. Gonzalez, Mr. Naftali, Mr. Zaks, Mr. Gelley,  
Mr. Halberstam, Mr. Sernotti

Recess.

**Appeal # 3529 - Congregation Zichron Yoel**, 1014 Lawrence Avenue, Block 169 Lots 2 & 3, B-4 zone. The construction of an addition for a synagogue and multiple use of the structure as a residence and synagogue.

Secretary read reports.

**From: James Priolo, Engineer/Planner**

- The subject property is located on Lawrence Avenue and is within the B-4 (Wholesale Service) Zone. The site contains an existing 2-story residential dwelling. The applicant proposes to construct an approximately 2,500 s.f. addition onto the existing dwelling. The new addition will be used as a synagogue.

2. Although a single-family residential dwelling and a house of worship (synagogue) are both permitted uses in the B-4 Zone, the combined residence/house of worship use is not permitted, and therefore a use variance will be required.

The applicant must provide testimony to the Board detailing the special reasons which would allow the Board to grant a variance to depart from the zoning regulations to permit a use in a district restricted against such use.

The applicant must demonstrate to the Board that the requested use variance can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.

3. The existing structure is not in compliance with several of the bulk requirements for the zone. In accordance with Section 18-14.4 of the ordinance, bulk variances will be required as follows:

	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>
Minimum Rear Setback	10 ft.	39.5 ft.	6.63 ft.
Minimum Side Setback (One)	10 ft.	6.8 ft.	6.8 ft.
Minimum Side Setback (Combined)	20 ft.	64.8 ft.	19.97 ft.
Minimum Off-Street Parking	19 spaces	2 spaces	8 spaces

4. In accordance with Section 18-6.7, parking is prohibited within any required front yard and within 10 feet of any side yard. The parking lot crosses over the front property line and is 9 feet from the side property line. Therefore, a variance is required.
5. The following comments should be addressed with regards to the Site Layout Plan:
  - a. The parking at the synagogue on Lawrence Avenue is head-on type parking, which requires vehicles to back up into Lawrence Avenue.
  - b. Concrete curb and sidewalk should be replaced along the entire frontage.
6. The following should be addressed with regards to the Grading Plan:
  - a. No provisions have been made for stormwater management. A drainage system should be proposed to account for the increase in  
  
The grading along the southern side property line should be revised. Stormwater is currently directed onto adjacent Lot 1.
  - c. There appears to be a low point behind the existing dwelling.
  - d. The applicant should discuss the intended use of the basement. The finished floor is approximately five feet (5') higher than outside grade.
7. Ocean County Planning Board approval should be indicated on the plan.
8. Approval by the Board should be subject to approvals from all other local, State and Federal agencies having jurisdiction over this project.

**From: Ed Mack, Zoning Officer**

I have no objection to this application.

Abe Penzer represented applicant. At the Boards recommendation, approximately 3 years ago, bought house next door. They will use the existing house for the synagogue and the other house for the rabbi.

A-3 elevation of synagogue and Rabbi's residence attached.

Mr. Penzer – each use is permitted but combined they are not permitted. 99.9% of the people will walk. This is a local synagogue. There is no parking.

Graham Macfarlane, Engineer, Property Development Services, sworn. Reviewed Jim Priolo's report.

Accepted credentials.

Mr. Macfarlane – To construct a synagogue adjacent to the existing home. The two lots will be combined. Seeking two uses on the same property. Consistent with the zone plan. Bulk variances are needed for rear setback, side setback, combined sideyard setback, and parking. This is an inherently beneficial use. The members are exclusively located within walking distance. They have provided 6 parking spaces in front of the synagogue and 2 for the existing residence. They are required 19 spaces. Provided the maximum that they could provide.

Mr. Macfarlane - First floor of the addition was set to match the existing home. The synagogue will have a basement and will not be used as sanctuary space. It will be used for a Kiddush room.

Open to Public. Closed to Public.

Many people in the audience were in favor of the application.

Motion to approve – Mr. Zaks

Second – Mr. Daniels

Roll call vote: affirmative: Mr. Daniels, Mr. Gonzalez, Mr. Naftali, Mr. Zaks, Mr. Gelley,  
Mr. Halberstam, Mr. Sernotti

**Appeal # 3551 – Cong. Mayan Hatorah**, Joe Parker Road, Block 189.03 Lot 174, R-20 zone. To construct a Yeshiva, dormitory, faculty housing and gymnasium

Secretary read reports.

**From: Jim Priolo, Engineer/Planner**

1. The subject property is located on Joe Parker Road and is within the R-20 (Single-Family Residential) Zone. The applicant is proposing a 2-story school (9,028 s.f.), a 2-story dormitory (7,952 s.f. with 21 rooms), a 1-story gymnasium (5,830 s.f.) and four 2-story faculty houses (2,080 s.f. each). The site will also contain a parking lot, stormwater basin and other associated improvements. The two existing single-family dwellings will be removed.

2. In accordance with Section 18-12.3 of the ordinance, the proposed yeshiva, dormitory, faculty housing and gymnasium uses collectively are not permitted in the R-20 Zone. The proposed multiple uses are not permitted, therefore use variance approval is required. The applicant must provide testimony to the Board detailing the special reasons which would allow the Board to grant a variance to depart from the zoning regulations to permit a use in a district restricted against such use. The applicant must demonstrate to the Board that the requested use variance can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.
3. In accordance with Section 18-12.1 of the ordinance, the following bulk variances are required as follows:

	<b>Required (R-20)</b>	<b>Proposed</b>
Front Yard Setback	30 ft. (Township)	16.65 ft.
Maximum Lot Coverage	25%	28%

The applicant must demonstrate to the Board that the requested bulk variances can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.

4. The applicant should provide parking calculations for all the uses on-site. A variance will be required for parking. It appears that 31 parking spaces are required, whereas 21 spaces are proposed.
5. The applicant should submit an NJDEP Absence/Presence letter to insure that there are no environmental constraints on this property.
6. The following items should be addressed with respect to the Cover Sheet:
  - a. Under General Note #4, it should be clarified that no site identification signs are proposed.
  - b. General Note #7 requests a design waiver to provide 9' x 18' parking spaces where 10' x 20' are required. The property in question is located within the CAFRA area, therefore parking stalls of 9' x 18' are permitted.
7. The following items should be addressed with respect to the Site Plan:
  - a. The location of the proposed stop sign should be provided.
  - b. The location of handicap parking, striping and signage should be provided.
  - c. The applicant should discuss vehicular circulation within the site including turn arounds, trucks, deliveries, trash removal, etc. It appears that the parking lot will generally be full leaving very little space for turning around and truck circulation.
  - d. A sidewalk should be shown to the front door of the school.

8. The following items should be addressed with respect to the Grading & Drainage Plan and stormwater management:
  - a. The finished floor elevations for the proposed school and dormitory should be provided.
  - b. A fence should be provided around the stormwater maintenance basin.
  - c. The 100-year water surface elevation should be delineated on the plans.
  - d. It should be noted that as of September 8, 2004, the Natural Resources Conservation Service has updated the rainfall frequency data for New Jersey. The new 100-year rainfall amount for Ocean County is 9.2 inches. Any subsequent calculations should be revised.

Additional topographic and planimetric information is required downstream (west) of the emergency spillway to insure there are no adverse offsite impacts.
9. The following items should be addressed with respect to the Utility Plan:
  - a. It appears that the proposed sanitary sewer and storm sewer lines have a conflict at the crossing. This conflict should be corrected.
  - b. It appears that the storm sewer inlets and pipe are depicted incorrectly on the Sanitary Profile. This should be corrected.
10. The following items should be addressed with respect to the Landscape & Lighting Plan:
  - a. Existing trees to remain should be shown.
  - b. The plan shows a tree save area along Joe Parker Road; however, there appears to be only four (4) existing trees in this area. Supplemental landscaping throughout this tree save area should be provided and shown on the plan.
  - c. The proposed landscaping appears to be inadequate in light of the proposed development. Additional foundation plants and landscaping should be provided.
  - d. Additional landscaping should be provided around the stormwater maintenance basin.
11. Ocean County Planning Board approval should be indicated on the plan.
12. Approval by the Board should be subject to approvals from all other Local, State and Federal agencies having jurisdiction over this project.

**From: Ed Mack, Zoning Officer**

I think that this project should be redesigned to conform to the lot coverage requirements and more importantly the setback requirements for Joe Parker Road.

Abe Penzer represented applicant. Primary use is a school and all buildings will be ancillary uses. There will be a 5,830 square foot gymnasium. This will be a campus community. There will be a four faculty houses, dormitory, gymnasium all on 2 acres.

Graham Macfarlane, engineer. Reviewed Jims report – inherently beneficial. The gymnasium which put them over on lot coverage. Discussed parking spaces, for the uses on site, 21 parking spaces are proposed. 3 parking spaces would be required for the faculty housing. 7 spaces would be required for the school. They walked the site and have determined that there are no wetlands but they will apply to the DEP. There is one trash dumpster. Mr. Priolo – There should be a sidewalk from the parking lot to the front door of the school.

Mr. Macfarlane agreed.

Mr. Macfarlane – will provide additional landscaping around the stormwater management basin. There will be a fence and landscaping. They made an application to the County and to the Ocean County Planning Board.

Mr. Priolo – asking for landscaping and the fence.

Mr. Penzer – agreed to a fence and landscaping.

Mr. Priolo – 9 x 18 stalls okay. They are proposing 20 parking spaces. The ordinance only has requirements for the residence and the school.

Mr. Penzer – the gymnasium is only for the students. There are no bleachers for sporting events.

Rabbi Michael Gruss, 920 Forest Avenue, affirmed. Principal of the school. Students are not permitted to have cars while they are in school. This is a 3 year program at 18, 19, & 20. They have 22 students now and the facility will accommodate 60 children.

Mr. Sernotti - the project is great but would suggest a minimum of 10 more parking spaces. Do not want to see cars parked on Joe Parker Road.

Rabbi Gruss – this will be a seminary – the synagogue will serve the students only. There are 4 faculty families. At least 4 teachers for the 4 classrooms.

Mr. Sernotti – asked about the front yard setback for the faculty housing.

Mr. MacFarlane – they asked for variance for front yard setback for two of the faculty houses. The adjacent home is setback at 13 feet.

Mr. Sernotti asked about more outside green area.

Mr. Halberstam asked about changing the stormwater basin and put in a recharge system.

Mr. Macfarlane – very costly.

Board was polled if they were in agreement with Mr. Sernotti and his concerns. Board members agreed.

Mr. Sernotti -Why 4 faculty houses with 5 bedrooms in each one.

Rabbi Gruss – four units for four families. Usually one faculty member is available. It is better to have 4 faculty homes on the premises.

Mr. Daniels asked about a cafeteria.

Rabbi Gruss – meals will be catered.

Applicant agreed to revise their plans by April 15th and come back on May 2nd.  
Applicant agreed to waive time.

Motion to carry until the May 2nd meeting with no further notice – Mr. Halberstam  
Second – Mr. Naftali

Roll call vote: affirmative: Mr. Daniels, Mr. Gonzalez, Mr. Naftali, Mr. Zaks, Mr. Gelley,  
Mr. Halberstam, Mr. Sernotti

Motion to carry **Appeal # 3544** to the April 2nd meeting – Mr. Daniels  
Second – Mr. Naftali

Roll call vote: affirmative: Mr. Daniels, Mr. Gonzalez, Mr. Naftali,  
Mr. Halberstam, Mr. Sernotti

Nayes: Mr. Gelley

No further notice.

**Appeal # 3549 – Masoras Avos, 23 Congress Street, Block 536 Lot 10-18, To construct an addition to school building.**

Mr. Halberstam secluded himself and there were only 6 members voting.  
Secretary read reports.

**From: Jim Priolo, Engineer/Planner**

1. The property in question has frontage on Ocean Avenue (Route 88) and Congress Street and is partially within the R-7.5 (Single-Family Residential) Zone, the A-1 (Agricultural Zone) and the B-4 (Wholesale Service) Zone. Two principal structures exist on the properties in question. The building located on Congress Street (Lot 18) is an existing school. The applicant proposes to construct a 1,925 s.f. addition containing two class rooms and two offices to the rear of the building. The educational use is permitted in the A-1 and R-7.5 Zones, but is not permitted within the B-4 Zone. Therefore, a use variance will be required for the expansion of a non-conforming use to construct the proposed addition to the school.

The building located on Ocean Avenue (Lot 10) is an existing one-story school. The applicant proposes to expand the gravel parking lot located behind this building to provide an additional 14 parking spaces.

The applicant appeared before the Board in November 2002 for use variance approval for the educational use of the building located on Congress Street. The application (Appeal No. 3364) was granted Preliminary & Final Major Site Plan approval. The original application requested a change of use of the 2-story structure located on Congress Street, from a kitchen cabinet maker and a wholesale and retail sign print shop to the educational use. As part of Appeal No. 3364, the applicant received approval to expand the parking lot behind the school on Ocean Avenue to provide an additional 7 parking spaces.

2. The applicant must provide testimony to the Board detailing the special reasons which would allow the Board to grant a variance to depart from the zoning regulations to permit the expansion of the previously approved multi-use in a district restricted against such use.
3. In accordance with Sections 18-11, 18-12.2 and 18-14.4, one parking space per class room and office is required. The school on Congress Street requires an additional 4 spaces. Seven spaces currently exist and no additional parking for this building is proposed. Therefore, a parking variance is required.
4. Behind the school on Ocean Avenue, it appears that a 12' x 60' trailer occupies a portion of the gravel parking lot. According to the Township Building Department, permits have not been issued for this trailer. The applicant should provide testimony regarding the current use and number of rooms in the existing trailer. The applicant should demonstrate that sufficient parking will be provided should the trailer remain on site.
5. It appears that the foundation landscaping proposed under Appeal No. 3346 was never completed. A condition of approval should include the planting of the proposed landscaping as shown on the approved site plans.
6. The applicant should provide testimony regarding any proposed stormwater management to mitigate the additional lot coverage associated with the proposed building addition and expanded parking area.
7. At the hearing for Appeal No. 3346, the applicant agreed to provide a 150' x 150' play ground area and provide a grass cover for the remaining open area located behind the schools. The applicant has installed a small composite playground structure, however not to the agreed dimensions.

Additionally, a walkway was to be constructed between the two schools.

**From: Ed Mack, Zoning Officer**

I have no objection to the proposed addition.

Abe Penzer represented applicant. Property is in 4 zones. There are 21 parking spaces on the property. There is a trailer on the property but does not belong to this application. It is an ICST trailer.

Mr. Mack – the violation is sent to the property owner.

Chester D'Lorenzo, Engineer, sworn.  
Board accepted qualifications.



Mr. D" Lorenzo - reviewed Mr. Priolo's report. A business use would not be appropriate on this site. They showed the trailer on the site based upon the survey and is not under their control. Agreed to landscaping plantings at the last meeting and they will do them. There is a 150 x 150 play area by the school. A formal playground is not proposed it is a grassy area.

Rabbi Pesach Grossman, affirmed. There is no time limit on the existing trailer. The trailer is behind the building on Route 88. They propose gravel for the parking area.

Mr. Priolo – The trailer in the back is now in the parking lot. How many classrooms are there.

Rabbi Grossman – There is more parking behind the fence. There are 5 classrooms in the Ocean Avenue building and 2 in the trailer. In the existing building there are 7 classrooms, 2 more classrooms and 2 offices are proposed for the addition.

Mr. Priolo – think they need to redesign the parking lot in the back on the Route 88 side and put the sidewalk in.

Applicant agreed to in excess of 18 parking spaces.

Open to Public. Closed to Public.

Brian Terebelo, 8 East 13th Street, affirmed. Owner of adjacent property. In favor of application. Intends to develop the property and asked the applicant to take that into consideration.

Closed to Public.

Mr. Mack – asked about school buses that are parked on the street.

Rabbi Grossman – They own 3 school buses. Applicant agreed to park the 3 buses on the site overnight.

Mr. Sernotti - All comments will be complied with from the resolution of November 2002  
Applicant agreed.

Motion to approve with all stipulations - Mr. Zaks

Second – Mr. Daniels

Roll call vote: affirmative: Mr. Daniels, Mr. Gonzalez, Mr. Naftali, Mr. Zaks, Mr. Gelley  
Mr. Sernotti

## **Resolutions**

**Appeal # 3526 – Faraday Estates**, West Cross Street, Block 508 Lots 1, 2, 3, & 11, M-1 zone. Resolution to approve a use variance for the future subdivision to create 18 residential lots.

Motion to approve – Mr. Halberstam

Second – Mr. Naftali

Roll call vote: affirmative: Mr. Naftali, Mr. Gelley, Mr. Halberstam

**Appeal # 3508 – 283 Ridge Avenue, LLC**, 283 Ridge Avenue, Block 235 Lot 16, R-7.5 zone. Resolution to approve a use variance to construct multi family homes.

Motion to approve – Mr. Gonzalez

Second – Mr. Naftali

Roll call vote: affirmative: Mr. Daniels, Mr. Gonzalez, Mr. Naftali, Mr. Gelley  
Mr. Halberstam

**Appeal # 3516 – Marcy Janora**, Oak Street, Block 1158 Lot 3, A-1 zone. Resolution to approve a single family home on an undersized lot. Required – 2 acres – approved 12,334 square feet.

Motion to approve – Mr. Gonzalez

Second – Mr. Naftali

Roll call vote: affirmative: Mr. Daniels, Mr. Gonzalez, Mr. Naftali, Mr. Gelley  
Mr. Halberstam

**Appeal # 3541 – Yomah, Inc.** 31 High Street, Block 782 Lot 19, R-10. Resolution to approve a single family home on an undersized lot, required 10,000 – approved 7,000.

Motion to approve – Mr. Halberstam

Second – Mr. Naftali

Roll call vote: affirmative: Mr. Daniels, Mr. Gonzalez, Mr. Naftali, Mr. Gelley  
Mr. Halberstam

**Appeal # 3542 – Aaron Rottenberg**, 19 High Street, Block 782 Lot 16, R-10 zone. Resolution to approve a single family home on an undersized lot, required 10,000 – approved 7,000.

Motion to approve – Mr. Gonzalez

Second – Mr. Daniels

Roll call vote: affirmative: Mr. Daniels, Mr. Gonzalez, Mr. Naftali, Mr. Gelley  
Mr. Halberstam

**Appeal # 3540 - Bnos Yisroel School for Girls**, 115 9th Street, Block 133 Lot 9, RM zone. Resolution to approve a two family house on undersized lot, variances approved for side setbacks, lot coverage, and frontage.

Motion to approve – Mr. Gelley

Second – Mr. Daniels

Roll call vote: affirmative: Mr. Daniels, Mr. Gonzalez, Mr. Naftali, Mr. Gelley  
Mr. Halberstam

Motion to pay bills.

All in favor.

Motion to adjourn.

All in favor.

Meeting adjourned at 11:10 P.M.

Respectfully submitted,  
Fran Siegel