

1. CERTIFICATION OF COMPLIANCE

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

“The time, date and location of this meeting was published in the *Asbury Park Press* and posted on the bulletin board in the office of the Township of Lakewood at least 48 hours in advance. The public has the right to attend this meeting, and reasonable comprehensive minutes of this meeting will be available for public inspection. This meeting meets the criteria of the Open Public Meetings Act.”

2. ROLL CALL

Mr. Herzl, Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

3. SWEARING IN OF PROFESSIONALS

Mr. Vogt was sworn in.

4. RESCISSION OF RESOLUTION

- SP 1927A** (No Variance Requested)
Applicant: Four Corners LLC
Location: Squankum Road and Park Place
Block 169 Lots 33 & 34
Amended Clarify Resolution for Preliminary and Final Major Site Plan for catering kitchen and office space

Mr. Neiman said the applicant feels like this resolution is limiting him more now than before. He will come back with a new application for a restaurant down the road.

A motion was made by Mr. Herzl, seconded by Mr. Franklin to rescind the resolution.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Follman

Abstained: Mr. Rennert

5. MEMORIALIZATION OF RESOLUTIONS

- SD 1951** (No Variance Requested)
Applicant: Mr San, LLC
Location: Cathedral Street
Block 25.02 Lots 11 & 12
Minor Subdivision to realign lot line

A motion was made by Mr. _____, seconded by Mr. Follman to approve.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

- 2. SD 1955** (No Variance Requested)
Applicant: Reuven Richter
Location: 23 & 27 Twelfth Street
Block 150.01 Lots 20 & 21
Minor Subdivision to create 3 lots

A motion was made by Mr. Follman, seconded by Mr. Rennert to approve.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

- 3. SD 1946** (Variance Requested)
Applicant: H & H, LLC
Location: New Hampshire Avenue & Kenyon Drive
Block 1603 Lot 2.02
Preliminary & Final Major Subdivision to create 42 duplex units, 4 single-family, and one clubhouse

A motion was made by Mr. Follman, seconded by Mr. _____ to approve.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

- 4. SD 1947** (Variance Requested)
Applicant: Warren Avenue LLC
Location: 419 Warren Avenue
Block 768 Lot 74
Preliminary & Final Major Subdivision to create 6 fee simple duplex units

A motion was made by Mr. Follman, seconded by Mr. _____ to approve.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

- 5. SP 2072AA** (No Variance Requested)
Applicant: David Sebbag
Location: 402 & 444 Hope Chapel Road
Block 2 Lot 109 & 112
Change of Use/Site Plan Exemption from residence to congregate housing

A motion was made by Mr. Follman, seconded by Mr. Rennert to approve.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

- 6. SP 2067** (No Variance Requested)
Applicant: Yeshiva Gedolah of South Jersey, Inc.
Location: North side of Cross Street
Block 457, Lots 2, 4, & 6; Block 458, Lots 1-6
Block 466, Lots 1-3, 7, 10, & 11; Block 467, Lots 1, 2, 5, & 6
Block 468, Lot 1; Block 469, Lots 1, 5-7
Preliminary and Final Major Site Plan for a proposed school campus, consisting of 3 story school, 3 multi-family campus housing buildings, 5 townhouses, a mikvah, and a gym

A motion was made by Mr. Follman, seconded by Mr. Rennert to approve.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

7. **SP 2077** (No Variance Requested)
Applicant: Yeshiva Kol Torah
Location: Oak Street
Block 1009 Lot 1.01
Preliminary and Final Major Site Plan for a boys elementary school

A motion was made by Mr. Follman, seconded by Mr. _____ to approve.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Follman
Abstained: Mr. Rennert

6. PUBLIC PORTION

1. **SP 2034AA** (Variance Requested)
Applicant: Me'Ohr Hatalmud, Inc
Location: Chestnut St & Caldwell Avenue
Block 1097 Lot 2
Amended Change of Use/Site Plan Exemption from single-family residence to boys' high school;
Chestnut Street pull-off no longer proposed

Project Description

The applicant obtained Site Plan Exemption/Change of Use approval for conversion of an existing 1.5-story single-family residential dwelling located on Caldwell Avenue, approximately 125 feet north of its intersection with Chestnut Street into a Boys' high school as outlined in Board Resolution SP#2034AA, memorialized October 29, 2013. The project complied with the previous conditions of the Board's approval as of April, 2014 (including review comments in our prior review letter dated September 25, 2013). The property is located on the east side of Caldwell Avenue. As depicted, Caldwell Avenue in its current condition is "semi-improved" along the property frontage, and at varying cartway widths within the 50-foot wide ROW. Vehicular access and off-street parking appear to be proposed from Caldwell Street as depicted on the plans. Per review of the architectural plan, the proposed first floor of the school will include a classroom, a 729 sf Bais Medrash area, an office, and coffee room and lunch room areas. two (2) offices. The second floor will contain two (2) offices and a "Rec Room". The existing basement is depicted as "to be unoccupied". Besides the proposed (gravel) off-street parking, the only proposed site or building alteration appears to removal of a portion of an existing wooden walk where the parking is proposed. Per review of aerial mapping, the site is within a predominantly undeveloped area, with limited single-family residential development surrounding the site. Per review of the amended change of use plan and per communications with the applicant's professionals, the applicant is seeking to amend the existing approval to remove the (originally-approved) 24-foot wide, one-way, paved drive for "student drop-off", extending from the existing Chestnut Street cartway, originally-proposed near the southeast corner of the property. It is our understanding that busing of children will not be provided to the proposed school unless or until a drop-off is installed at a future date. We offer the following comments and recommendations: 1. The applicant provides confirming testimony at the forthcoming public hearing as to how the site will function absent the turnaround. 2. The amended site plan exemption (if approved) does not relieve the applicant's obligation to obtain necessary outside agency approvals, building permits and construction code reviews.

Mr. Rennert Stepped down.

Mr. Vogt stated that this is a previously approved change of use application. There are no additional variances requested. There was originally a turn around proposed to deal with bus traffic on Chestnut Street.

Mrs. Miriam Weinstein, Esq., on behalf of the applicant, stated at the time this was approved, they had presented plans that depicted a paved drop off area for buses to enter and exit along Chestnut Street which was made a condition of the approval. This condition will place a financial burden on the applicant due to the costly improvements that will be required by the Ocean County Planning Board. Since this is merely a change of use application with no new improvements, they are asking the Board to reconsider and remove this condition until such time as the applicant comes before this Board for a full site plan.

Mr. Neiman asked how long would it be before the applicant comes back for a full site plan.

Mrs. Weinstein said it is a small school. They are willing to stipulate that they would use vans as opposed to buses.

Mr. Neiman said it is currently a dirt road and the whole site should be improved. The applicant should come back very soon to improve this site.

Mrs. Weinstein said that is the plan. As the school grows and they have the necessary funds, they will be back before the Board.

Mr. Neiman confirmed that it will be vans, not buses dropping the children off.

Mrs. Weinstein said that is correct.

Mr. Neiman opened to the public, seeing no one come forward, he closed to the public.

A motion was made by Mr. Follman, seconded by Mr. Herzl to approve the application.

Affirmative: Mr. Herzl, Mr. Sussman, Mr. Neiman, Mr. Follman

No: Mr. Franklin

- 2. SP 2066** (Variance Requested)
Applicant: Dakos, Inc.
Location: 1303 River Avenue
Block 1077 Lot 39.01
Preliminary & Final Major Site Plan to replace existing diner (Copper Kettle)

Project Description

The applicant is seeking Preliminary and Final Major Site Plan approval for the replacement of the existing one-story, thirteen hundred square foot (1,300 SF) restaurant with a new one-story, forty-eight hundred (4,800 SF) restaurant building. In addition, the existing parking lot, which is a combination of gravel and paved areas, will be replaced with a new paved one hundred sixteen (116) space parking lot. The site is located at 1303 River Avenue, which is on the east side of River Avenue (Route 9). The site is located in the southern portion of the Township on River Road (Route 9), south of the Cross Street/Chestnut Street intersection. Route 9 is an improved State Highway with a sixty-six foot (66') wide right-of-way in front of the site. The project proposes two-way vehicular access to River Road (Route 9) with new driveways located on each side of the new diner. Curb and sidewalk do not exist across the entire frontage of the project. No changes to the existing utilities are identified on the site plans. New storm water management facilities are proposed to handle the increase in impervious area from the site. A new septic field is proposed in the rear of the site. The surrounding lands are developed. The parcel is located in the HD-7 Highway Development Zone. Restaurants are permitted in the HD-7 Zone. We offer the following comments and recommendations per review of the revised submission and per applicable comments within our initial review letter dated June 25, 2014: I. Waivers

A. The following submission waivers have been requested from the Land Development Checklist: 1. B2 – Topography within 200 feet thereof 2. B4 – Contours on the area to within 200 feet of the site boundaries 3. B10 – Man-made features within 200 feet of the site boundaries 4. C13 – Environmental Impact Statement We support the waivers since surrounding properties are predominantly developed. Compliance with the Township Tree Protection Ordinance will be addressed as a condition of Board approval (if/when granted). Submission waivers were granted at the Workshop Hearing. II. Zoning 1. The site is situated within the HD-7, Highway Development Zone. Per Section 18-903H.1.d., restaurants are a permitted use in this zone. Fact. 2. A front yard setback of twenty-five feet (25') is proposed from River Avenue (Route 9), whereas Section 18-903H.3.c., of the UDO states a front yard setback of seventy-five feet (75') from a State Highway is required. The front yard setback for the existing restaurant is 22.8 feet. The applicant's professionals must provide planning testimony in support of the requested variance. 3. Design waivers are required for sidewalk and curbing along the property frontage. We note that neither curbing nor sidewalk exist on or adjacent to the site at this time. A note was added to the plans. 4. A design waiver is required to permit off-street parking within sixty-five feet (65') from the centerline of Route 9. In addition, the Desired Typical Section for Route 9 should be shown to determine whether any of the proposed off-street parking encroaches. A note was added to the plans. 5. A buffering waiver is required from Section 18-803 of the UDO. A note was added to the plans. Review Comments A. Site Plan/Circulation/Parking 1. A Survey Plan has been provided which requires the following corrections: a. The distance across the frontage should be two hundred fourteen feet (214'). The distance was corrected. b. The existing sign in the southwest corner of the site should be shown. The sign was added. c. The edge of pavement locations shall be corrected on the south side of the site. Edge of pavement was corrected along the frontage of the property, but the pavement along the southern border of the property still needs to be revised. This will be addressed during compliance review if/when Board approval is granted. d. The wooded areas on some of the site perimeter should be added. Wood lines are shown. e. It is believed there is an existing septic system located behind the current building. This should be noted. A septic area has been indicated at the rear of the building. 2. The applicant has proposed a total of one hundred sixteen (116) off-street parking spaces for the restaurant use, two (2) of which are van accessible handicap. Per revised information provided by the applicant's engineer, 3185 sf of patron space is proposed. The ordinance indicates one parking spot is required for every 50 square feet of patron area, and therefore 64 spaces are required. The proposed number of parking spaces (116) exceeds UDO requirements. 3. We recommend that the proposed handicap accessible spaces be relocated to the parking area depicted as proposed along the north side of the new restaurant building. Furthermore, the number of spaces shall be increased to five (5), the number required for parking lots in excess of a hundred spaces. Handicap parking has been moved to the north side of the building and increased to five spots. The access paths for the non-van accessible spots shall have a minimum width of five feet (5'). Otherwise, this item is addressed. 4. The proposed site layout is feasible. Additional dimensioning and curb radii information must be provided for the proposed parking lot and entrances. Said information can be provided during compliance, if/when Board approval is granted. Curb radii has not been provided. This will be addressed during compliance review if/when Board approval is granted. 5. Locations of proposed building doors should be added to the Site Plans, as well as the architectural floor plan. Furthermore, the proposed building configuration does not match the architectural floor plan. The main access is centered on the architectural floor plan and offset on the site plan. The entrance has been centered on the site plan. Addressed. 6. No loading area has been identified on the plans. Per communications with the applicant's professionals, testimony will be provided that a dedicated loading area is not necessary (based on existing operations). Per the Engineer's response letter, testimony will be provided. 7. No trash enclosure is shown on site. The General Notes indicate Township pickup is proposed, DPW approval of the enclosure and location will be necessary. At the discretion of the Board, this issue should be resolved prior to the public hearing or (worst-case) as a condition of Board approval, if/when granted. Trash will be collected privately, and a refuse area has been shown at the rear of the property.

Addressed. 8. The General Notes should be edited as necessary. Edits are still necessary. This will be addressed during compliance review if/when Board approval is granted. 9. Sight triangles and easements have not been provided on the plans. Sight triangles have been added, descriptions should be included. This will be addressed during compliance review if/when Board approval is granted. 10. The proposed shade tree and utility easement shall be dedicated to the Township. A description and deed of easement can be provided during compliance, if/when Board approval is granted. Statement of Fact. B. Architectural 1. Conceptual architectural plans have been provided for the proposed restaurant. The set includes floor plans and elevations. Statement of Fact. 2. The applicant's professionals should provide renderings for the Board's review and use prior to the public hearing, at a minimum. Statement of Fact. 3. Locations of proposed HVAC units and screening must be provided. Architectural plans are being finalized. This will be addressed during compliance review if/when Board approval is granted. C. Grading 1. A grading plan is provided on Sheet 3. The proposed grading has been designed to gradually slope towards two (2) underground recharge storm water management collection systems. Statement of Fact. 2. Per review of the proposed grading plan, the design concept is feasible. Additional grading information is necessary, including but not limited to elevations for handicap accessible sidewalk ramps to be provided as well as addition spot elevations within and around the proposed parking lot. Final grading will be addressed during compliance review, if/when Board approval is granted. Statement of Fact. D. Storm Water Management 1. A proposed storm water management design has been provided, including two (2) underground recharge storm water management collection systems proposed underneath the northerly and southerly edges of the proposed parking lot. Two (2) sets of twenty-four inch (24") diameter PECP pipes, in two (2) stone trenches are proposed. Statement of Fact. 2. Per review of the preliminary design, it appears feasible as proposed. Additional information will be necessary to approve the final storm water management design, including but not limited to a summary of pre-existing and post-development ground conditions, proposed rainfall intensities, site-specific soil permeability rates, and depth to seasonal high water table necessary for sizing of the proposed recharge trenches. Said information can be provided as conditions of Board approval, if/when forthcoming. Statement of Fact. 3. Proposed new impervious coverage exceeds 0.25 acres; the project must be designed in accordance with the NJ Storm Water Rule (NJAC 7:8). A storm water maintenance plan will be required as well. Said information can be provided as conditions of Board approval, if/when forthcoming. Statement of Fact. 4. Roof leader systems and piping must be provided to discharge roof runoff into the proposed recharge systems. Said information can be provided as conditions of Board approval, if/when forthcoming. Statement of Fact. E. Traffic 1. At a minimum, summary testimony regarding the anticipated increase in traffic from the new restaurant should be provided at the public hearing. NJDOT Access approval is necessary. Per the engineer's response letter, testimony will be provided. F. Landscaping 1. A dedicated landscaping plan is provided with the submission; proposed landscaping is depicted on Sheet 4 of the plans. Statement of Fact. 2. As proposed, two (2) rows of arborvitae are proposed as screening along the northerly and the southerly property lines. Two (2) red maple street trees are proposed along the property frontage. Statement of Fact. 3. Both proposed underground recharge systems must be shifted further underneath the proposed parking area to avoid conflicting with the proposed arborvitae plantings. This can be addressed during compliance; if/when Board approval is granted. Statement of Fact. 4. Proposed sight triangles should be added to prevent planting conflicts. Easements are shown as requested. Addressed. 5. A final review of landscaping will be performed during compliance, should site plan approval be granted. Statement of Fact G. Lighting 1. No lighting design information is provided on the submitted Site Plans. Lighting design information, including locations and heights of proposed pole mounted and building-mounted fixtures must be provided, including lighting data to demonstrate the adequacy of the design. Per the engineer's response letter, a point to point diagram is being prepared and will be submitted during compliance review (if/when Board approval is granted). 2. A final review of the lighting design will be performed during compliance, if/when Board approval is granted. Statement of Fact. H. Utilities 1. As depicted on Site Plan Sheet 3, there is an existing water main and fire hydrant along the property's frontage. The

Site Plans must show the proposed water connection(s) to the existing system. New Jersey American Water (NJAW) approval for the new service is necessary. Water connections are shown on the plan. Addressed. 2. A septic system is proposed to the rear of the site. Ocean County Health Department approval is necessary (as well as abandonment of any existing on-site systems). Statement of Fact. I. Signage 1. No site identification or building signage information is proposed. A full signage package for free-standing and building-mounted signs identified on the site plans (requiring relief by the Board) must be provided for review and approval as part of the site plan application. Statement of Fact. 2. All signage proposed that is not reviewed and approved as part of this site plan application, if any, shall comply with Township ordinance. Statement of Fact. J. Environmental 1. Environmental Impact Statement To assess the site for environmental concerns, our office performed a limited natural resources search of the property and surroundings using NJ Department of Environmental Protection (NJDEP) Geographic Information Mapping (GIS) system data, including review of aerial photography and various environmental constraints data assembled and published by the NJDEP. Data layers were reviewed to evaluate potential environmental issues associated with development of this property. No areas of environmental concern are mapped within the property. Statement of Fact. 2. Tree Management Plan A Tree Protection Management Plan has been submitted for review. The applicant will comply with the requirements for tree protection and removal as applicable on the site in accordance with the Township Tree Ordinance (during compliance review, if approval is granted). Statement of Fact. K. Construction Details 1. Proposed construction details are depicted on Site Plan Sheet 6. Statement of Fact. 2. At a minimum, the label on the proposed recharge piping trench diameter must be corrected on the detail. Recharge trench detail has been corrected. Addressed. 3. All proposed construction details must comply with applicable Township and/or applicable standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete. Statement of Fact. 4. A detailed review of construction details will occur during compliance review; if/when this application is approved. Statement of Fact. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Developers Agreement at the discretion of the Township; b. Township Tree Ordinance (if applicable); c. Ocean County Planning Board; d. Ocean County Soil Conservation District; e. Ocean County Health Department (septic system); f. New Jersey American Water (water service); g. New Jersey Department of Transportation (Route 9 access); and h. All other required outside agency approvals.

Mr. Rennert stepped down.

Mr. Vogt stated the applicant is seeking a front yard setback variance of 25 ft whereas 75 ft is required. The existing restaurant setback is 22.8 ft.

Mr. Abe Penzer, Esq. represented the applicant.

Mr. Brian Flannery, P.E., P.P. was sworn in. The application is to increase the size of the existing diner. The diner has been there for many years. They are providing more parking than ordinance requirements. A rendering was provided for the Board members. The front yard setback variance is 25 ft but the existing diner is currently at 22.8 ft so they are actually pushing the building back a little further. Design waivers are requested for curb and sidewalk along Route 9.

Mr. Neiman asked what they will do if the State decides to widen Route 9.

Mr. Flannery said the building itself is outside the desired typical section so if the State widened Route 9 that wouldn't be a problem. There are two parking spaces within that section but they would still have more parking than is required even if they lose those spaces.

Mr. Penzer said they only need 64 spaces, they have provided 116 spaces.

Mr. Franklin asked why they can't move the building back another 25 ft so they will have a 50 ft front setback.

Mr. Flannery said if they do that, it would go into the parking area and they would lose spaces.

Mr. Franklin stated that they are well over the parking requirements.

Mr. Flannery said they have more parking than required by ordinance. Parking is always a commodity especially on Route 9 where there is nowhere else to park.

Mr. Neiman stated it would make sense to lose the parking in the back and put parking spaces in the front just in case the State does widen the road in the future.

Mr. Flannery said if you break the parking up between the front and the back it creates an inefficient situation. The other choice would be to put all the parking in the front but then they would have a beautiful building that nobody sees.

Mr. Neiman opened to the public, seeing no one come forward, he closed to the public.

Mr. Franklin made a motion to deny.

Mr. Penzer stated that they need the parking.

Mr. Franklin said you can easily put parking in the front. He would like to see this project stay within the setback requirements.

Mr. Flannery said they do comply with the DOT requirements. They do not comply with Lakewood's ordinance which is set up for typical situations. This is an atypical lot. It's a very unique and special lot.

Mr. Franklin reiterated that the applicant can move some of the parking to the front to keep that 50 ft setback. If in the future, the road does get widened, the only thing they would be losing are the parking spaces in the front of the building.

Mr. Flannery said in order to have sufficient parking in the front, they would have to push the building back 60 ft so they could get double loaded parking.

Mr. Neiman said you could put one row of parking in the front.

Mr. Flannery said if they put one row of parking in the front, they would lose two rows in the back.

Mr. Neiman said they had a similar situation a few months ago where they asked the applicant to move some parking in the front just in case Route 9 is widened in the future.

Mr. Penzer said the applicant is willing to move the building back an additional 25 ft for a total of 50 ft front yard setback.

A motion was made by Mr. Follman to approve, seconded by Mr. Sussman to approve the application. Affirmative: Mr. Herzl, Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Follman

3. **SP 2069** (No Variance Requested)
Applicant: Pine Belt Enterprises, LLC
Location: 1400-1480 Ocean Avenue
Block 669 Lots 10, 23, & 91
Preliminary and Final Major Site Plan to replace existing car dealership

Project Description

The applicant is seeking Preliminary and Final Major Site Plan approval. The applicant proposes demolish an existing car dealership building and to construct a new thirty-two thousand square foot (32,000 SF) car dealership building, surrounded by two hundred forty-two (242) newly-paved off-street parking spaces (over existing paved/disturbed surface). The site is located in the northeastern portion of the Township, on the south side of Route 88 just west of the Chambers Bridge Road intersection. Route 88 is a State Highway. Highway access to the site is to be provided at four (4) points. A right turns "in" driveway is proposed in the northwest corner of the site along Route 88. Two (2), two-way driveways are proposed in the center of the project frontage. A right turns "out" driveway is proposed in the northeast corner of the site along Route 88. The tract consists of 4.18 acres in area, and contains an existing car dealership. The site is bounded basically by commercial development. The Metedeconk River borders the property to the south. Except to the south, the surrounding lands are all improved with commercial land uses. The site is somewhat encumbered by a Jersey Central Power & Light right-of-way and an easement. The two hundred forty foot (240') wide JCP&L right-of-way on the west side of the site has overhead power lines from towers which are not located on the site. These existing power lines are high enough to not conflict with proposed improvements. The sixty-six foot (66') wide JCP&L easement on the south side of the site contains poles and overhead electric wires. The proposed design layout accounts for existing pole and guy locations. The project proposes two (2) phases of construction. It appears the new dealership building will be constructed while the existing structure and western portion of the site remains operational. The second phase would remove the existing building and add a "Service Annex" to the new dealership building as depicted on Site Plan Sheet 3. The site is located in the B-4 Wholesale Service Zone. New car dealerships are a permitted use in the zone. I. Waivers A. The following submission waivers are necessary from the Land Development Checklist: 1. B2 – Topography within 200 feet thereof 2. B4 – Contours on the area to within 200 feet of the site boundaries 3. B10 – Man-made features within 200 feet of the site boundaries We support the waivers since the property and adjacent lots are predominantly developed. II. Zoning 1. The site is situated within the B-4, Wholesale Service Zone. Per Section 18-903D.1.e., of the UDO, under "permitted uses" in the B-4 Zone cites new or used car lots. 2. No bulk variances have been requested for the project. 3. The site plans depict a "Proposed Pylon Identification Sign" eighteen feet (18') from the property frontage. The architectural plans depict the proposed freestanding pylon sign, as well as façade signage on the new building. The applicant's professionals should address whether this sign, or any proposed signage (freestanding, façade, other) requires variance relief. 4. Per review of the site plans and application, the following design waivers appear necessary: • Providing concrete sidewalk along the project frontage (Subsection 18-814M.). It should be noted there is no existing concrete sidewalk along the frontages of the adjoining sites to connect to. • Providing shade trees and a shade tree and utility easement along the project frontage. We note that a twenty foot (20') wide utility easement dedicated to the LTMUA is proposed along the project frontage within what is usually the area for the shade tree easement. 5. The applicant must provide justification for requested design waivers and variance relief required (if any). III. Review Comments A. Site Plan/Circulation/Parking 1. Our review indicates there are two hundred forty-two (242) proposed parking spaces on-site, five (5) of which are van accessible handicapped spaces. As depicted on the Site Plans, one hundred eighty-one (181) of these spaces, to the west of the center entrance will be auto display spaces. The remaining sixty-one (61) spaces around the new dealership building will be for employee and customer use. The Parking Calculations should be

corrected. Based on the architectural plans, the proposed gross floor area would be 31,843 square feet. Therefore, the proposed (total) parking would well exceed the estimate of one hundred sixty (160) spaces as required by the UDO. 2. Testimony should be provided by the applicant's professionals as to proposed site operations after the facility is expanded (number of employees, auto display areas, etc). 3. The applicant's professionals should provide testimony regarding the proposed phasing of the project as it relates to site improvements. We recommend, as a condition of Board approval (if/when forthcoming) that a detailed Phasing plan be provided identifying phasing of and building improvements (while the dealership remains in operation). 4. The site plan shows a proposed 15' x 15' enclosed trash and recycling storage area near the southeast corner of the future dealership building. The accessibility of the proposed location should be examined and the enclosure properly screened. The General Notes indicate that refuse and recycling to be picked up by a private hauler. 5. Proposed vehicular circulation aisle widths are a minimum of twenty-four feet (24') wide for two-way access. A Circulation Plan should be provided (during compliance, if approved) to demonstrate that trash collection and delivery trucks, as well as emergency vehicles can properly access the site. 6. Testimony should be provided on loading/unloading of vehicles and service products. No loading/unloading zones are indicated. 7. Sight triangles associated with the proposed vehicular access points have not been indicated. We note that proposed configuration of the existing access points may require NJDOT approval (or letter of no interest). 8. The final circulation design should be reviewed by the Township Fire Official to determine if fire lanes or other measures are necessary. Said review can be performed during compliance, if/when Board approval is granted. 9. A Boundary and Topographic Survey of Lots 10, 23, and 91 in Block 669 has been submitted. We recommend the three (3) existing lots be consolidated. 10. The Survey and General Notes indicate topography is in NAVD 1988. a vertical bench mark shall be added to the plans and referenced in the General Notes. Horizontal datum should also be provided. 11. The General Notes require editing. 12. The General Notes reference a Geotechnical Report which has not been submitted. 13. Proposed curb ramps shall be provided. 14. Proposed ADA facilities shall be dimensioned. 15. All proposed building dimensions and access points shall be shown. 16. Proposed floor areas shall be provided. 17. A sixteen foot (16') wide depressed curb for Jersey Central Power & Light access is provided behind two (2) proposed sales spaces. A better location should be considered. Jersey Central Power & Light approval of the site plan is required. B. Architectural 1. Architectural floor plans and elevations were submitted for review. Per review of the submitted plans, a maximum height of thirty feet four inches (30'-4") is proposed. This is well within the forty-five foot (45') maximum height allowed. 2. The applicant's professionals should provide testimony regarding the proposed building facade, and treatments. We recommend that renderings be provided for the Board's review and use prior to the public hearing, at a minimum. 3. Testimony should be provided as to whether any roof-mounted HVAC equipment is proposed. If so, said equipment should be adequately screened. 4. ADA accessibility to the proposed building should be addressed (as applicable). C. Grading 1. Detailed grading is provided on Site Plan Sheet 4. The initial grading design is well-prepared, and minimizes proposed new development and disturbance to occur within previously-developed areas. 2. As indicated on the Site Plans, the area around the proposed dealership building footprint will be raised several feet to promote positive drainage away from the new building. To limit associated site disturbance within the property, a pre-engineered retaining wall system is proposed along portions of the easterly property line. 3. Additional proposed spot grades should be added in the proposed handicapped parking areas to insure proposed slopes of two percent (2%) are not exceeded. 4. Final grading design changes can be addressed during compliance review, if/when approval is granted. D. Storm Water Management 1. The proposed storm water management design is illustrated on site plan Sheet 4, and described in the submitted Storm Water Management Report. As proposed, an underground recharge trench system including twenty four inch (24") diameter HDPE piping, stone, and inlets will collect site runoff from sheet flow and recharge it into the ground. The initial storm water design appears well-prepared as presented. 2. As indicated in the Storm Water Management Report, the author states that proposed impervious cover will actually be less than existing conditions; and that the applicant is "voluntarily

proposing” to install the proposed storm water management measures to improve upon the existing drainage conditions. No off-site runoff will occur from 2-year and smaller storms as currently proposed. The applicant should be commended for the proposed system. 3. Confirming pre-development and post-development coverage calculations should be provided to confirm that the project is no “major development” as defined in the NJ Storm Water Rule. 4. Roof leader systems should be provide to discharge roof runoff from the new building directly into the proposed recharge system. Said information can be provided during compliance review, if/when approval is granted. 5. The final storm water management design will be reviewed during compliance, if/when Board approval is granted. E. Landscaping 1. A Landscaping Plan has been provided on Site Plan Sheet 6, and is generally-well-prepared. Four (4) landscaped islands are proposed along the Route 88 frontage, as well as six (6) additional islands bordering the proposed display car parking spaces. Two (2) additional islands are proposed in front of the proposed building. Foundation plantings are also proposed along the building façade facing NJ Route 88, as well as some site perimeter plantings. 2. The landscape design is subject to review and approval by the Board. 3. We recommend that the applicant consider drip irrigation or similar measures for maintenance of the landscape islands. 4. Final review of the landscaping design can take place during compliance should site plan approval be granted. F. Lighting 1. A Lighting Plan with a point to point diagram has been provided on Sheet 7 for review. Two (2) different types of fixtures are proposed for the site. All pole mounted lights are identified at twenty-five foot (25') heights. Two (2) building mounted lights are proposed on the rear façade of the building. The initial lighting design is well-prepared, and more than sufficient with respect to Township standards. 2. All perimeter pole-mounted lights should include cutoffs to minimize light spillover onto adjacent sites. 3. Final review of the lighting design can take place during compliance should site plan approval be granted. G. Utilities 1. Utility information is provided on Site Plan Sheet 5. As depicted, new potable and fire suppression water services are proposed from an existing LTMUA owned water main within Route 88. 2. Similarly, sewer service will be provided from what is depicted as LTMUA proposed sewerage that will run through the front of the property. H. Signage 1. As indicated previously, testimony must be provided regarding all proposed free-standing and building mounted signage associated with the application. 2. All signage proposed that is not reviewed and approved as part of this site plan application, if any, shall comply with Township Ordinance. 3. A final review of signage details will be performed during compliance, if/when Board approval is granted. I. Environmental 1. Environmental Impact Statement An environmental impact statement was provided for review, and generally describes anticipated impacts from the project. As referenced previously, most of the site to be developed has been previously developed. 2. To assess the site for environmental concerns, our office performed a limited natural resources search of the property and surroundings using NJ Department of Environmental Protection (NJDEP) Geographic Information Mapping (GIS) system data, including review of aerial photography and various environmental constraints data assembled and published by the NJDEP. Data layers indicate the potential presence of freshwater wetlands near the southwest corner of the site. 3. Per communications with the applicant’s professionals, the final design will be reviewed to confirm no new disturbance of potential wetlands, buffers, or other environmentally-constrained lands present (if any). Final changes, if any, would be performed during compliance if/when Board approval is granted. J. Construction Details 1. Construction details are provided on Sheets 11 and 12 of the plans. 2. All proposed construction details must comply with applicable Township and/or applicable standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete. A detailed review of construction details will occur during compliance review; if/when this application is approved. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Developers Agreement at the discretion of the Township; b. Township Tree Ordinance (as applicable); c. Lakewood Fire District; d. Lakewood Township Municipal Utilities Authority (water and sewer); e. Jersey Central Power & Light; f. Ocean County Planning Board; g. Ocean County Soil Conservation District; h. NJDOT Access Permit (or letter of no interest); i. NJDEP (if necessary); and j. All other required outside agency approvals.

Mr. Ray Shea, Esq., on behalf of the applicant, said this is an existing dealership that will be torn down and a brand new building will go up.

Mr. Bill Stevens, P.E. was sworn in. He showed two exhibits to the Board. One is a rendering showing the proposed building as proposed by the project architect. The other exhibit is an aerial photograph showing the subject site and surrounding neighborhood. The exhibits were entered as A-1 and A-2.

Mr. Stevens said the subject property is located on Route 88 near the Brick Township border. This is the current location of the Pine Belt Chrysler facility. They propose to come in and remove the existing building and construct a state of the art dealership for Pine Belt Chrysler and Jeep. The applicant wishes to construct in phases so that the existing building will remain while a portion of the new building is being constructed so that sales can continue from the site. Once that is done, the old building will be removed and they will finish construction of the new building.

Mr. Neiman said that no CO would be issued until the old building is removed. A TCO could be granted in the interim.

Mr. Stevens understands that at some point the site would have to be closed but they would like to try to limit that as much as possible. He stated they are requesting a sign variance.

Mr. Neiman asked if there are any signs within the site triangles.

Mr. Stevens said no signs would obstruct vision. They have multiple signs they want to put up on the buildings which do require small variances. It will be typical of what you find currently at car dealerships.

Mr. Vogt stated the freestanding sign is 18 ft from the setback where 15 ft is required so the location of the sign is compliant.

Mr. Sussman asked if they are adding two new entrances.

Mr. Stevens stated they are proposing four driveways. There will be a driveway at the western edge of the site, a one way drive in and out on the eastern end of the site which will give them a route to bring vehicles through the site and get them back out again. The traveling public will come in through two one way driveways.

Mr. Neiman opened to the public, seeing no one come forward, he closed to the public.

A motion was made by Mr. Franklin, seconded by Mr. Herzl to approve the application.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

- 4. SD 1953** (No Variance Requested)
Applicant: Lakewood Investments, LLC
Location: Williams Street
Block 420 Lot 23.01
Preliminary & Final Major Subdivision to create 6 fee simple duplex units (3 buildings)

Project Description

The applicant is seeking a Preliminary and Final Major Subdivision approval. The applicant proposes the subdivision of future Lot 23.01 to create six (6) proposed zero lot line duplex properties. The applicant

proposes to subdivide this future lot into new Lots 23.02 - 23.07 as shown on the plans and to construct three (3) duplex buildings on five thousand square foot (5,000 SF) zero lot line properties. This subdivision application is contingent upon the filing of the Minor Subdivision SD1937 to create Lot 23.01. Future Lot 23.01 will be a thirty thousand square foot (30,000 SF) area containing two (2) dwellings. The plans indicate that all existing dwellings and appurtenant features within the subdivision are to be removed. The site is on a ridge, with most of it sloping westerly toward Williams Street. The tract also contains several trees which have not been located on the survey. The existing dwellings are serviced by individual septic systems and potable wells. The subject property is located in the west central portion of the Township on the east side of Williams Street just north of Prospect Street. The existing sixty-six foot (66') right-of-way of Williams Street has a forty foot (40') pavement width. Williams Street at this location is an improved municipal road with numerous patches, curbing in fair condition exists along the property frontage, but sidewalk does not. Overhead electric exists on the west side of the street. The area to the west of Williams Street is predominately residential. The area to the east of the site is Hospital Support Zone. The future lot is located within the R-7.5 Single-Family Residential Zone District. We have the following comments and recommendations per testimony provided at the 7/15/14 Planning Board Plan Review Meeting and comments from our initial review letter dated July 30, 2014: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. C13 - Environmental Impact Statement. 2. C14 - Tree Protection Management Plan. The Environmental Impact Statement waiver request is reasonable given the previous construction on the site. A submission waiver was granted. The Tree Protection Management Plan waiver may be granted for completeness purposes only. A Tree Protection Management Plan should be required as a condition of approval (if granted). Providing a Tree Protection Management Plan shall be a condition of any approvals. II. Zoning 1. The site is situated within the R-7.5 Single-Family Residential Zone District. "Two-Family Housing and Duplexes with a minimum lot area of ten thousand square feet (10,000 SF) and a minimum lot width of sixty feet (60')" are listed as permitted uses. Zero lot line subdivisions for duplexes are permitted in the Zone. Statements of fact. 2. No variances or waivers have been requested. Statement of fact. 3. The applicant must address the positive and negative criteria in support of any required variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. III. Review Comments A. General 1. This Subdivision application is contingent upon the filing of the Map approved under SD1937 to create future Lot 23.01, which is the subject of this application. 2. The plan indicates that four (4) off-street parking spaces will be provided per dwelling. The plan also indicates that four (4) off-street parking spaces are required per dwelling. Since Williams Street is heavily traveled and the proposed lots are relatively deep, we recommend the applicant consider circular driveways to eliminate backing out into the street. Parking should be provided to the satisfaction of the Board and comply with ordinance 2010-62. Statements of fact. 3. The General Notes indicate that trash and recyclable collection is to be provided by the Township of Lakewood. The proposed units shall be designed with trash and recycling storage areas. 4. Proposed lot numbers must be approved by the tax assessor's office. The Final Plat shall be signed by the Lakewood Tax Assessor. The Lakewood Tax Assessor signature is required on the original map prior to filing should approval be granted. 5. Ocean County Board of Health approval will be required for the abandonment of the existing wells and septic systems on the site. The applicant's professionals indicate that Ocean County Board of Health approval will be obtained for the abandonment of the existing wells and septic systems on the site. B. Plan Review 1. A Boundary and Topographic Survey of the property has been provided. The following revisions are required: a. Since Lot 23.01 has not yet been created, any reference to Lot 23.01 shall be "future Lot 23.01". The applicant's professionals indicate that references to Lot 23.01 will be made with resolution compliance submission should approval be granted. b. The Shade Tree and Utility Easements shall also be "future Shade Tree and Utility Easements". The applicant's professionals indicate that the Shade Tree and Utility Easements will be revised with resolution compliance submission should approval

be granted. 2. All submission documents shall be revised to reference future Lot 23.01 since the property has not yet been created by the filing of the map associated with Subdivision Application SD1937. The applicant's professionals indicate that the documents will be revised for resolution compliance submission should approval be granted. 3. Depressed curb and driveway aprons are not shown on the Site Development Plan. The concrete curb will need to be replaced in its entirety because of the proposed site improvements necessary. The applicant's professionals indicate that revisions will be made for resolution compliance submission should approval be granted. 4. Shade Tree and Utility Easements are not labeled on the Site Development Plan. The Easements shall be labeled "proposed" for resolution compliance submission should approval be granted. 5. The Schedule of Bulk Requirements shall be revised as follows: a. The combination of all proposed zero lot line properties shall be ten thousand square feet (10,000 SF). b. All proposed individual lot areas shall be five thousand square feet (5,000 SF). c. All proposed individual lot widths shall be 33.33 feet, with the combination of zero lot line properties 66.66 feet. d. The required lot widths shall be thirty feet (30') for individual parcels and sixty feet (60') for the combination of zero lot line properties. Corrections are required to the Schedule, which must be provided for resolution compliance submission should approval be granted. 6. A five foot (5') width should be proposed for the new sidewalk unless pedestrian passing lanes are provided. Pedestrian passing lanes are provided at the proposed driveways, as shown on the construction details. 7. At a minimum, a half width roadway reconstruction is needed because of the extension of utilities to the project. The applicant's professionals indicate that roadway reconstruction due to the extension of utilities will be provided for resolution compliance submission if approval is granted. 8. The Sheet Index shall be corrected for resolution compliance submission should approval be granted. C. Grading 1. Proposed curb and gutter elevations shall be provided along Williams Street. The applicant's professionals indicate that proposed curb and gutter elevations along Williams Street will be provided for resolution compliance submission should approval be granted. 2. Soil logs have been provided to show that seasonal high water table is at least two feet (2') below the proposed basement floor elevations. Statement of fact. 3. A detailed review of the grading can be completed during compliance submission; if/when this subdivision is approved. Statement of fact. D. Storm Water Management 1. As mentioned in our Minor Subdivision review of the previous Subdivision Application SD1937, improvement to this remaining thirty thousand square foot (30,000 SF) parcel will increase impervious surface by more than a quarter acre and disturb over an acre of land. Therefore, the proposed duplexes to be constructed along Williams Street will be classified as Major Development. As a result, the project must meet water quality and water quantity reduction rate requirements. The Storm Water Management Calculations and Design should be revised accordingly. Drywells have been provided to accept runoff from the roofs of the proposed duplexes. The applicant's professionals indicate that full storm water management calculations and design will be provided for resolution compliance submission if approval is granted. 2. Proposed roof drainage piping should be shown leading from the buildings to the respective dry wells. The proposed roof drainage piping has been shown leading from the buildings to the respective drywells. A design shall be provided for resolution compliance submission if approval is granted. 3. Soils information has been provided within the proposed project to confirm the seasonal high water table. Permeability testing rates have also been provided. This information will be reviewed after resolution compliance submission should approval be granted. 4. Drainage Area Maps have been provided for our review. This information will be reviewed after resolution compliance submission should approval be granted. 5. The Storm Water Management Calculations and Design will be reviewed in detail during compliance, if/when approved. Statement of fact. 6. A separate Storm Water Management Operation & Maintenance Manual shall be submitted pre the NJ Storm Water Rule (NJAC 7:8) and Township Code. The Manual will be reviewed in detail after the storm water management design is found to be acceptable. The applicant's professionals indicate that a manual will be provided for resolution compliance submission should approval be granted. E. Landscaping 1. Shade trees have not been provided and are required unless waived by the Board. Shade Trees have been provided on the revised plans. 2. Landscape design is subject to review and approval by the Board and should

conform to recommendations from the Shade Tree Commission as practicable. Compensatory plantings shall be addressd with a Tree Protection Management Plan. The Board should provide landscaping recommendations. The Shade Tree Commission approved the project. 3. Landscaping shall be reviewed in detail after compliance submission should subdivision approval be granted. Statement of fact. F. Utilities 1. The existing septic systems shall be removed in accordance with applicable local and state standards. A note has been added to the plans indicating that the existing septic systems shall be removed in accordance with the rules and regulations of the Ocean County Health Department. 2. Proposed potable water and sanitary sewer mains will be extended to the site from the Omni Court intersection. Statement of fact. 3. Testimony should be provided on other proposed utilities. Testimony should be provided. G. Environmental 1. Tree Management A submission waiver was requested from submitting a Tree Protection Management Plan for the project. A Tree Protection Management Plan should be submitted in accordance with current ordinance Chapter XIX, Protection of Trees. The applicant's professionals indicate that a plan will be provided for resolution compliance submission if approval is granted H. Construction Details 1. Final review of construction details will take place after compliance submission, if/when this project is approved by the Board. Statement of fact. I. Final Plat (Major Subdivision) 1. Compliance with the Map Filing Law is required. Statement of fact. 2. The Final Plat will be reviewed in detail after compliance submission, if/when this project is approved by the Board. Statement of fact. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Developers Agreement at the discretion of the Township; b. Township Tree Ordinance; c. Ocean County Planning Board; d. Ocean County Soil Conservation District; e. Ocean County Board of Health; andf. All other required outside agency approvals. New Jersey American Water Company will be responsible for constructing potable water and sanitary sewer facilities.

Mr. Vogt stated that this is a conforming application.

Mr. Adam Pfeffer, Esq., on behalf of the applicant, stated the application is fully conforming. It is a subdivision to create six zero lot lines lots for three duplex buildings. They have reviewed the board engineer's review letter and will comply with all comments.

Mr. Brian Flannery, P.E., P.P. was sworn in.

Mr. Neiman opened to the public, seeing no one come forward, he closed to the public.

A motion was made by Mr. Sussman, seconded by Mr. Herzl to approve the application.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

- 5. SP 2070** (Variance Requested)
Applicant: Lakewood Equities, LLC
Location: America Avenue
Block 549.01 Lot 2
Preliminary & Final Major Site Plan to construct an office building

Project Description

The applicant is seeking Preliminary and Final Site Plan approval for a proposed four-story, 60,582 square foot office building built on slab (no basement), with one hundred forty-nine (149) off-street parking spaces in two (2) parking lots, and site amenities. The property in the eastern portion of the Township is existing Lot 2 in Block 549.01, a 2.87 acre site located on the northwest corner of intersecting New Hampshire Avenue and America Avenue. America Avenue is an improved Municipal Road with a fifty foot (50') right-of-way. New Hampshire is a County Highway with a one hundred foot

(100') right-of-way. Curb exists along all frontages of the property, and depressed curb will be installed at the access points. No sidewalks exist or are proposed along the frontages. Access to the proposed development will be provided by two (2) access driveways on America Avenue. The first is approximately one hundred fifty feet (150') west of New Hampshire Avenue. The other access will be about one hundred fifty feet (150') west of the first proposed driveway. The site has been previously-disturbed, with the exception of existing vegetation along the northern border of the tract, and New Hampshire Avenue, in the eastern portion of the lot. The center of the site contains mounded soil piles. Otherwise, the topography generally slopes northward toward Shenandoah Lake. A riparian buffer is shown in the northern corner of the lot due to its proximity to Shenandoah Lake. An existing Lakewood Township Municipal Utilities Authority Easement, which is thirty foot (30') wide, runs through the western and northern edges of the site. This easement contains a sanitary sewer main. An existing paved driveway with a chain gate on the western leg of the easement affords Utility Authority access to the manhole at the end of the maintenance drive. Potable water is readily available to the land from an existing main under the south side of America Avenue. Underground electric is available in the north side of the America Avenue right-of-way as observed by the existing vaults and street lighting. The project is located in the B-6 Corporate Campus/Stadium Support Zone. Office buildings are permitted in this zone. We offer the following comments per review of the revised submission and our initial review letter dated July 7, 2014: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. C13 - Environmental Impact Statement. 2. C14 - Tree Protection Management Plan. Since the majority of the site is previously-disturbed, we support the submission waiver request from providing an Environmental Impact Statement. Submission waivers were granted at the workshop hearing. II. Zoning 1. The site is situated within the B-6 Corporate Campus/Stadium Support Zone. Section 18-903R.1.d., of the UDO permits office buildings. Fact. 2. The following bulk variances are being requested: • Minimum Front Yard Setback – forty feet (40') is proposed, whereas one hundred feet (100') is required. Fact. • Maximum Building Height – fifty-two feet (52') is proposed, whereas a maximum of fifty feet (50') is allowed. Fact. 3. A variance may be needed for the number of off-street parking spaces. Section 18-807B.3., of the UDO, states that business and professional offices and banks, other than medical or dental, shall provide one (1) space for each three hundred square feet (300 SF) of gross floor area. The proposed gross floor area of the building would be 60,582 square feet, which would require two hundred two (202) spaces. The applicant is proposing one hundred forty-nine (149) spaces based on forty-four thousand seven hundred square feet (44,700 SF) of net office space area. Fact. 4. Per review of the site plans and application, the following design waivers appear to be required: • Providing sidewalk along the project frontages. Fact. 5. The applicant must address the positive and negative criteria in support of the requested variances and waivers. At the discretion of the Planning Board, supporting documents may be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. III. Review Comments Per review of the current design plans, we offer the following comments and recommendations: A. Site Plan/Circulation/Parking 1. A Survey for the property has been provided. The following corrections and additions are required on the survey: a. The tie distance in the legal description shall be 39.99 feet. The tie distance was corrected. b. The location of the existing sanitary sewer within the 30-foot wide utility easement that traverses the property. The sanitary sewer is indicated. c. Existing water main along the America Avenue frontage. The water main along the American Avenue frontage has been shown. d. The depressed curb and a fence gate at the southwest corner of the lot. The depressed curb is shown, however the letter indicates the gate does not exist. e. The two (2) vaults and the signs along the frontages should be labeled. Both the vaults and signs have been labeled. f. Any other features shown on the Existing Conditions Plan. All features are shown. 2. A total of one hundred forty-nine (149) off-street parking spaces are proposed at the above-referenced location. Four (4) of the proposed spaces will be designated as handicap, all of which being van accessible. However, at least five (5) ADA spaces will be required. Proposed standard parking spaces will be 9' X 18' in size, with all access aisles being twenty-four foot (24') in width. A loading zone is

proposed on the west side of the building. A fifth van accessible spot has been added. 3. Proposed handicap parking signs should be added to the plan. HC signs are shown on the plan. 4. A 10' x 12' trash enclosure is proposed on the northern side of the larger parking lot. Testimony should be provided whether the Township or a private company will be responsible for removal. If DPW pickup is proposed, DPW review of the design will be required as a condition of Board approval (if granted). In addition, LTMUA approval will be required since the proposed location would be within a utility easement. A note indicates that the DPW will be responsible for trash and recycling pick up. DPW approval of the plan should be made a condition of approval (if/when forthcoming). 5. Traffic Striping is proposed throughout the site. The proposed striping limits should be dimensioned. Striping has been dimensioned. 6. A loading zone is shown in the rear of the proposed building. Testimony should be provided as to how the largest anticipated vehicles will access this area (and when). A circulation plan demonstrating ingress and egress may be necessary as a condition of Board approval (if/when forthcoming). Per the engineer's cover letter, a circulation plan will be submitted as a condition of approval, if/when forthcoming. The applicant's professionals should be prepared at the Public Hearing as to testify how ingress and egress for loading vehicles will occur in this area. 7. A riparian buffer is depicted in the northwest portion of the property. Survey information is required for its location. Grading and disturbance are proposed within the buffer. The applicant's professionals must provide testimony as to whether the proposed grading/disturbance are permissible. The plan has been edited to eliminate disturbance to the buffer area. 8. Depressed curbing and ramps must be provided for sidewalk access for users of the proposed handicap accessible parking spaces. Depressed curbing is proposed. 9. Proposed setback lines shall be added to the site plan. Setback lines are shown. 10. Being the property is not rectangular, proposed offsets shall be provided to the building corners. Offsets are given. 11. The proposed building configuration shall be revised to match the architectural plans. Coordination will be provided during resolution compliance. 12. The General Notes require some minor editing. General Notes have been edited. 13. The Schedule of Bulk Requirements shall be revised to list Section 18-903R.3., of the UDO. Correction to the schedule has been made. 14. An existing sight triangle easement is shown at the intersection of America Avenue with New Hampshire Avenue. Proposed sight triangle easements associated with the site access points along America Avenue have been provided. These proposed sight triangle easements shall be dedicated to the Township with survey information provided. Survey information has been provided with dedication. B. Architectural 1. Preliminary architectural floor plans and elevations were submitted for review. The proposed building height would be fifty-two feet (52'). The allowable height is fifty feet (50'). All proposed floors would house office space. Statement of Fact. 2. The applicant's professionals should provide testimony regarding the proposed building facades and treatments. We recommend that renderings be provided for the Board's review and use prior to the public hearing, at a minimum. Fact. 3. Testimony should be provided as to whether any roof-mounted HVAC equipment is proposed. If so, said equipment should be adequately screened. A note has been added indicating HVAC equipment will be located on the roof. Screening or similar measures should be provided on the final architectural plans during compliance review (if/when Board approval is granted). 4. The Utility Plan shows a separate proposed four inch (4") fire service line. Statement of Fact. 5. Downspouts will need to be depicted on the architectural drawings and coordinated with the underground roof leader design on the engineering plans. Coordination will be provided during resolution compliance. 6. Two (2) elevators are proposed for the building. Statement of Fact. C. Grading 1. A detailed Grading and Drainage Plan is provided on Sheet 4 of 12. Proposed grading has been designed to tie into the existing curb elevations along the site frontages. A retaining wall is proposed at the north side of the site. The grading design is feasible, and well-prepared (for an initial submission). Statement of Fact 2. Proposed spot elevations are necessary where handicap accessible ramps will be installed near handicap accessible spaces. Spot elevations have been provided. 3. Spot elevations should be provided at all building access points. Access point elevations have been provided. 4. The proposed invert at the north corner of Trench 1 appears incorrect. It should be 36.66. Invert has been corrected. 5. A review of final grading revisions will be performed during compliance, if/when

Board approval is granted. Statement of Fact. D. Storm Water Management 1. A proposed storm water management system has been designed. The design proposes two (2) underground storm water recharge trenches. One recharge system is proposed under the northern portion of the larger parking lot in the front of the site. The other recharge system is proposed underneath the smaller parking lot to the rear. These recharge systems will be connected, with an overflow discharge leading to a storm water basin located west of the site. Statement of Fact. 2. Roof leader systems are depicted on the design plans, which will convey roof runoff into the underground recharge systems. Storm sewer profiles have been included with the plans. Statement of Fact. 3. Per review of the design, it is well prepared (for an initial design submission). Statement of Fact. 4. Ownership and maintenance of the proposed storm water management system must be addressed. A storm water maintenance plan must be provided per NJAC 7:8-5. Ownership and maintenance manual has been provided, and will be reviewed during compliance (if/when Board approval is granted). 5. Permeability testing and seasonal high water table information has been provided in the Report to justify the proposed design and depth of the infiltration basins. The locations of Soil Logs have been provided on the Grading and Drainage Plan. Statement of Fact. 6. A final review of the storm water management design will occur during compliance review, if/when Board approval is granted. Statement of Fact. E. Traffic 1. We recommend a (summary) Traffic Impact Analysis be prepared for discussion at the Public Hearing. A copy of a Traffic Report that was prepared for Ocean County approval of this project was provided for review. The report is generally well-prepared. The author(s) makes the following observations and conclusions in the report: a. The proposed circulation plan meets accepted traffic engineering principles, and proposed parking meets UDO requirements. b. All traffic movements from the site, onto America Avenue, are projected to operate at Level of Service "B" during both peak hours. c. Proposed traffic exiting from this site onto America Avenue, towards New Hampshire Avenue, will continue to be restricted to right turns only onto New Hampshire Avenue. Said movements are projected to operate at Level of Service "B" in the AM peak, and Level of Service C in the PM peak for (year 2023) post-development conditions. d. The America Avenue approach towards Cedarbridge Avenue, for (year 2023) post-development conditions is projected to operate at Level of Service "C" during the AM peak hour, and Level of Service "E". Future traffic improvements at this intersection (if any) are under the jurisdiction of Ocean County. 2. We recommend that the applicant's traffic professionals be available to answer questions (if any) raised during the Public Hearing. F. Landscaping 1. The Landscaping Design is depicted on Site Plan Sheet 5. The design is generally well-prepared. A number of shade and street trees are provided along the property frontages, and around the perimeters of the parking areas. Additional trees and perimeter (evergreen) buffer shrubbery are provided within proposed parking islands, and along the larger parking lot facing New Hampshire and America Avenues. Statement of Fact. 2. The overall landscape design is subject to review and approval by the Board and recommendations (if any) from the Shade Tree Commission. Statement of Fact. 3. All proposed easements should be shown on the Landscape Plan to avoid potential planting conflicts. Easements are shown on the revised Landscape Plan. 4. The final landscape design will be reviewed during compliance, if/when Board approval is granted. Statement of Fact. G. Lighting 1. The lighting design is provided on Site Plan Sheet 5. The proposed design is generally well-prepared. Statement of Fact. 2. A point to point diagram has been submitted to determine the adequacy of the lighting and compliance with the ordinance. The proposed commercial parking lighting appears to conform to UDO requirements. Statement of Fact. 3. We recommend that separate Landscape and Lighting Design plans be provided (for legibility purposes). Said plans could be provided as a condition of Board approval (if/when forthcoming). Separate plans have been provided. 4. The final lighting design will be reviewed during compliance (if/when approval is granted). Statement of Fact. H. Utilities 1. Public water and sewer services are being provided by the Lakewood Township Municipal Utilities Authority since the project is within their franchise area. Statement of Fact. 2. Proposed potable and fire suppression water services will be connected to an existing system in America Avenue. Statement of Fact. 3. Proposed sewer service will be provided by connecting to the existing sanitary sewer that runs through the property. The proposed connection method (e.g., doghouse manhole,

other) is subject to LTMUA review and approval. Statement of Fact. 4. Permission to construct proposed parking over the sanitary sewer and easement along the northern end of the parking lot will be necessary. This approval can be secured during compliance, if/when Board approval is granted. Permission will be obtained during compliance. I. Signage 1. A twenty-two foot (22') high freestanding sign is proposed near the intersection of New Hampshire and America Avenues, outside of the sight triangle. Detail information is provided on Sheet 11. Statement of Fact. 2. Testimony should be provided that the freestanding sign complies with UDO requirements (or the appropriate variances must be requested). Fact. 3. Sign foundation design information must be provided. This can be addressed during compliance; if/when Board approval is granted. Per FWH's response letter, design information will be provided during compliance, if/when approval is granted. 4. The construction details also show an internally illuminated wall sign detail. Testimony should be provided that the proposed building mounted sign complies with UDO requirements (or the appropriate variances must be requested). Fact. 5. All signage proposed that is not reviewed and approved as part of this site plan application, if any, shall comply with the Township Ordinance. Statement of Fact. J. Environmental 1. Site Description To assess the site for environmental concerns, our office performed a limited natural resources search of the property and surroundings using NJ Department of Environmental Protection (NJDEP) Geographic Information Mapping (GIS) system data, including review of aerial photography and various environmental constraints data assembled and published by the NJDEP. Data layers were reviewed to evaluate potential environmental issues associated with development of this property. No areas of environmental concern are mapped within the property. Statement of Fact. 2. Tree Management Plan The applicant shall comply with the requirements for tree protection and removal as applicable on the site in accordance with the Township Tree Ordinance (during compliance review, if approval is granted). Per FWH's response letter, compliance with the Tree Protection Ordinance requirements will be provided, if/when Board approval is granted. K. Construction Details 1. Construction details are provided on at least Sheets 11 and 12 in the plan set. Statement of Fact. 2. All proposed construction details must comply with applicable Township or NJDOT standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete. Statement of Fact. 3. Construction details will be reviewed after resolution compliance submission for the project should site plan approval be granted. Statement of Fact. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Developers Agreement; b. Township Tree Ordinance (as applicable); c. Lakewood Industrial Commission; d. Lakewood Fire Commissioners; e. Lakewood Township Municipal Utilities Authority (water and sewer); f. Ocean County Planning Board; g. Ocean County Soil Conservation District; h. New Jersey Department of Environmental Protection (if applicable); and i All other required outside agency approvals.

Mr. Vogt stated variances are being requested for minimum front yard setback and building height. A variance may be needed for the number of off-street parking spaces.

Mrs. Miriam Weinstein, Esq., on behalf of the applicant, stated that this application is for the construction of a four-story office building in the industrial park. This property is being sold to the applicant by the Lakewood Industrial Commission. She explained that this application will be in the Township's best interest as it will bring a taxable ratable and a state of the art building to the industrial park. She showed a rendering of the building to the Board which was marked as exhibit A-1.

Mr. Brian Flannery, P.E., P.P. was sworn in.

Mr. Neiman asked him about the front yard setback.

Mr. Flannery entered a rendered version of the site plan as exhibit A-2. This property used to be in the M-1 zone but was changed to the B-6 zone so it is sort of part of the industrial park. It is located right outside of the Public Works office. M-1 zone typically is a 100 ft setback but can be reduced to 50 ft for a series of reasons. The reason they are reducing it to 50 ft is there is a C-1 buffer in the back which must have a 300 ft buffer. It is an area that's cleared but they don't want to push the building into that. The majority of the site is conforming and it is his testimony that it is a classic C-2 variance where the benefits outweigh the detriments. The only other neighboring lot is a detention basin and around the corner is the Public Works facility. Relief is being requested for the building height of 52 ft where 50 ft is required. They are providing 149 parking spaces which will be sufficient.

Mr. Neiman opened to the public, seeing no one come forward, he closed to the public.

A motion was made by Mr. Herzl, seconded by Mr. _____ to approve the application.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Follman

Abstained: Mr. Rennert

- 6. SD 1954** (Variance Requested)
Applicant: Eli Schwab
Location: Grandview Drive
Block 189.03 Lots 171 & 37.10
Preliminary & Final Major Subdivision to create 3 lots

Project Description

The applicant is seeking Preliminary and Final Major Subdivision approval for the creation of three (3) lots from two (2) lots. It is proposed that Lots 37.10 and 171 of Block 189.03 become Lots 37.29, 171.01, and 171.02. The site is located in the northeast portion of the Township. The existing lots to be subdivided are located between Ridge Avenue and Grandview Drive, west of Meadow Lane. Ridge Avenue is a County Highway with a variable width right-of-way. A proposed right-of-way dedication associated with this subdivision application would increase the half width right-of-way to forty feet (40'). Grandview Drive is a Municipal Road under construction. It has a fifty foot (50') right-of-way with a thirty-two foot (32') pavement width. The project is located on the cul-de-sac bulb of this street under construction. This application is a proposed major subdivision as it would add to an area that has previously received Major Subdivision Approval from the Zoning Board (# 3723) four (4) years ago and is currently being developed. Existing Lot 171 is a 0.87 acre trapezoidal tract immediately west of the above referenced approved subdivision with frontage on Ridge Avenue. Existing Lot 171 contains a one-story dwelling which would remain. The rear portion of existing Lot 171 is wooded with secondary growth. Existing Lot 37.10 is a cleared vacant lot in the neighboring approved subdivision and is located adjacent to and east of Lot 171. Existing Lot 37.10 has double frontage. It has frontage along Ridge Avenue, as well as the cul-de-sac bulb of Grandview Drive. Proposed Lot 171.02 would become a 14,501 square foot lot created from lands taken from existing Lots 37.10 and 171. The existing Lots 37.10 and 171 that would be reduced in area would become proposed Lots 37.29 containing 12,660 square feet and 171.01 containing 21,659 square feet. Proposed Lot 171.02 would have a frontage on the cul-de-sac. Proposed Lot 37.29 would have frontage on the cul-de-sac, as well as Ridge Avenue. Proposed Lot 171.01 would have frontage on Ridge Avenue. Construction along the frontages of proposed Lots 37.29 and 171.02 would be in accordance with the previously approved plans by the Zoning Board. Construction along the frontage of proposed Lot 171.01 would be subject to plans prepared for and approved by the County since Ridge Avenue is a County Highway. The property is located in the R-20 Single-Family Residential Zone. The lands surrounding the site are almost exclusively residential. We have the following comments and recommendations per testimony provided at the 7/15/14 Planning Board Plan Review Meeting and comments from our initial review letter dated July 8,

2014: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. C6 – Plans and Profiles of Utility Layouts 2. C10 – Shade Trees 3. C13 – Environmental Impact Statement 4. C14 – Tree Protection Management Plan 5. C16 – Soil Erosion and Sediment Control Plan 6. C17 – Storm Water Drainage Calculations We have reviewed the requested waivers from the Land Development Checklist and offer the following comments for the Board's consideration: We can support granting a waiver from Checklist Item C6 since Utilities are being constructed from the construction plans approved under Zoning Board Resolution #3723. The Board granted this submission waiver. Shade trees should be provided for proposed Lot 171.01. Shade trees for proposed Lots 37.29 and 171.02 would be planted in accordance with the construction plans approved under Zoning Board Resolution #3723. Shade trees will be provided for resolution compliance submission if approval is granted. The Environmental Impact Statement waiver request is reasonable given the previous construction on the lands in question. The Board granted this submission waiver. The Tree Protection Management Plan waiver may be granted for completeness purposes only. A Tree Protection Management Plan should be required as a condition of approval. The rear of existing Lot 171 is wooded. The Tree Protection Management Plan will be provided for resolution compliance submission if approval is granted. The Soil Erosion and Sediment Control Plan waiver may be granted. A Certification is in place for the construction plans approved under Zoning Board Resolution #3723. It appears improvements required for the widening of Ridge Avenue would not disturb an additional five thousand square feet (5,000 SF) of land. The Board granted this submission waiver subject to project disturbance not exceeding five thousand square feet (5,000 SF). The Storm Water Drainage Calculations waiver request is reasonable provided proposed storm water management is conditioned for the future plot plan submission of proposed Lot 171.02. The increase in runoff for proposed Lot 37.29 was already accounted for in the construction plans approved under Zoning Board Resolution #3723. Furthermore, runoff would not be increased on proposed Lot 171.01, since the existing dwelling is slated to remain. The Board granted this submission waiver subject to storm water management being provided for the future plot plan submission of proposed Lot 171.02. II. Zoning 1. The site is situated in the R-20, Single-Family Residential Zone District. Single-family detached housing on minimum twenty thousand square foot (20,000 SF) lots is permitted in the Zone. A portion of this property (Lot 37.10, proposed Lot 37.29) was part of a major subdivision with use and bulk variances approved by the Zoning Board under Resolution #3723. The project received a use variance due to exceeding the maximum residential density permitted in the zone. The applicant's professionals indicate that testimony will be provided regarding proposed Planning Board jurisdiction for this subdivision. 2. Minimum Lot Area variances are being requested for proposed Lots 37.29 and 171.02. Lot areas of 12,660 square feet and 14,501 square feet are being proposed respectively, whereas a minimum lot area of twenty thousand (20,000 SF) is required. It should be noted the Zoning Board approved lots ranging in size from 11,001 to 16,262 square feet under Resolution #3723 for this same area. The Board shall take action on the minimum lot area variances being requested. 3. Minimum Lot Width variances are required for proposed Lots 37.29 and 171.02. Lot widths of 91.6 feet and eighty-five feet (85') are being proposed, whereas a minimum lot width of one hundred feet (100') is required. It should be noted the Zoning Board approved lots ranging in width from 73.19 to 99.66 feet under Resolution #3723 for this same area. The Board shall take action on the minimum lot width variances required. 4. A parking variance is requested for proposed Lot 171.01. The Zoning Board approved four (4) off-street parking spaces for single family lots in this area under Resolution #3723. However, only three (3) off-street parking spaces are provided for proposed Lot 171.01. The Board shall take action on the parking variance requested for proposed Lot 171.01. The Schedule of Bulk Requirements shall be revised to indicate that four (4) off-street parking spaces per unit are being provided for the other proposed lots. 5. The construction of curb and sidewalk is not shown along the Ridge Road frontage. A plan will be required for the construction of curb and sidewalk unless waived by the Board. It should be noted that the Zoning Board required curb and sidewalk along Ridge Avenue under Resolution #3723 for this same area. The plan has been revised to show curb and sidewalk along Ridge Avenue. A future Improvement Plan will be submitted with

resolution compliance should subdivision approval be granted. 6. The applicant must address the positive and negative criteria in support of the required variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aeriels and/or tax maps of the project area and surroundings to identify the existing character of the area. III. Review Comments A. General 1. Proposed Lots 37.29 and 171.02 would be part of a development that has already been approved and is under construction. Plot Plans for these two lots would be submitted for approval in the future. 2. The applicant shall confirm that trash and recyclable collection is to be provided by the Township of Lakewood. The applicant's professionals indicate that testimony will be provided regarding trash and recyclable collection. 3. The proposed lot numbers shall be approved by the Tax Assessor. The Final Plat shall be signed by the Lakewood Tax Assessor. The proposed lot numbers have been approved by the Tax Assessor. B. Plan Review 1. The existing driveway and garage for the dwelling to remain on proposed Lot 171.01 would be large enough to provide for three (3) off-street parking spaces. A variance has been requested accordingly. 2. A portion of an existing Landscape Conservation Easement would be vacated to provide access to proposed Lot 171.02. Accordingly, the vacated portion of the existing easement would be compensation for by a proposed fifteen foot (15') wide Landscape Conservation Easement along the north side of new Lot 171.02. Statements of fact. 3. A Roadway Improvement Plan will be required for Ridge Avenue in front of proposed Lot 171.01. The applicant's professionals indicate that the plan will be submitted for resolution compliance should subdivision approval be granted. C. Grading 1. Plot plans would be submitted in the future for construction on proposed Lots 37.29 and 171.02. Statement of fact. 2. Proposed grading would be required on the Roadway Improvement Plan in front of new Lot 171.01. The applicant's professionals indicate that the Roadway Improvement Plan will be submitted for resolution compliance should subdivision approval be granted. D. Storm Water Management 1. Proposed storm water management should be required as a condition of approval for the future construction on new Lot 171.02. The applicant's professionals indicate that a storm water management will be provided for any future construction on proposed Lot 171.02. E. Landscaping 1. An irrigation system shall be provided for proposed Lot 171.02 in accordance with Zoning Board Resolution # 3723. The applicant's professionals indicate that irrigation will be provided. 2. Shade trees have not been provided on proposed Lot 171.01 and are required unless waived by the Board. Shade trees shall be provided on the Roadway Improvement Plan to be submitted for resolution compliance should subdivision approval be granted. 3. A proposed Shade Tree and Utility Easement has been provided on new Lot 171.01. A Landscape Conservation Easement has been proposed on new Lot 171.02. Statements of fact. 4. Landscape design is subject to review and approval by the Board and should conform to recommendations from the Shade Tree Commission as practicable. Compensatory plantings shall be addressed with a Tree Protection Management Plan. The Board should provide landscaping recommendations, if any. A Tree Protection Management will be required for resolution compliance submission should subdivision approval be granted. 5. Landscaping shall be reviewed in detail after compliance submission should subdivision approval be granted. Statement of fact. F. Lighting 1. There is existing street lighting on Ridge Avenue and Grandview Avenue. Statement of fact. G. Utilities 1. Potable water and sanitary sewer service will be provided by the Lakewood Township Municipal Utilities Authority. The project is within their franchise area. Statements of fact. 2. Utilities are being constructed in accordance with the plans approved by the Zoning Board under Resolution #3723. Statement of fact. H. Signage 1. Signage is not applicable. Statement of fact. I. Environmental 1. Site Description Per review of the plans, aerial photography, and a site investigation of the property, Lot 171 contains a one-story frame dwelling with attached garage. The rear of the lot is wooded and the land slopes gently westward. Lot 37.10 has been cleared and is awaiting the construction of a future dwelling. Statements of fact. 2. Tree Management A Tree Protection Management Plan should be submitted in accordance with current ordinance Chapter XIX, Protection of Trees. A Tree Protection Management plan will be provided for resolution compliance submission if subdivision approval is granted. J. Construction Details 1. Construction details shall be provided on the future Roadway Improvement Plan which will be necessary for proposed Lot 171.01.

Statement of fact. K. Final Plat (Major Subdivision) 1. The fence encroachment onto neighboring Lot 35 must be addressed. The fence will be relocated onto the applicant's property. 2. General Note #7 shall be edited. The note can be revised for resolution compliance submission should approval be granted. 3. Off-street parking requirements shall be revised to four (4) spaces per unit in accordance with Zoning Board Resolution #3723. Revisions can be made for resolution compliance submission should approval be granted. 4. The parking variance for proposed Lot 171.01 should indicate that three (3) off-street parking spaces are being provided. The parking variance note can be revised for resolution compliance submission should approval be granted. 5. Compliance with the Map Filing Law is required. Statement of fact. 6. The Final Plat will be reviewed in detail after design revisions are undertaken for the project. Statement of fact. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Developers Agreement at the discretion of the Township; b. Township Tree Ordinance; c. Ocean County Planning Board; d. Ocean County Board of Health (if required); and e. All other required outside agency approvals. Lakewood Township Municipal Utilities Authority will be responsible for constructing potable water and sanitary sewer facilities.

Mr. Rennert stepped down.

Mr. Brian Flannery, P.E., P.P. was sworn in. He marked a copy of the tax map as exhibit A-1. He indicated the property they are subdividing in yellow, green and orange as there are three pieces to the property they are subdividing. The green and orange is the existing lot that was approved by the Zoning Board. The green area is usable to build a home and the orange area represented the unusable portion. They are really at the Board for lot 171, the yellow lot which is about an acre in size. They will be chopping part of that off to put on the cul-de-sac.

Mr. Vogt stated the variances being requested include minimum lot area, lot width and a parking variance for proposed lot 171.01.

Mr. Flannery said lot 171 which is 150x250 currently has a house on it and they want to subdivide the back off to create another residential lot. In order to do that, the orange piece from lot 37.10 is added to the back part of that lot. The Master Plan indicates to rezone this property to the R-12. The applicant on Grandview Drive went to the Zoning Board which granted them 12,000 sf lots. Proposed lot 37.10 would now be 12,660 sf which is larger than a majority of the lots on Grandview Drive. Lot 171.01 would now front on the cul-de-sac is going to be 14,501 sf. The remaining house on lot 171.01 is on a 21,659 sf lot which complies with the R-20 zone. This lot was also in the area that was recommended to be zoned R-12. He believes what they are asking for is in accordance with the Master Plan. The lot sizes make sense for the area. The variances requested are de minimis in nature. The lot width variances requested of 91 ft and 85 ft are actually larger than most of the lots on Grandview Drive. The parking variance is strictly for the existing house. There is no rentable basement and it works now.

Mr. Neiman opened to the public, seeing no one come forward, he closed to the public.

A motion was made by Mr. Franklin, seconded by Mr. Herzl to approve the application.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Follman

- 7. SD 1958** (No Variance Requested)
Applicant: Paramount Developers, LLC
Location: East Fourth Street
Block 243 Lots 28 & 29
Preliminary & Final Major Subdivision to create 8 lots

Mrs. Morris stated that the applicant had missed a few notices for the plan review meeting and forgot to send them out for this meeting so they would like to be carried to the September 9, 2014 meeting.

A motion was made by Mr. Follman, seconded by Mr. Rennert to carry the application to the September 9, 2014 meeting.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

- 8. SD 1957** (Variance Requested)
Applicant: Mark Moskovitz
Location: Central Avenue & Bradshaw Road
Block 83 Lot 7
Minor Subdivision to create 2 lots

Project Description

The applicant seeks minor subdivision approval to subdivide one (1) existing lot totaling fifteen thousand square feet (15,000 SF) in area known as Lot 7 in Block 83 into two (2) new lots. The existing rectangular tract has one hundred fifty feet (150') of road frontage on the southeast side of Bradshaw Road and one hundred feet (100') of frontage on the northeast side of Central Avenue. The subdivision proposes to remove an existing two-story dwelling. The proposed lots are designated as new Lots 7.01 and 7.02 on the subdivision plan. Proposed Lots 7.01 and 7.02 will each be seven thousand five hundred square foot (7,500 SF). The site contains an existing two-story dwelling and a masonry garage. The plan indicates that the existing dwelling and appurtenant features within the subdivision are to be removed. The tract has a tree line along the southeastern border. The lots are proposed to be used for residential dwellings in the future, but both lots will require a sewer extension. The site is situated in the west central portion of the Township on the northeast corner of Bradshaw Road and Central Avenue. Bradshaw Road is a Municipal Road which was repaved in 2013 and currently has a five (5) year moratorium on road openings which ends in November of 2018. The existing right-of-way width of Bradshaw Road is fifty feet (50') with a pavement width of thirty feet (30'). The existing curb and sidewalk on Bradshaw Road is also new. Central Avenue is a County Highway with an existing right-of-way width of sixty-six feet (66') and a pavement width of about forty-five feet (45'). The pavement, curbing, and sidewalk existing on Central Avenue are all in good condition. Potable water mains are located under the northeast side of Central Avenue and the northwest side of Bradshaw Road. Gas mains exist under both Central Avenue and Bradshaw Road. Overhead electric exists along the northeast side of Central Avenue and on the northwest side of Bradshaw Road. The area around the proposed subdivision is predominantly residential. The site is situated within the R-12 Single Family Residential Zone. We have the following comments and recommendations per testimony provided at the 7/15/14 Planning Board Plan Review Meeting and comments from our initial review letter dated July 7, 2014: I. Zoning 1. The site is situated within the R-12, Single-Family Residential Zone District. Single-Family Detached Housing, with a minimum lot area of twelve thousand square feet (12,000 SF) is permitted in the Zone. Statements of fact. 2. The following variances are being requested for the proposed lots • Minimum Lot Area – Seven thousand five hundred square feet (7,500 SF) proposed, twelve thousand square feet (12,000 SF) required – proposed condition. • Minimum Lot Width – Seventy-five feet (75') proposed, ninety feet (90') required – proposed condition. The Board shall take action on the requested variances. However, it should be noted that the June 18, 2014 Minutes of the Ocean County Planning Board indicate an additional right-of-way dedication of seven feet (7') along Central Avenue is required. This would reduce proposed lot areas to less than seven thousand five hundred square feet (7,500 SF) and lot widths to less than seventy-five feet (75'). 3. The applicant must address the positive and negative criteria in support of the required variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. II. Review Comments 1. The

General Notes indicate a sewer extension will be required to service both proposed lots. An existing sanitary sewer manhole is located northeast of the site on Bradshaw Road. An existing water main is located under the northwest side of Bradshaw Road. An existing gas main is located under the southeast side of Bradshaw Road. Being there is a five-year moratorium on road openings, any subdivision approval shall be conditioned upon providing a full mill and overlay upon completion of utility installations. 2. A separate Boundary and Topographic Survey of the property should be provided since revisions will be required to the Minor Subdivision. Our site investigation notes the following survey revisions should be provided: a. Individual tree locations, particularly the large tree within the Bradshaw Road right-of-way. b. Gas main location in the vicinity of the intersection (varies from mark out). c. Existing cross section elevations of the roads at no more than fifty foot (50') intervals. Submission of a revised survey can be a condition of any approvals granted by the Board. 3. The applicant's professionals shall testify whether there is a riparian buffer on the property. General Note #13 has been added to the plan which indicates the following: "A portion of proposed Lot 7.02 is within three hundred feet (300') of the top of bank of Lake Carasaljo. Construction of the home on Lot 7.02 will be completed in accordance with a Permit-By-Rule as outlined in NJAC 7:13-7.1 (a) 2. Notification of the NJDEP is required prior to construction as outlined in the Flood Hazard Area Control Act Rules, NJAC 7:13." 4. General Note 3 indicates topography is based on NAVD 1988. A vertical bench mark shall be provided. A vertical bench mark can be provided with resolution compliance submission should approval be granted. 5. The Zone Requirements must be edited with respect to provided side yards. The provided new Lot 7.01 minimum side yard setback should only read ten feet (10'). Proposed Lot 7.01 being a corner lot only has a single side yard setback and it is conforming to the ten foot (10') requirement. The Zone Requirements indicates a variance is required for the side yard setback of proposed Lot 7.02. However, the proposed setbacks shown in the Zone Requirements and on the plan for new Lot 7.02 conform to the requirements of ten foot (10') for a single side yard setback and twenty-five foot (25') for aggregate side yard setbacks. Zoning requirements have been corrected. "The Birch" unit fits on proposed Lot 7.01. "The Cardinal" unit fits on proposed Lot 7.02. 6. Off-street parking must be addressed. The applicant's engineer indicates that off-street parking will be provided in accordance with the requirements of the UDO; relief is not sought. The plan indicates that off-street parking spaces will be depicted when the plot plans are prepared. The architectural plans submitted (The Cardinal) indicate that the residence proposed on new Lot 7.02 will have eleven (11) bedrooms. The ordinance indicates that six (6) off street parking spaces will be required. 7. If basements are proposed for the future dwellings, seasonal high water table information will be required. General Note #15 has been added indicating test pits to be conducted to determine depth to seasonal high water table prior to issuance of building permits. 8. A proposed six foot (6') wide shade tree and utility easement is shown on the subdivision plan which shall be dedicated to Lakewood Township. Proposed easement dimensions and areas for the individual lots should be given. This information can be provided with resolution compliance submission should approval be granted. 9. Detectable warning surface is required for the existing curb ramp at the intersection. General Note #16 has been added stating that detectable warning surface is to be provided for the existing curb ramp. A detail will be provided with the plot plan for proposed Lot 7.01. 10. Proposed lot numbers must be approved by the tax assessor's office. The map shall be signed by the tax assessor prior to filing should approval be granted. 11. The plan must be revised to indicate the extent of existing improvements to be removed. The plan can be revised to include removal of the fencing for resolution compliance submission should approval be granted. 12. Unless a waiver is requested from and granted by the Planning Board, street trees shall be proposed within the shade tree and utility easements for the project. Landscaping should be provided to the satisfaction of the Board, and should conform to recommendations (if any) from the Township Shade Tree Commission as practicable. Street trees shall be provided. The Board should provide landscaping recommendations. The Shade Tree Commission may have future comments on the proposed street trees selected. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan Review for the proposed lots. Tree removal can be addressed with resolution compliance

submission should approval be granted. 13. Testimony is required on the disposition of storm water from the development. The project appears too small to qualify as a major development. At a minimum, drywells will be required for storm water management and shall be provided when plot plans are submitted. The applicant's engineer indicates that at the time of plot plan preparation, storm water management will be designed. 14. Testimony is required on site grading from the development. When plot plans are submitted, grading will be reviewed for feasibility and compliance. If basements are proposed soil borings will be required to determine seasonal high water table. The applicant's engineer indicates that at the time of plot plan preparation, grading will be developed. Test pits will be conducted to confirm depth of the seasonal high water table. 15. Compliance with the Map Filing Law is required. Statement of fact. 16. An Improvement Plan must include grading, drainage, and construction details as required. This Improvement Plan may be provided during compliance if approval is given. General Note #17 has been added indicating that an Improvement Plan will be provided during compliance should approval be granted. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance; b. Ocean County Planning Board; c. Ocean County Soil Conservation District; and d. All other required outside agency approvals.

Mr. Vogt stated that variances are requested for minimum lot area and lot width.

Mr. Graham MacFarlane, P.E., P.P., was sworn in. The existing property is within the R-12 zone. They are proposing a minor subdivision to create two 7,500 sf lots. A lot width variance is also required for both lots. He displayed a map showing surrounding lots in the area and marked it as exhibit A-1.

Mr. Vogt asked if the County is requesting a right-of-way dedication on Central Avenue.

Mr. MacFarlane said that is correct.

Mr. Vogt asked how that would affect the lot areas.

Mr. MacFarlane stated that would reduce the size of lot 7.01 by 700 sf. The lot area would now be 6,800 sf. He showed a map of all lots within 500 sf of the subject property. The lots that are red in color are 7,500 sf lot area or less. There are a total of 64 lots within 500 ft. Of those lots, 17 of them are 7,500 sf or less. There are also another 23 lots that are between 7,500 and 12,000 sf. The total non-conforming lots are 40 out of the 64. The second variance is related to lot width. There are 36 lots that have 75 ft or less width. There are a total of 2 lots between 75 ft and 90 ft width and there are a total of 26 conforming lots in the area. A majority of the lots in the area do not satisfy the lot area or lot width standards. The proposal is consistent with the surrounding neighborhood and it represents sound planning. On the existing lot, both the house and garage are in violation of the setback requirements. This proposal would eliminate those variances and bring the lots more in conformance with the zoning criteria. The applicant agrees to all the comments in the letter except the milling and paving of Bradshaw Road as there is currently a 5 year moratorium on that road. He does not believe that is the purview of this Board. The Township does have the authority to dictate at the time of construction.

Mr. Vogt said they have no problem with that.

Mr. MacFarlane said there is a very small portion of the property that is within 300 ft of the edge of Lake Carasaljo so the property would be regulated by NJDEP. It would fall under the permit by rule category since the property has already been disturbed. They are not required to make an application but are required to notify the NJDEP.

Mr. Rennert said they need to make a very strong case to the governing body why this area should be rezoned.

Mr. Neiman said an R-12 zone is very sacred. The Board usually does not go down two zones. If they grant this variance, there are at least 8 other 15,000 sf lots in the area that would come back to this Board and seek the same variances. The applicant has the right to go to the Township Committee to see if this can be rezoned to an R-7.5 but the Board is not willing to grant this kind of variance.

Mr. Franklin said a very large house is being proposed with 11 bedrooms.

Mr. MacFarlane said the wrong architectural were submitted. The new house would not have 11 bedrooms, it would have 5 bedrooms.

Mr. Franklin said 6 parking spaces are being proposed. It is going to be mostly blacktop on such a small lot.

Mr. Neiman opened to the public.

Mr. Alexander Rosenbaum, 109 Central Avenue, was sworn in. He lives next door and would like to see the current house, which is dilapidated, be torn down and new houses be put up. He does not have an issue with this application.

Mr. Neiman reiterated that this is not an R-7.5 zone, it is an R-12 zone.

Mr. Neiman closed to the public.

A motion was made by Mr. Franklin, seconded by Mr. Rennert to deny the application.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Sussman, Mr. Rennert

No: Mr. Neiman, Mr. Follman

- 9. SP 2074** (No Variance Requested)
Applicant: HAEI Holdings, LLC
Location: East County Line Road
Block 190 Lot 155
Preliminary and Final Major Site Plan for a three-story commercial office building

Project Description

The applicant is seeking a Preliminary and Final Major Site Plan approval to construct a new three-story office building (on grade). The trapezoidal shaped project site consists of 28,665 square feet (0.66 acres) and is Lot 155 in Block 190. The subject property is located in the northern portion of the Township on the south side of East County Line Road, west of its intersection Tuscany Terrace. East County Line Road is a County Highway with a variable width right-of-way. The highway is improved with curb and sidewalk in good condition existing across the frontage of the tract. The site is currently occupied by a two-story single family dwelling with a dirt driveway. The lot is covered mostly in grass with a few trees. A tree line exists across the back of the lot. The property generally slopes southeastward. Forty-one (41) off-street parking spaces are proposed for the office use on the entire site. Two (2) of the proposed spaces would be van accessible handicap. Access to the site is proposed from East County Line Road on the northeast corner of the tract. The subject site is located within the R-15 Single Family Residential Zone District. The site is situated in a predominantly residential area. Calvary Lighthouse is located across from the site on the northeast side of East County Line Road. A new synagogue constructed

under Site Plan Application #1934 is situated immediately to the northwest. We have the following comments and recommendations per testimony provided at the 7/15/14 Planning Board Plan Review Meeting, and comments from our initial review letter dated July 8, 2014: I. Waivers A. The following submission waivers are required from the Land Development Checklist: 1. C13 – Environmental Impact Statement We support the EIS waiver since the site was previously developed and has limited mature vegetation. The Board granted the submission waiver. II. Zoning 1. The site is situated within the R-15, Single Family Residential Zone District. Section 18-902D.2., of the UDO, lists Conditional Uses in the Zone. Subsection f., lists commercial uses on properties with frontage on Ocean County Route No. 526 in accordance with the conditions and standards of Section 18-1020. In accordance with Section 18-1020B.2.h., professional and administrative offices may be permitted. Statements of fact. 2. According to our review of the Major Site Plan and zone requirements, it appears no variances are required. Statement of fact. 3. The following design waivers are required for the proposed trash enclosure (Section 18-1020E.1.): • The design of trash enclosures shall blend with the building exterior. • The size of trash enclosures shall be approved by the Department of Public Works. • No trash enclosure shall be located less than fifteen feet (15') from the side or rear property line when the adjacent property is developed with a nonresidential use. The Board shall take action on the design waivers required for the proposed trash enclosure. 4. A design waiver is required from the construction of six foot (6') wide sidewalk along the County Highway frontage (Section 18-1020E.2.a.). The Board shall take action on the design waiver required. 5. A design waiver is required from full compliance with Section 18-803 of the UDO. It should be noted that the current design includes 6-foot high solid fencing along the southeasterly side yard and rear yard property lines, as well as arborvitae buffer along the southeasterly property line. The southeasterly fence within the East County Line Road front yard setback must be reduced to a 4 foot height (or relief will be necessary). The revised plans remove the proposed fence from the front yard. The plans shall be revised to end the proposed fence thirty feet (30') from the new right-of-way line of County Line Road East with resolution compliance submission should approval be granted. The Board shall take action on the design waiver from full compliance with Section 18-803 of the UDO. 6. A partial design waiver is required from the construction of curb along the southerly side of the proposed parking lot. The Board shall take action on the required design waiver. III. Review Comments A. Site Plan/Circulation/Parking 1. A survey for the property has been provided. The following revisions are required: a. Revise label "Fence Enclosure with Utilities" to reference a Pump Station. b. Depict the existing water lines north of the centerline on East County Line Road. c. The locations of the existing wood fence in the rear of the property are not accurate. A revised survey can be provided with resolution compliance submission should approval be granted. 2. Horizontal and vertical datum shall be provided along with a vertical bench mark. This information can be provided with resolution compliance submission should approval be granted 3. The General Notes require editing. The General Notes can be corrected for resolution compliance submission should approval be granted. 4. A North arrow should be added to the location/tax map on the title page. This information can be provided with resolution compliance submission should approval be granted 5. A trash refuse area is shown on site. Testimony should be provided on collection of trash and recyclable material. It should be clarified whether the Township or a private company will be responsible for removal. DPW approval would be required if public pickup is proposed. The applicant's attorney indicates that they have already met with DPW and can provide testimony at the public hearing. 6. Testimony should be provided as to how deliveries will be performed. We recommend testimony be provided on proposed site operations. 7. Forty-one (41) off-street parking spaces have been proposed on the site plan. Of these, two (2) of the spaces have been proposed as ADA accessible. Handicap signage shall also be shown. The off-street parking requirements shall be revised and based on one (1) space for each three hundred square feet (300 SF) of gross floor area. Based on the proposed building footprint, the maximum number of off-street parking spaces required would be thirty-six (36). Off-street parking requirements and ADA accessibility can be finalized with resolution compliance submission should approval be granted. 8. We recommend that the three (3) parking spaces proposed across from the proposed trash enclosure be

dedicated for employee parking (only). The designation shall be provided with resolution compliance submission should approval be granted. 9. The site layout is well-planned with respect to interior pedestrian circulation, including pedestrian access from the parking areas to several portions of the building, as well as a separate pedestrian access along the rear of the site, which will maintain pedestrian accessibility from Lot 70.21 to the existing synagogue depicted on Lot 70.24. Additionally, outside benches and a bike rack are depicted in the east corner of the site. Final layout coordination, especially between the site plans and architectural plans, shall be provided with resolution compliance submission should approval be granted. 10. The labeling for the 54' depressed curb shall be moved to correspond with the new driveway opening. The depressed curb location for the proposed access driveway has been corrected. However, based on the twenty-five foot (25') wide driveway, the proposed depressed curb length shall be corrected to fifty-five feet (55'). A proposed 24.4 foot depressed curb is called out in a location which should be full height curb. Clarification of the proposed curbing shall be provided with resolution compliance submission should approval be granted. 11. Sight Triangle Easements to the County of Ocean should be shown. Any sight triangle easement requirements will be dictated by the County of Ocean, not the Township. An AASHTO sight line has been added to the plans. Sight Triangle Easement requirements will be dictated by the County. 12. A proposed Shade Tree and Utility Easement shall be shown along the road frontage (or design waiver sought). All existing and proposed easements shall be completed with bearings, distances, and areas provided. It should be noted there is justification for waiving the planting of street trees and the associated easement since there is an existing thirty foot (30') wide Sanitary Sewer Easement across the project frontage. A seven foot (7') wide Shade Tree and Utility Easement has been proposed across the frontage to match the adjoining properties. The proposed easement shall be completed with bearings, distances, and an area for resolution compliance should approval be granted. Furthermore, a deed of easement and description for review by the board attorney and engineer shall be provided prior to filing with the Ocean County Clerk. 13. Interior radii and dimensions around the parking lots and proposed access drive are necessary, and must be incorporated into the final design. This information can be provided during compliance review, if/when Board approval is granted. Completion of radii and dimensions can be provided with resolution compliance submission should approval be granted. 14. An 8.25 foot right-of-way dedication is proposed to Ocean County. Therefore, the proposed lot area will be decreased and the bulk standards will require revisions. Bulk standards still require some corrections which can be provided with resolution compliance submission should approval be granted. Bearings, distances, and an area should be provided for the dedication since we calculate a different proposed lot area than shown in the bulk standards. B. Architectural 1. Preliminary architectural floor plans and elevations were submitted for review. The proposed building height (as defined per UDO) would be 34.5 feet. The allowable height is fifty feet (35'). All proposed floors would house office space. Final architectural drawings shall be provided with resolution compliance submission should approval be granted. 2. Testimony should be provided as to whether any roof-mounted HVAC equipment is proposed. If so, said equipment should be adequately screened. The location and screening of HVAC equipment can be provided with resolution compliance submission should approval be granted. 3. The preliminary architectural floor plans shall be revised to provide proposed gross floor areas per floor. The gross floor areas can be provided with resolution compliance submission should approval be granted. 4. Proposed utility connections are shown on the site plan. A separate fire line has not been proposed. Testimony should be provided on fire safety. C. Grading 1. The grading is provided on Site Plan Sheet 4 of 17. The preliminary design is well prepared, and is consistent with existing topography within the site. The proposed design will be evaluated with resolution compliance submission should approval be granted. 2. Additional elevation information must be provided in the final design, including but not limited to handicap accessible ramps accessing the building, ramps adjacent to the proposed East County Line Road site access, and additional contour lines. This information can be provided during compliance review, if/when Board approval is granted. The proposed design will be evaluated with resolution compliance submission should approval be granted. 3. A detailed review of the grading can be

completed during compliance submission; if/when this site plan is approved. Statement of fact. D. Storm Water Management 1. An overflow discharge pipe is proposed, into the existing storm water collection system within County Line Road East. Ocean County approval of the proposed discharge will be necessary. Proposed storm water management design could be impacted by County review. 2. Roof leaders and manifold piping should be provided to direct roof runoff into the proposed collection system as noted on the drawings. The design shall be provided with resolution compliance submission should approval be granted. 3. A Storm Water Management Report has been provided, indicating that the storm water system was designed in accordance with NJ Storm Water Rule (NJAC 7:8) requirements. The Storm Water Management Report and design will be reviewed in detail after resolution compliance submission is made should approval be granted. 4. Soil data from Test Pits #1 and #2 identified on the plan has been provided to evaluate the proposed recharge design. This information provided will be reviewed during compliance, if/when Board approval is granted. Statements of fact. 5. A storm water maintenance plan per NJAC 7:8-5 must be provided for maintenance of the design. This information can be provided during compliance review, if/when Board approval is granted. Statements of fact. 6. A final review of the storm water management design will be performed during compliance, if/when Board approval is granted. Statement of fact. E. Landscaping 1. All Easements shall be shown on the Plan. Except for a shade tree and utility easement, landscaping should not be located in the easement. Proposed shade trees in any easements will require approval from the respective easement owners. We recommend that no street trees be proposed in the shade tree and utility easement because of sight visibility concerns. 2. Proposed utilities shall be shown to avoid planting conflicts. All utilities can be shown with resolution compliance submission should approval be granted. 3. The overall landscape design is subject to review and approval by the Board and should conform to recommendations (if any) from the Shade Tree Commission as practicable. Compensatory plantings are addressed on the Tree Protection Management Plan. The revised plans satisfy the Shade Tree Commission recommendations. The Board should provide landscaping recommendations. 4. Landscaping shall be reviewed in detail after compliance submission should site plan approval be granted. Statement of fact. F. Lighting 1. A Lighting Plan is provided on Site Plan Sheet 8, and is generally well-prepared. The Board should provide lighting recommendations. 2. The Plan proposes three (3) wall mounted two hundred fifty watt (250W) metal halide fixtures mounted twenty feet (20') high on the southwest and southeast side of the new building. Two (2) pole mounted two hundred fifty watt (250W) metal halide fixtures, with shields mounted twenty feet (20') high are proposed for the expanded parking lot on the site. Statements of fact. 3. A point to point diagram is required to verify the adequacy of the lighting design. The parking lot lighting shall be designed with a minimum intensity of 0.5 foot-candles, an average intensity of 1.0 foot-candles, and a uniformity ratio not exceeding 15:1. A point by point diagram is provided. Some minor adjustments are required for resolution compliance submission should approval be granted. 4. The final lighting shall be reviewed during compliance, if/when Board approval is granted. Statement of fact. G. Utilities 1. Testimony should be provided whether a fire suppression service is proposed, or if there is a fire hydrant in the vicinity of the building. Testimony should be provided on fire safety. H. Environmental 1. Tree Management A Tree Protection Management Plan has been incorporated into the Landscaping Plan (Site Plan Sheet 7). The project will be reviewed during compliance to ensure compliance with UDO requirements (if/when approval is granted). Statements of fact. I. Construction Details 1. Final review of construction details will take place after compliance submission, if/when this project is approved by the Board. Statement of fact. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Developers Agreement at the discretion of the Township; b. Township Tree Ordinance; c. Ocean County Planning Board; d. Ocean County Soil Conservation District; e. Lakewood Township MUA (water, sewer service, work within 30 foot wide sanitary sewer easement); and f. All other required outside agency approvals.

Mr. Herzl stepped down.

Mr. Sam Brown, Esq. on behalf of the applicant, stated this is an application for an office building. It is well thought out plan. The applicant has gone through a lot of trouble to integrate this part of the site plan with what is previously what is on the site.

Mr. Graham MacFarlane, P.E., P.P. was sworn in. He stated this is for a three-story office building. The property is within the R-15 zone which allows for conditional uses as long as it meets several criteria. There are no variances associated with the project. They are proposing 41 parking spaces as well as underground stormwater management system, lighting and landscaping.

Mr. Brown said there are 41 parking spaces where 36 are required. There is already sidewalk along the frontage of the site which is adequate.

Mr. Neiman asked about the entrance.

Mr. MacFarlane said there will be one ingress/egress point on East County Line Road.

Mr. Neiman asked if there is a need for a right in, right out there.

Mr. Brown said this is currently what is there and think it would also be adequate for the proposed building as the uses would be staggered.

Mr. Vogt stated it is subject to Ocean County approval anyway.

Mr. Neiman opened to the public, seeing no one come forward, he closed to the public.

A motion was made by Mr. Franklin, seconded by Mr. Follman to approve the application.

Affirmative: Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Follman

Abstained: Mr. Rennert

- 10. SD 1956** (Variance Requested)
Applicant: Benjamin Loeb
Location: Ridge Avenue
Block 223 Lots 89 & 90
Preliminary & Final Major Subdivision to create 7 lots

Mrs. Morris stated there are a number of objectors on this application. The applicant's attorney has requested this be carried to the September 9, 2014 meeting as they will be attempting to settle some issues with them.

A motion was made by Mr. Follman, seconded by Mr. Herzl to carry this application to the September 9, 2014 meeting.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

- 11. SD 1948** (No Variance Requested)
Applicant: Yeshiva Shvilay Hatalmud, Inc.
Location: 961 East County Line Road and Kennedy Boulevard East
Block 174.04 Lot 57
Preliminary & Final Major Subdivision to create 5 lots

Project Description

The applicant is seeking a Preliminary and Final Major Subdivision approval. The applicant proposes the subdivision of one (1) existing lot to create five (5) proposed lots. The five (5) proposed lots would be developed as three (3) future residential lots, one (1) residential lot with an existing dwelling to remain, and one (1) lot for an addition to an existing school with a new dormitory. The proposed lot for the school will be the subject of an associated Major Site Plan Application (SP2065). The existing property known as Lot 57 in Block 174.04 is proposed to be subdivided into proposed Lots 57.01 – 57.05, as shown on the Major Subdivision Plan. The subject property is located in the northerly portion of the Township between Kennedy Boulevard East and County Route 526, County Line Road East, east of Somerset Avenue. Kennedy Boulevard East at this location is a partially improved one hundred twenty foot (120') right-of-way which has recently been turned over to the Township from Ocean County. It should be noted that the Board approved a major subdivision for this same property under Application SD1560. That previous approval would have created a school property and seven (7) residential lots. However, the approved project was never filed with the Ocean County Clerk's Office. The new subdivision proposed would create a school property and a residential lot with an existing dwelling along the frontage of County Line Road East. The new subdivision would also create the three (3) proposed future residential lots along the Kennedy Boulevard East frontage. Most of the existing 3.844 acre area of the site is open and very flat. However, some of the northern perimeter of the land is wooded. Presently, there are a one-story school building, a one-story building, a one and a half story building, a couple of sheds, and a trailer on the property. Except for the existing school on new Lot 57.01, and the one and a half story building on proposed Lot 57.02, all other structures located on the site will be moved or removed. A dormitory, as well as an addition to the existing school has been proposed for new Lot 57.01, which will be the subject of an associated Major Site Plan Application. The subject site is located within the R-15 Single-Family Residential Zone District. The lands surrounding the site are almost exclusively residential. We have the following comments and recommendations per testimony provided at the 7/15/14 Planning Board Plan Review Meeting and comments from our initial review letter dated July 1, 2014: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. B1 - Topography of the site. 2. B2 - Topography within 200 feet thereof. 3. B3 - Contours on the site to determine the natural drainage of the land. 4. B4 - Contours of the area within 200 feet of the site boundaries. 5. B7 - Wooded areas. 6. C3 - Location of existing railroads, bridges, culverts, drain pipes, water and sewer mains, and other man-made installations affecting the tract. 7. C6 - Plans and profiles of proposed utility layouts such as sewers, storm drains, and water, showing feasible connection to existing proposed utility systems. 8. C10 - Shade Trees. 9. C13 - Environmental Impact Statement. 10. C14 - Tree Protection Management Plan. 11. C16 - Soil Erosion and Sediment Control Plan. 12. C17 - Design calculations showing proposed drainage facilities to be in accordance with the appropriate drainage runoff requirements. We have reviewed the requested waivers from the Land Development Checklist and offer the following comments for the Board's consideration: We can support the granting of waivers from Checklist Items B2 and B4 provided the topography along the road frontages is updated. The field work for the survey is in excess of eight (8) years old and conditions have changed, especially with respect to construction of curb and sidewalk on adjoining parcels. The updating of the topography will make all of the Site Features items acceptable for design. Updated survey information may be provided during compliance review (if approval is granted). Submission waivers were granted for topography within two hundred feet (200'), updated survey information shall be a condition of any approvals. Similarly, per communications with the applicant's engineers, the applicant agrees to providing utility and road designs prior to construction (and any building permit requests). The previous approval designed the sanitary sewer to connect into an existing system under County Line Road East. It may not be feasible or practical to extend existing sanitary sewer mains on Kennedy Boulevard East. Existing potable water mains are under both roads that the proposed project fronts on. Curb and sidewalk was proposed along all roads in the previous approval. Accordingly, any utility, drainage, or road improvements should include plan and profile views. Providing plans and profiles for proposed utilities shall be a condition of any approvals. Shade trees should be provided

along all road frontages, consistent with the previous approval. Providing shade trees shall be a condition of any approvals. The Environmental Impact Statement waiver request is reasonable given the previous approval of the site. A submission waiver was granted. The Tree Protection Management Plan waiver may be granted for completeness purposes only. A Tree Protection Management Plan should be required as a condition of approval. Providing a Tree Protection Management Plan shall be a condition of any approvals. Even just the residential portion of the proposed project will disturb more than five thousand square feet (5,000 SF). Therefore, a Soil Erosion and Sediment Control Certification will be required. Providing a Soil Erosion and Sediment Control Certification shall be a condition of any approvals. Even just the residential portion of the proposed project will increase impervious surface by more than a quarter acre and probably disturb over an acre of land. Therefore, the project will be classified as major development and must meet water quality and water quantity reduction rate requirements. Per communications with the applicant's engineer, Storm Water Management Report will be provided prior to construction (or any building requests). Providing storm water management shall be a condition of any approvals.

II. Zoning 1. The site is situated within the R-15, Single-Family Zone District. Single-family detached housing on minimum fifteen thousand square foot (15,000 SF) lots is permitted in the Zone. Public and private schools in accordance with the requirements of Section 18-906 are permitted in the Zone. Commercial uses are a Conditional Use in the Zone on properties with frontage on Ocean County Route No. 526 in accordance with the conditions and standards of Section 18-1020. At the Plan Review Meeting, the applicant's attorney testified that the existing dwelling on proposed Lot 57.02 would remain for the immediate future. Therefore, the proposed use in the Notes shall be revised to residential which is permitted in the R-15 Zone. The setbacks for proposed Lot 57.02 should be revised in the Schedule of Bulk Requirements. The existing one and a half story building shall be slated to remain. All of these corrections can be provided with resolution compliance submission should approval be granted.

2. It appears a Side Yard Setback Variance is required for proposed Lot 57.01. According to the Final Plat submitted, the existing school building would be located less than ten feet (10') from the side property line. While a dimension has not been indicated, the plan shows the building encroaching into the ten foot (10') side yard setback. The revised plans show a dimension of 9.3 feet for the side yard setback of proposed Lot 57.01. A side yard setback variance request has been indicated in the Schedule of Bulk Requirements. The Board shall take action on the requested variance.

3. The Final Plat indicates that proposed Lot 57.02 would be a future commercial use. The use of the existing building to remain on Lot 57.02 has not been indicated. However, should the proposed use of this existing building be commercial, a Side Yard Setback Variance would be required. The side yard is shown to be 30.3 feet, whereas a side yard of fifty feet (50') would be required in accordance with Section 18-1020D.4., of the UDO. Furthermore, should the proposed use of the existing building be commercial, design waivers may also be required, such as buffering. At the Plan Review Meeting, the applicant's attorney testified that the existing dwelling on proposed Lot 57.02 would remain for the immediate future. Therefore, no zoning action by the Board is required at this time.

4. Waivers are required for the proposed lot lines which are not perpendicular to the right-of-way. The Board shall take action on the required waivers.

5. The construction of curb and sidewalk is not shown along the road frontages. Unless waivers are granted by the Board, proposed curb and sidewalk should be added along the road frontages. The applicant's professionals indicate that the construction of curb and sidewalk along the road frontages will be provided on the construction plans required as a condition of any approvals granted.

6. A waiver is required for the proposed school property, new Lot 57.01. Section 18-906A.2., of the UDO requires a twenty foot (20') buffer from a residential use. It should be noted this same waiver was granted for the previous application for this site SD1560. The Board shall take action on the required waiver.

7. Another waiver is also required for the proposed school property, new Lot 57.01. Section 18-906A.3, of the UDO requires the buffer to be landscaped. It should be noted this same waiver was granted for the previous application for this site SD1560. The Board shall take action on the required waiver.

8. The applicant must address the positive and negative criteria in support of the required variances. At the discretion of the Planning Board, supporting documents will be required

at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. III. Review Comments A. General 1. A separate Site Plan application has been submitted for proposed Lot 57.01. The creation of the proposed lot for this site plan is subject to subdivision approval. 2. Off-street parking must be addressed. Thirteen (13) existing off-street parking spaces are shown for the current school building on proposed Lot 57.01. Justification that the off-street parking provided is adequate shall be addressed at the Public Hearing. Off-street parking must be addressed for the existing dwelling to remain on proposed Lot 57.02. Since the proposed lot fronts a County Highway, the dirt driveway shall be replaced with a hard surface driveway that includes a turnaround. Off-street parking must also be addressed for future residential Lots 57.03 through 57.05. 3. The applicant shall confirm that trash and recyclable collection is to be provided by the Township of Lakewood. The applicant's professionals indicate that trash and recycling collection for the school on proposed Lot 57.01 is to be provided by a private carter. Trash and recycling collection for the residential lots is to be provided by the Township of Lakewood. 4. The proposed lot numbers shall be approved by the Tax Assessor. The Final Plat shall be signed by the Lakewood Tax Assessor. The Lakewood Tax Assessor signature is required prior to map filing should approval be granted. B. Plan Review 1. An updated survey has been submitted. However, the following corrections are required: a. The survey indicates that field work was performed in 2006. Since that time many changes have taken place and the topography must be further updated. For example, Kennedy Boulevard East has been improved with curb, sidewalk, and street lighting up to the side lines of the tract. Potable water exists in front of the site and there is existing sanitary sewer west of the site, both of which may have been constructed since the field work was performed in 2006. The updating of this information shall be provided with resolution compliance submission should approval be granted. 2. The existing driveways associated with the one-story frame building to be removed shall also be removed. Corrections must be provided with resolution compliance submission should approval be granted. 3. Accessory structures should be addressed since the sheds on proposed Lot 57.01 are to be moved to the side setback. Accessory structure setback information shall be added to the Schedule of Bulk Requirements for resolution compliance submission should approval be granted. 4. Proposed Sight Triangle Easements should be added at the driveway intersections with County Line Road East. The applicant's professionals indicate that proposed sight triangle easements will be provided as required by the County. 5. Proposed Shade Tree and Utility Easements have been provided along the County Line Road East and Kennedy Boulevard East frontages. Statement of fact. 6. Proposed off-street parking spaces shall be provided with minimum dimensions. The driveways accessing the County Roads should include turnarounds. The applicant's professionals indicate that proposed off-street parking and driveways with turnarounds will be provided with resolution compliance submission should approval be granted. 7. A Site Development Plan should be provided having typical dimensions and road stationing added. The applicant's professionals indicate that a Site Development Plan will be provided with resolution compliance submission should approval be granted. 8. Roadway Improvement Plans will be required for Kennedy Boulevard East to deal with a low point and existing drainage. These plans already exist from the previous approval and can be easily modified for the updated conditions. The applicant's professionals indicate that Roadway Improvement Plans for Kennedy Boulevard East will be provided with resolution compliance submission should approval be granted. 9. Roadway Improvement Plans will also be required for County Line Road East. We recommend the applicant's engineer use the Maser Consulting design for County Line Road East with revisions based on their current proposal. The applicant's professionals indicate that Roadway Improvement Plans for County Line Road East will be provided with resolution compliance submission should approval be granted. C. Grading 1. A Grading Plan shall be provided using typical proposed units similar to the project previously approved on this site. The applicant's professionals indicate that a Grading Plan will be provided with resolution compliance submission should approval be granted. 2. A profile shall be provided for Kennedy Boulevard East similar to the project previously approved on this site. The applicant's professionals indicate that a profile for Kennedy Boulevard East will be provided with resolution compliance submission should

approval be granted. 3. Profile and cross section requirements, if any, on County Line Road East will be dictated by Ocean County. Statement of fact. 4. A detailed review of the grading can be completed during compliance submission; if/when this subdivision is approved. Statement of fact. D. Storm Water Management 1. Our review of the project indicates that improvement to the three (3) proposed residential lots along Kennedy Boulevard East will be sufficient to classify the site as Major Development since more than a quarter acre of impervious surface will be added. As a result, the project must meet water quality and water quantity reduction rate requirements. A Storm Water Management Report and design should be submitted. The applicant's professionals indicate that storm water management will be addressed with resolution compliance submission should approval be granted. 2. Soils information will be required within the proposed project to confirm the seasonal high water table is deep, should recharge be proposed. The Storm Water Management Report and design should justify any permeability rates used in calculations. The applicant's professionals indicate that soils information will be provided with resolution compliance submission should approval be granted. 3. Drainage Area Maps must be provided for our review of a Storm Water Management Report and Design. The applicant's professionals indicate that Drainage Area Maps will be provided with resolution compliance submission should approval be granted. 4. The Storm Water Management Report and Design will be reviewed in detail during compliance, if/when approved. Statement of fact. 5. A separate Storm Water Management Operation & Maintenance Manual shall be submitted per the NJ Storm Water Rule (NJAC 7:8) and Township Code. The Manual will be reviewed in detail after the storm water management design is found to be acceptable. The applicant's professionals indicate that a Storm Water Management Operation & Maintenance Manual will be provided with resolution compliance submission should approval be granted. E. Landscaping 1. Shade trees have not been provided and are required unless waived by the Board. The applicant's professionals indicate that shade trees will be provided with resolution compliance submission should approval be granted. 2. Landscape design is subject to review and approval by the Board and should conform to recommendations from the Shade Tree Commission as practicable. Compensatory plantings shall be addressed with a Tree Protection Management Plan. The Board should provide landscaping recommendations. Revised plans showing shade trees shall be submitted to the Shade Tree Commission for recommendations with resolution compliance submission. The applicant's professionals indicate that a Tree Protection Management Plan will be provided with resolution compliance submission should approval be granted. 3. Landscaping shall be reviewed in detail after compliance submission should subdivision approval be granted. Statement of fact. F. Lighting 1. Lighting has not been provided along the proposed Kennedy Boulevard East frontage. Proposed lighting is required unless waived by the Board. It should be noted new street lighting exists on the south side of Kennedy Boulevard East from the adjoining developments. The applicant's professionals indicate that lighting along Kennedy Boulevard East will be provided with resolution compliance submission should approval be granted. 2. A point to point diagram would be required to verify the adequacy of the proposed street lighting. Statement of fact. 3. Lighting shall be reviewed in detail after compliance submission should subdivision approval be granted. Statement of fact. G. Utilities 1. A proposed sanitary sewer design is required. The previously approved project on this site proposed that all sanitary sewers would connect to an existing system in County Line Road East. The applicant's professionals indicate that a sanitary sewer design will be provided with resolution compliance submission should approval be granted. 2. Ocean County Board of Health approval will be required for the abandonment of all potable wells and septic systems on-site. The applicant's professionals indicate that Ocean County Board of Health approval will be obtained for the abandonment of the potable wells and septic systems on the site. 3. Testimony should be provided on other proposed utilities. The applicant's professionals indicate that testimony will be provided. H. Signage 1. All signage proposed that is not reviewed and approved as part of this application, if any, shall comply with Township ordinance. Statement of fact. I. Environmental 1. Tree Management A Tree Protection Management Plan should be submitted in accordance with current ordinance Chapter XIX, Protection of Trees. The applicant's professionals indicate that a Tree Protection Management Plan will

be provided with resolution compliance submission should approval be granted. J. Construction Details
1. Construction details should be provided for the project. The applicant's professionals indicate that construction details will be provided with resolution compliance submission should approval be granted.
2. Final review of construction details will take place after compliance submission, if/when this project is approved by the Board. Statement of fact. K. Final Plat (Major Subdivision) 1. The proposed side yard setback line for the westerly side of new Lot 57.01 should be a consistent fifteen feet (15'). The proposed setback line parallel to South 89 degrees, 23 minutes, 24 seconds East bearing shall be revised for resolution compliance submission should approval be granted. 2. Proposed monuments should be added for the new lot side line intersections with Kennedy Boulevard East. The applicant's professionals indicate that proposed monuments for the new side lot line intersections with Kennedy Boulevard East will be provided with resolution compliance submission should approval be granted. 3. The Schedule of Bulk Requirements needs to be updated. The Schedule of Bulk Requirements can be finalized with resolution compliance submission should approval be granted. 4. Compliance with the Map Filing Law is required. Statement of fact. 5. The Final Plat will be reviewed in detail after design revisions are undertaken for the project. Statement of fact. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Developers Agreement at the discretion of the Township; b. Township Tree Ordinance; c. Ocean County Planning Board; d. Ocean County Soil Conservation District; e. Ocean County Board of Health; and f. All other required outside agency approvals. New Jersey American Water Company will be responsible for constructing potable water and sanitary sewer facilities.

SD 1956 and SP 2065 will be heard together.

Mr. Vogt stated he believes the only variance is for a side yard setback on lot 57.01.

Mr. Brian Flannery, P.E., P.P. was sworn in. The applications are for a school, three residential lots in the back and one future lot in the front. There is a currently a house on that front lot. A new ordinance was passed so that lot will probably become a commercial lot. The improvements for the school site would be done right away. When they are ready to develop the residential and commercial portion, they would come in and put in those improvements. He said they will be doing this project in phases. They will be putting an addition on the Bais Tova building with some dorms and classrooms. In phase 2 they will build the dorm building.

Mrs. Weinstein said there is a comment in the review letter stating the driveway should be paved on the lot with the existing house. They are not doing anything with that lot and it is actually vacant so they would like a waiver from that.

Mr. Vogt asked if that driveway is private.

Mr. Flannery said yes.

Mr. Vogt said then it is not anything that is going to be given to a future resident or dedicated to the Township so it is really on the applicant or the eventual owner of the property whether it's paved now or not.

Mr. Flannery said that is correct.

Mr. Neiman asked about the school.

Mrs. Weinstein said it is a post high school for boys. It is basically for 18 or 19 year old boys immediately following high school. They are not allowed to have cars or drive. There would be a maximum of 6 staff members at any given time. There are currently 13 parking spaces. There are no buses as all the boys live in the dorms.

Mr. Flannery said the applicant has met with the neighbors and they are proposing an 8 ft vinyl fence that will start at the front setback line that would go all the way to the back of the school lot. A 6 ft fence would be on the other side. Evergreens or Cypress will probably be planted as well to provide additional buffering but they will work that out during compliance. The windows will also be frosted with awnings on the eastern property line.

Mr. Neiman opened to the public.

Mr. Maurice Rosenberg, 2 Renee Court, was sworn in. He reiterated that the agreement was the applicant would provide frosted windows, an 8 ft fence and additional landscaping to provide buffering.

Mrs. Weinstein said the applicant agrees to those conditions.

Mr. Neiman closed to the public.

A motion was made by Mr. Sussman, seconded by Mr. Franklin to approve the application.

Affirmative: Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

- 12. SP 2065** (Variance Requested)
Applicant: Yeshiva Shvilay Hatalmud, Inc.
Location: 961 East County Line Road
Block 174.04 Lot 57

Preliminary & Final Major Site Plan for addition to existing school and a new dormitory building

Project Description

The revised plans indicate that the applicant is seeking Preliminary and Final Site Plan approval for the construction of future Lot 57.01 in two (2) phases. Phase 1 would consist of a proposed one-story addition to an existing school, which includes a finished basement. The proposed addition would add 5,402 square feet to the first floor of the existing 6,757 square foot school. The proposed addition also would add 1,411 square feet to the basement of the existing school. The architectural plans indicate the proposed addition will contain a 2,398 square foot Bais Medrash, and other associated rooms. These other associated rooms would include classrooms and dormitory rooms. The off-street parking area is proposed to be redesigned and consist of a total of thirteen (13) parking spaces. Phase 2 would consist of a proposed dormitory to the west of the school building being expanded in Phase 1. The proposed two-story dormitory will have a partially finished basement. The proposed square footages of the floors would be 8,159 square feet for the basement, 8,756 square feet for the first floor, and 8,441 square feet for the second floor. Upon completion of the dormitory, the existing school building would be revamped with new classrooms replacing the dormitory rooms. The proposed property for this project site (future Lot 57.01) would be created by the approval of Subdivision Application SD1948. The future site would be located in the northern portion of the Township on the north side of Ocean County Route 526 (County Line Road East), east of Somerset Avenue. The proposed area of future Lot 57.01 would be 63,642 square feet, which is 1.461 acres. The land needed for the addition and dormitory is mostly cleared. The property frontage on County Route 526 does not have curb or sidewalk, but both are proposed. Utilities servicing the existing school connect to facilities within the County Line Road East right-of-way. Proposed utility connections for the addition have not been indicated. Proposed utility

connections for the new dormitory, including a fire service line, are shown. The property is located in the R-15 Zone District. Public and private schools are a permitted use. We have the following comments and recommendations per testimony provided at the 7/15/14 Planning Board Plan Review Meeting and comments from our initial review letter dated July 7, 2014: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. C13 - Environmental Impact Statement. We recommend the submission waiver be granted since the site is already developed. The submission waiver was granted. II. Zoning 1. The parcel is located in the R-15 Single-Family Residential District. Public and private schools are a permitted use in the zone, subject to the provisions of Section 18-906. Statements of fact. 2. A Side Yard Setback Variance is being requested. A side yard setback of 9.9 feet is being proposed, whereas a side yard setback of ten feet (10') is required. However, it appears a portion of the building near the front of the site is closer than 9.9 feet to the side line. This dimension shall be indicated such that the variance can be properly acted upon. The revised plans show a portion of the building near the front of the site to be 9.3 feet from the side line. The Board shall take action on the required side yard setback variance. 3. Our review of the revised plans indicates that an Aggregate Side Yard Setback Variance is required. We have calculated that an aggregate side yard setback of 19.7 feet is being proposed, whereas an aggregate side yard setback of twenty-five feet (25') is required. The Schedule of Bulk Requirements shall be revised accordingly with resolution compliance submission should approval be granted. The Board shall take action on the required aggregate side yard setback variance. 4. A Rear Yard Setback Variance is being requested. A rear yard setback of 19.4 feet is being proposed, whereas a rear yard setback of twenty feet (20') is required. Our review of the revised plans indicates discrepancies in the proposed building addition between the site plans and architectural plans. Therefore, we recommend the applicant's professionals confirm with testimony the extent of the variance being requested. Subsequent to the testimony, the Board shall take action on the requested rear yard setback variance. 5. A Maximum Building Coverage Variance is being requested. A building coverage of thirty-three percent (33%) is being proposed, whereas a maximum of thirty percent (30%) building coverage is allowed. The Schedule of Bulk Requirements shall be revised accordingly with resolution compliance submission should approval be granted. The Board shall take action on the requested maximum building coverage variance. 6. The construction of curb and sidewalk is not shown along County Line Road East. Design waivers are necessary. Curb and sidewalk have been provided along the lot frontage on the revised plans. Design waivers are no longer necessary. 7. A design waiver is also required from the construction of curb associated with the off-street parking areas and driveways. The Board shall take action on the required design waiver. 8. Testimony is required addressing necessary buffer waivers from Sections 18-906A and 18-906B of the UDO. The applicant's professionals indicate that testimony will be provided addressing necessary buffer waivers. Subsequent to the testimony, the Board shall take action on the necessary buffer waivers 9. The applicant must address the positive and negative criteria in support of any required variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. III. Review Comments A. Site Plan/Circulation/Parking 1. This Site Plan application is contingent upon the approval of Subdivision Application SD1948 which would create proposed Lot 57.01. Accordingly, all plans related to the proposed site plan should be titled Future Lot 57.01 for resolution compliance submission should approval be granted. 2. As indicated previously, thirteen (13) off-street parking spaces with one (1) van accessible handicapped space is being provided for the proposed site. Testimony should be provided on the required the number of off-street parking spaces to determine whether the project is compliant. A breakdown of off-street parking requirements should be provided in the Schedule of Bulk Requirements. Testimony shall be provided on off-street parking to insure no variances are required. 3. Sight Triangle Easements are necessary for the proposed access driveway. The applicant's professionals indicate that sight triangle easements will be provided as required by the County. 4. Proposed traffic and handicapped parking sign locations shall be added to the site plan. Proposed traffic and handicapped parking sign locations have been added to the site plan.

Construction details shall be properly completed for resolution compliance submission should approval be granted. 5. ADA requirements shall be addressed on the site plan. The applicant's professionals indicate that ADA requirements will be addressed on the site plan for resolution compliance submission should approval be granted. 6. Existing and proposed building dimensions shall be provided on the site plan. Existing and proposed building dimensions must be coordinated between the site plans and architectural plans for resolution compliance submission should approval be granted. 7. Access points to the buildings shall be added. Building access points must be added and coordinated between the site plans and architectural plans for resolution compliance submission if approval is granted. 8. The proposed off-street parking area in front of the school slightly conflicts with the shade tree and utility easement. The proposed area may also conflict with other easements and improvements which are not shown. The proposed off-street parking area shall be moved further back on the site with resolution compliance submission should approval be granted. 9. The existing layers on the drawings should be grayed and contrast with proposed layers which should be bold. Layering corrections can be provided with resolution compliance submission should approval be granted. 10. The limits of proposed improvements to be constructed and existing improvements to be removed must be better defined. Proposed dimensions for improvements must be added. The revised plans provide some additional information. The aisle width for existing paved parking area is too narrow. The aisle width and associated asphalt driveway shall be widened accordingly. The existing asphalt driveway on neighboring proposed Lot 57.02 shall be removed. Corrections can be provided with resolution compliance submission should approval be granted. 11. The proposed setback lines adjacent neighboring new future Lot 57.02 shall be revised to a consistent fifteen feet (15'). The proposed setback lines shall be corrected with resolution compliance submission should approval be granted. 12. The future status of the two (2) existing sheds has not been addressed. The two (2) existing sheds shall be shown to be moved to the side setback on the Phase 1 Site Plan. Accessory structures shall be added to the Schedule of Bulk Requirements. These corrections shall be provided with resolution compliance submission should approval be granted. 13. Trash and recycling collection has not been addressed. The revised plans show the existing dumpster on the site is to be relocated and a note has been added to the plans indicating that trash and recycling collection will be provided by a private carter. A screened enclosure and detail shall be provided for resolution compliance submission if approval is granted. 14. The existing school sign encroaches into the right-of-way. The revise plans show the existing school sign is to be relocated. Unless a setback variance is granted, the sign shall be relocated a minimum of fifteen feet (15') from the right-of-way. Additional zoning information shall be provided for the sign to determine whether any other relief is required. 15. The General Notes require some editing. The General Notes can be edited for resolution compliance submission should approval be granted. 16. Testimony should be provided addressing future operations of the site. We assume there will be no school bus activity on the site because of the proposed dormitory building. The applicant's professionals indicate that testimony will be provided on future operations of the site. 17. The Sheet Index shall be revised for resolution compliance submission should approval be granted. B. Architectural 1. While the architectural plans do not provide a definitive height for the proposed school addition, the fact it is only one-story makes it compliant with the thirty-five foot (35') allowable height. The architectural plans for the proposed two-story dormitory show a height of thirty feet (30') which is also complying. Statements of fact. 2. The proposed building layouts and square footages must be checked and coordinated with the site plan. Final coordination can be provided for resolution compliance submission if approval is granted. 3. Testimony is required on ADA accessibility. An elevator is proposed for the new dormitory. The applicant's professionals indicate that testimony will be provided on ADA accessibility. 4. A separate fire service line on the site plan indicates the proposed dormitory will include a sprinkler system. Testimony should be provided on fire safety for the school building. The applicant's professionals indicate that testimony will be provided on fire safety for the school building. 5. The locations of all existing and proposed HVAC equipment should be shown. Said equipment should be adequately screened. The applicant's professionals indicate that locations of existing and proposed HVAC equipment will be

addressed with resolution compliance submission should approval be granted. 6. The site plans shows piping for roof drainage. Existing and proposed roof drainage shall be coordinated between site plans and architectural plans. The applicant's professionals indicate that existing and proposed roof drainage will be coordinated between the site plans and architectural plans with resolution compliance submission should approval be granted. C. Grading 1. Grading information is provided on Sheet 4 of the Site Plans. The revised plans provide grading on Sheets 4 and 4A of the Site Plans. 2. Soil boring locations and profiles are indicated on the drawings. Based on the soil logs provided, the proposed basement floor elevations and recharge trench elevations are greater than two feet (2') above the seasonal high water table. Statements of fact. 3. Proposed grading shall be coordinated with the Maser Consulting plans for County Line Road East prepared for the County. The applicant's professionals indicate that proposed grading will be coordinated with the Maser Consulting plans for County Line Road East with resolution compliance submission should approval be granted. 4. Final grading can be addressed during compliance review should approval be granted. Statement of fact. D. Storm Water Management 1. The Storm Water Management Report submitted indicates the impervious areas to be removed and added for entire Lot 57. However, the Report ignores the impervious area to be added for the residential portion of the site. A revised Storm Water Management Design and Report shall be provided with resolution compliance submission should approval be granted. 2. We have reviewed the Drainage Area Maps. The flow path shown for the 1.90 acre drainage area on the Predevelopment Drainage Area Map is incorrect. The flow path should go to the existing inlet on the south side of Kennedy Boulevard East approximately in the center of the Lot 57 frontage. The Predevelopment Drainage Area Map has been revised. 3. Recharge trenches and drywells are proposed for storm water management. The proposed recharge trench in the front portion of the site encroaches into the right-of-way and conflicts with the shade tree and utility easement. Revisions are required. The proposed recharge trench in the front portion of the site has been relocated under the parking lot. 4. Storm water management will be reviewed in detail with a revised submission. Statement of fact. E. Landscaping and Lighting 1. A dedicated Landscaping Plan is provided with the submission; proposed landscaping is depicted on Sheet 5 of the plans. Proposed landscaping includes foundation and ornamental plantings. The revised plans propose landscaping on Sheets 5 and 5A of the plans. Proposed foundation plantings are missing from the future building in Phase 2. The proposed foundation plantings can be restored with resolution compliance submission should approval be granted. 2. Landscaping should be provided to the satisfaction of the Board and recommendations from the Shade Tree Commission. The Shade Tree Commission approved the initial landscaping plan with the foundation plantings around the future building in Phase 2. The Board should provide landscaping recommendations. 3. Minor corrections are required to the Landscaping Plan. Corrections can be provided with resolution compliance submission should approval be granted. 4. Landscaping shall be reviewed in detail during compliance should site plan approval be granted. Statement of fact. 5. No Lighting Plan has been provided. The Landscape Plan shows four (4) existing one hundred watt (100W) high pressure sodium light fixtures mounted twelve feet (12') high on the existing school building. The revised plans add three (3) pole mounted lights to the project. 6. A point to point diagram will be required for the existing and proposed parking areas. A point to point diagram has been provided for the existing and proposed parking areas which indicates the site lighting will be in conformance with the ordinance. 7. Lighting should be provided to the satisfaction of the Board. The Board should provide lighting recommendations. 8. Lighting will be reviewed in detail during compliance should site plan approval be granted. Statement of fact. F. Utilities 1. The site will be served by public water and sewer from New Jersey American Water Company since the project is within their franchise area. Statement of fact. G. Signage 1. Except for the existing sign encroaching into the right-of-way, no signage information is provided. A full signage package for free-standing and building-mounted signs identified on the site plans (requiring relief by the Board) must be provided for review and approval as part of the site plan application. The applicant's professionals indicate that any proposed free-standing and building-mounted signs will be provided for review and approval. H. Environmental 1. A Tree Management Plan was provided and will be reviewed during

compliance should site plan approval be granted. Statement of fact. I. Construction Details 1. Construction details are provided with the current design submission. We will review the construction details during compliance should site plan approval be granted. Statement of fact. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Developers Agreement at the discretion of the Township; b. Township Tree Ordinance; c. Ocean County Planning Board; d. Ocean County Soil Conservation District; e. New Jersey American Water Company prior to occupancy; and f. All other required outside agency approvals.

SD 1956 and SP 2065 will be heard together.

Mr. Vogt stated he believes the only variance is for a side yard setback on lot 57.01.

Mr. Brian Flannery, P.E., P.P. was sworn in. The applications are for a school, three residential lots in the back and one future lot in the front. There is a currently a house on that front lot. A new ordinance was passed so that lot will probably become a commercial lot. The improvements for the school site would be done right away. When they are ready to develop the residential and commercial portion, they would come in and put in those improvements. He said they will be doing this project in phases. They will be putting an addition on the Bais Tova building with some dorms and classrooms. In phase 2 they will be the dorm building.

Mrs. Weinstein said there is a comment in the review letter stating the driveway should be paved on the lot with the existing house. They are not doing anything with that lot and it is actually vacant so they would like a waiver from that.

Mr. Vogt asked if that driveway is private.

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Mr. Neiman asked about the school.

Mrs. Weinstein said it is a post high school for boys. It is basically for 18 or 19 year old boys immediately following high school. They are not allowed to have cars or drive. There would be a maximum of 6 staff members at any given time. There are currently 13 parking spaces. There are no buses as all the boys live in the dorms.

Mr. Flannery said the applicant has met with the neighbors and they are proposing an 8 ft vinyl fence that will start at the front setback line that would go all the way to the back of the school lot. A 6 ft fence would be on the other side. Evergreens or Cypress will probably be planted as well to provide additional buffering but they will work that out during compliance. The windows will also be frosted with awnings on the eastern property line.

Mr. Neiman opened to the public.

Mr. Maurice Rosenberg, 2 Renee Court, was sworn in. He reiterated that the agreement was the applicant would provide frosted windows, an 8 ft fence and additional landscaping to provide buffering.

Mrs. Weinstein said the applicant agrees to those conditions.

Mr. Neiman closed to the public.

A motion was made by Mr. Sussman, seconded by Mr. Franklin to approve the application.

Affirmative: Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Follman, Mr. Rennert

7. CORRESPONDENCE

- **SD 1892** – Yeshiva Yesodei Hatorah – Request to remove conditions in the Resolution

Mr. Rennert stepped down.

Mr. Penzer said the Township Committee changed the ordinance for the area permitting that the units can be for sale as opposed to rentals. They will be coming back for the approval based on the subdivision. The issue is the lender said they would not allow them to go through with financing if they don't remove two restrictions. The other restriction is that the occupants have to be related in some way to the school.

Mr. Graham MacFarlane, P.E. was sworn in.

Mr. Neiman asked why they do not just come back for a regular subdivision and forgot the Campus Ordinance.

Mr. MacFarlane said that is what they will do. They would file an application that creates the individual lots for the townhouse units with accordance with the newly adopted ordinance.

Mr. Penzer said they need relief from that ordinance with regard to the financing.

Mr. MacFarlane said it will take months to get a proper application submitted to this Board. They are asking that those two restrictions be removed now so they can get the funding.

Mr. Neiman said they are coming back anyway for a subdivision.

Mr. MacFarlane said that is correct.

Mr. Jackson said you can't do this in this manner. Jan Wouters is opposed to this. The problem is there is an approval for a school that has two components to it. The school without the housing is very different than the school that was approved and the housing project without the school is very different than housing project that was approved with the school.

Mr. Neiman understands that this is the same application only they are removing the rental aspect because the bank would not give them a loan. He does hear what John Jackson is saying. When the applicant does come back they would only be submitting for the housing, not the school.

Mr. Jackson said this a material change. A free standing apartment complex is very different thing than a school with dormitories and vise versa.

Mr. Penzer said that is not what the new ordinance says. The ordinance states that it is no longer rental, the units can now be sold.

Mr. Neiman said the campus ordinance did not change. The change was instead of any school coming it has to be a school that is certified.

Mr. Penzer showed the new ordinance to the members. It was just created to amend the establishments of certain zoning districts.

Mr. MacFarlane showed a plan to the Board which added all the individual lot lines only. There will be no other physical or design changes to the project.

Mr. Jackson said part of the campus ordinance is that there is a substantially inter-relationship between the two entities. It would become an independent housing project.

Mr. Neiman does not believe that is correct. The housing will still be part of the school. The applicant just needs to show that the units will be for sale in order to receive a loan.

Mr. Jackson is not saying this should not be approved but when you subdivide the lots and remove the restriction on something that was already analyzed it is a new application.

Mr. MacFarlane does not dispute that. They will be coming back for the subdivision approval.

Mr. Jackson said the condition was that the housing project was tied in with the school.

Mr. MacFarlane said yes but in the interim the Township has adopted a new ordinance that makes the lo

Mrs. Morris said her only concern is that this is a site plan approval for a campus and the new zoning is for the Oak Street overlay which allows subdivisions and allows townhouses but this is a campus and if the Board is going to allow those conditions to be removed that is kind of a big variance that applies to the campus itself.

Mr. MacFarlane disagrees. There are no new variances being requested. They are representing that the application is consistent with the newly adopted ordinance.

Mr. Jackson asked why the financing is such an emergency.

Mr. MacFarlane said his client explained to him that on rental units there is a lack of a foreclosure ability. If the units are for sale individually, than the bank would have that ability.

Mr. Jackson said they would receive that financing with the new application. Why do they need that financing if they are not going to build now.

Mr. Penzer said they have had this problem before on a number of restricted areas. Even on NJ Hand, they had to get a special clause that even though the houses are restricted to moderate or low income, upon foreclosure it can be a for sale unit.

Mr. Neiman said they are mixing ordinances here. He asked if townhouses and duplexes will be allowed in the Oak Street overly.

Mrs. Morris said yes. Theoretically, this would be a permitted use using the new zoning criteria.

Mr. Neiman said then they would not need to comply with the campus ordinance.

Mr. MacFarlane said that is correct. The project as proposed is totally consistent with this new sub district.

Mrs. Morris stated the new subdivision would have to show the new bulk requirements and whether or not they comply with them so that the board engineer can do his review letter to see if there are any new variances based off the new zoning criteria.

Mr. MacFarlane agrees with that.

Mrs. Morris stated it is kind of a moot point anyway because if the lots are not subdivided, they can't sell the lots. It is just the way the resolution is worded is giving the applicant a hard time in acquiring finance.

Mr. Neiman is okay with this. If the applicant is trying to get a bank loan based on sales, they really can't do anything with this application anyway.

A motion was made by Mr. Follman, seconded by Mr. Herzl to remove the conditions in the resolution.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Neiman, Mr. Follman

No: Mr. Sussman

8. APPROVAL OF BILLS

9. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Sarah L. Forsyth
Planning Board Recording Secretary

Planning Board Recording Secretary