

1. CERTIFICATION OF COMPLIANCE

Chairman Michael 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. Advance written Notice has been filed with the Township Clerk for purpose of public inspection and, a copy of this Agenda has been mailed, faxed or delivered to the following newspapers: *The Asbury Park Press*, and *The Tri-Town News* at least 48 hours in advance. This meeting meets all the criteria of the Open Public Meetings Act.”

2. REORGANIZATION

A. OATH OF OFFICE

- Class I Member-one year appointment to December 31, 2014
- Class II Member-one year appointment to December 31, 2014
- Mayor’s Designee to serve to December 31, 2014
- Class III Member-one year appointment to December 31, 2014
- Class IV Member-four year appointment
- Planning Board Member alternates

B. ELECTION OF OFFICERS FOR THE CALENDAR YEAR OF 2014

- Chairman-Michael Neiman
- Vice Chairman-Stan Banas
- Secretary-Ally Morris
- Recording Secretary-Sarah Forsyth

C. SELECTION OF CONSULTANTS AND OTHER PERSONNEL

- Attorney-King, Kitrick & Jackson
- Planner-Remington, Vernick & Vena
- Engineer-Remington, Vernick & Vena

3. ROLL CALL

Mr. Herzl, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert, Mr. Percal, Mr. Sussman

4. SWEARING IN OF PROFESSIONALS

Mr. Terry Vogt was sworn in.

5. MEMORIALIZATION OF RESOLUTIONS

1. **SP 2046** (Variance Requested)
Applicant: Congregation Kehillas Hearthstone
Location: Hearthstone Drive & Jenna Court
Block 428.01 Lots 1 & 2

Preliminary and Final Major Site Plan for proposed addition to existing synagogue

A motion was made by Mr. Schmuckler, seconded by Mr. Follman to approve.
Affirmative: Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Percal, Mr. Sussman
Abstained: Mr. Herzl, Mr. Rennert, Mr. Sussman

6. PLAN REVIEW ITEMS

1. **SD 1922** (Variance Requested)
Applicant: Benzion Eidelman
Location: Ridge Avenue and Highgrove Crescent
Block 223 Lots 84.01, 84.02, & 9.04

Minor Subdivision to realign lot lines

Project Description

The applicant seeks minor subdivision approval to convey three thousand nine hundred seventy-five square feet (3,975 SF) of land to Lot 9.04 in Block 223 by realigning the existing lot lines. A recently completed two-story duplex on zero lot line properties for existing Lots 84.01 and 84.02 in Block 223 would convey fifty feet (50') of their rear yards to the rear yard of existing Lot 9.04. The existing properties involved with this minor subdivision total 34,754 square feet or 0.80 acres in area are known as existing Lots 9.04, 84.01, and 84.02 in Block 223. Existing Lot 9.04 is a very irregular shaped property containing a two-story dwelling having frontage on a cul-de-sac called Highgrove Crescent. Existing Lots 84.01 and 84.02 are rectangular zero lot line properties containing a recently completed two-story duplex, which fronts on Ridge Avenue. The existing rear line of the zero lot line properties borders a portion of single family lot. The proposed subdivision of the existing properties would create new Lots 84.03 through 84.05. The two (2) zero lot line properties would become proposed Lots 84.03 and 84.04. The single family property would become proposed Lot 84.05. A rectangular 50' X 79.50' section of the rear yards from existing Lots 84.01 and 84.02, totaling 3,975 square feet, would be conveyed to existing Lot 9.04. Therefore, proposed Lot 84.03 would become a 39.50' X 175' rectangular property of 6,912.50 square feet with frontage on Ridge Avenue. Proposed Lot 84.04 would become a 40' X 175' rectangular property of seven thousand square feet (7,000 SF) with frontage on Ridge Avenue. Proposed Lot 84.05 on the subdivision plan would become an irregular 20,841.5 square foot tract for the single-family dwelling fronting on Highgrove Crescent. The site is situated in the northern portion of the Township between the north side of Ridge Avenue and the south side of Highgrove Crescent. Highgrove Crescent is a paved municipal road (cul-de-sac) with a fifty foot (50') right-of-way. This cul-de-sac is fairly new, and is in good condition with belgian block curb and concrete sidewalk. Ridge Avenue is a twenty-four foot (24') wide paved municipal road in poor condition, which is undergoing widening on the opposite side. The proper twenty-five foot (25') half right-of-way width exists in front of the site. New curb and sidewalk constructed with the duplex exists across the site frontage. Trees exist on the single family lot, but not the duplex part of the site. The proposed lots are situated within the R-10 Single Family Residential Zone. The surrounding uses are mostly residential. We

have the following comments and recommendations: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. B1 - Topography of the site. 2. B3 - Contours on the site to determine the natural drainage of the land. We have reviewed the requested waivers from the Land Development Checklist and can support the granting of the requested B-Site Features waivers since the project only involves land conveyance. II. Zoning 1. The parcels are located in the R-10 Single Family Residential Zone District. Single Family Detached Housing, Two Family Housing, and Duplex Housing are all permitted uses in the zone. Minimum lot area for single family housing is ten thousand square feet (10,000 SF). Minimum lot area for two family housing is twelve thousand square feet (12,000 SF). 2. Per review of the various documents, we note the front setback line was incorrectly drawn from the old right-of-way line on the Plot Plan. (The front setback line is also incorrectly drawn on the Minor Subdivision.) As a result, the new duplex unit has been constructed too close to Ridge Avenue. Therefore, the following two (2) minimum front yard setback variances are required: • Proposed Lot 84.03, 26.4 feet constructed, thirty feet (30') required. • Proposed Lot 84.04, 26.5 feet constructed, thirty feet (30') required. 3. An existing minimum front yard setback nonconformance is shown on the Minor Subdivision for proposed Lot 84.05, which was granted by a previous Subdivision approval. 4. A minimum rear yard setback variance is required for proposed Lot 84.05. The Minor Subdivision Plan incorrectly shows a side yard instead of a rear yard to the back of existing Lot 83. (A previous filed map confirms the yard in question should be a rear yard.) A dimension of 19.7 feet is shown from the dwelling to the property line and a dimension of 5.8 feet is shown from the deck to the property line. A twenty foot (20') rear yard setback is required. Since a deck height is not indicated, we cannot speculate on the controlling dimension. It should be noted this is an existing nonconformance which was not previously acted upon. (A previous filed map shows a different offset which is conforming.) 5. An existing shed on proposed Lot 84.05 is shown 3.5 feet from the property line of existing Lot 83. Unless the shed is removed or relocated, an accessory structure setback variance will be required. 6. Unless off-street parking is added to proposed Lot 84.05, it appears a variance is required for the number of off-street parking spaces. 7. Per review of the Minor Subdivision Map, it appears no waivers are required. 8. The applicant must address the positive and negative criteria in support of any 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 1. A Plan of Survey has been provided for Lots 9.04, 84.01, and 84.02. The survey should be revised to include the following: a. The missing shade tree and utility easement along the Highgrove Crescent frontage. b. Areas of the individual lots. c. New chain link fencing and gate on Lot 9.04. d. The elimination of "remains of wood fence" which has been removed. 2. There are many fence encroachments. All encroachments shall be eliminated as a condition of any approvals. 3. Proposed side lines of new Lots 84.03 and 84.04 are one hundred seventy-five feet (175') long. The plan shall be revised accordingly. 4. The front line of proposed Lot 84.03 should be dimensioned to 39.50 feet along the Ridge Avenue frontage. 5. Setback lines shall be corrected on proposed Lot 84.05. 6. Proposed outbound corner monuments shall be added. The proposed outbound corner markers shall be offset where necessary. 7. An existing six foot (6') wide Shade Tree and Utility Easement to Lakewood Township is missing from proposed Lot 84.05. Easement areas shall be shown on an individual lot basis. 8. A horizontal datum shall be indicated along with coordinates on at least three (3) outbound corners. 9. A Legend shall be added. 10. The minimum lot area for proposed Lot 84.05 shall be listed in the "single family" row of the Requirements Table. 11. The Requirements Table shows the minimum lot width of proposed Lot 84.05 to be forty feet (40'), which would require a variance. However,

the lot width appears to be much larger. 12. The minimum side and rear yard setbacks of proposed Lot 84.05 in the Requirements Table need corrections. 13. Confirmation must be provided that proposed Lots 84.03 and 84.04 do not exceed the maximum building coverage. The Final Survey shows wood decks which are not included on the Minor Subdivision. 14. The General Notes indicate that four (4) off-street parking spaces will be required for each lot and that four (4) off-street parking spaces will be provided for each lot. The driveways shown on the Final Survey indicate that the parking configuration will provide four (4) off-street parking spaces for proposed Lots 84.03 and 84.04. The existing off-street parking configuration on proposed Lot 84.05 is not large enough to accommodate four (4) vehicles. Additional off-street parking must be proposed unless a variance is granted. Off-street parking shall be in accordance with the Township Parking Ordinance. A minimum of four (4) off-street parking spaces for a dwelling unit with a basement is required. 15. According to the application, General Note #6 should be corrected to "Benzion Eidelman". 16. The Minor Subdivision Plan should show that new lot numbers were assigned by the tax assessor's office. If approved, the map shall be signed by the tax assessor. 17. The approval box shall be corrected to Planning Board. 18. The Surveyor's Certification has not been signed since the outbound corner markers have not been set. 19. Compliance with the Map Filing Law is required. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Ocean County Planning Board; and b. All other required outside agency approvals.

Mr. Jackson said he had gone back and forth with Mrs. Morris as there is an issue with the notice. The applicant did receive waivers from two people who were not noticed correctly. The other issue is the applicant did not notice for a shed setback as well as a rear yard setback. He advised the applicant to re-notice for the public portion of the hearing.

Mr. Vogt stated the applicant is requesting waivers for topography and contours which are supported since the project only involves land conveyance.

A motion was made by Mr. Percal, seconded by Mr. Herzl to approve the waivers.

Affirmative: Mr. Herzl, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert, Mr. Percal, Mr. Sussman

Mr. Vogt stated variance include front yard setback for both lots, rear yard setback depending on the disposition of the shed, a potential accessory structure variance. There may also be a variance needed for the number of off-street parking spaces.

Mr. Schmuckler said to be prepared to address the variances at the public meeting.

Mr. Surmonte said he will address the parking situation but the other variances are existing. The only new variance is for the shed. This application is really just a 50 ft land swap. Nothing is being proposed.

Mr. Jackson said the notice is adequate because these are all existing conditions and they are just re-adjusting the lot lines which is stated in the notice. Mr. Jackson retracting what he said earlier about re-noticing.

A motion was made by Mr. Schmuckler, seconded by Mr. Herzl to advance the application to the January 21, 2014 meeting.

Affirmative: Mr. Herzl, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert, Mr. Percal, Mr. Sussman

2. **SD 1923** (No Variance Requested)
Applicant: Tal Spruce LLC
Location: Spruce Street
Block 782 Lots 5 & 6
Minor Subdivision to create six fee simple duplex lots

Project Description

The applicant is seeking a Minor Subdivision approval. The applicant proposes to remove four (4) single family dwellings from two (2) existing lots and construct three (3) duplex buildings on six (6) zero lot line properties to be known as Lots 6.01 – 6.06 in Block 782. A Homeowners Association would need to be formed for the access, utilities, and other common elements. According to the plans, at least twenty-eight (28) off-street parking spaces are proposed. Except for a proposed circular driveway along Spruce Street, which would serve the building on proposed Lot 6.01, the spaces are accessible from a common twenty-four foot (24') wide access aisle. The tract totals 1.12 acres in area and consists of two (2) existing residential properties, Lots 5 and 6 in Block 782. Associated site improvements are proposed for the minor subdivision. These improvements include proposed sewer, water, drainage; paved access driveway with curb, sidewalk, landscaping, and lighting. The subject property is located in the central portion of the Township on the south side of Spruce Street, west of Chelsea Court. Spruce Street is an improved municipal road with a fifty foot (50') right-of-way. The site is currently occupied by four (4) existing dwellings. All existing improvements will be removed to make way for the proposed residential subdivision. Except for the northern frontage of the property, the land generally slopes from north to south. Proposed storm water management facilities and utilities will be associated with this project. Proposed sanitary sewer will connect to an existing system in Spruce Street. Proposed potable water for the subdivision will be extended from an existing main on the north side of Spruce Street. A minimum of four (4) off-street parking spaces are proposed for each unit. The number of bedrooms for the units is not specified on the subdivision plans. The project is also proposing curb and sidewalk with the proposed access driveway. The subject site is located within the R-10 Residential Zone District. Therefore, zero lot line duplex housing is a permitted use in the zone district using twelve thousand square foot (12,000 SF) minimum lot areas for duplex structures. The site is situated within a mixed use area. We have the following comments and recommendations: 1. Zoning 1. The site is situated within the R-10, Single-Family Residential Zone District. As stated previously, "Two-Family Housing, with a minimum lot area of twelve thousand square feet (12,000 SF) for two-family structures" is listed as a permitted use. Zero lot line subdivisions for duplexes are permitted in the Zone. 2. Variances are required for minimum lot frontage on proposed Lots 6.02 – 6.06. Proposed Lot 6.01 has road frontage on Spruce Street, a public street. Proposed Lots 6.02 – 6.06 have no road frontages on a public street. All proposed lots would have frontage on a future private street. Proposed Lot 6.02 only has thirty-seven feet (37') of frontage on a private street, whereas 37.5 feet is required for zero lot line properties. 3. Minimum aggregate side yard setback variances are required for the combination of proposed Lots 6.03/6.04 and 6.05/6.06. The proposed aggregate side yard setbacks for the combination of new Lots 6.03/6.04 is twenty-three feet (23') and for the combination of new Lots 6.05/6.06 is 23.84 feet, whereas twenty-five feet (25') is required. 4. The applicant must address the positive and negative criteria in support of the requested 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 A. General 1. The General Notes reference Boundary and Topographic information from a survey with a different date than provided. The General Notes also state that vertical elevation is based on NGVD 1929. A bench mark must be provided. 2. Each proposed unit has three (3) off-street parking spaces located perpendicular to the access driveway, with room shown for a fourth. Proposed Lot 6.01 also has a circular access driveway along Spruce Street. Spruce Street is heavily traveled. 3. The General Notes propose a total of twenty-eight (28) off-street parking spaces, where twenty-four (24) spaces are required. Eighteen (18) of the proposed off-street parking spaces are located in front of the units perpendicular to the access driveway. Ten (10) parallel off-street parking spaces are proposed on the west side of the access driveway, which are eight feet (8') wide and twenty-three feet (23') long. 4. No handicapped parking has been proposed. Testimony should be provided on whether any of the units will be handicapped accessible. 5. The plans note that each structure shall have an area designed for trash and recycling containers on the side or rear. Concrete pads for collection are proposed along Spruce Street. Therefore, we anticipate individual collection is to be provided by the Township of Lakewood. 6. The applicant's professionals indicate the proposed lot numbers have been approved by the Tax Assessor. The Minor Subdivision Map shall be signed by the Lakewood Tax Assessor. 7. Per Subsection 18-911 F (2 (a-g)) of the zero lot line ordinance, a written agreement signed by the owner of the property is required, including provisions to address items associated with the use, maintenance, and repair of common areas and facilities associated with the overall property. Said agreement must be filed as part of this application to obtain the zero lot line subdivision approval from Lakewood Township. B. Plan Review 1. The Sheet Index lists Drainage Area Maps which have not been provided. 2. The existing curb and sidewalk along Spruce Street is in poor condition and should be replaced. 3. The proposed on-site sidewalk connects to the sidewalk along Spruce Street. 4. Curb ramps have been proposed on both sides of the access driveway. 5. Regulatory signage has been shown in accordance with the sign details provided. 6. A proposed Sight Triangle Easement has been shown at the intersection of the access driveway with Spruce Street. 7. The plans note the ownership of the proposed storm water management system shall be the Homeowners Association. 8. Dimensions have been provided for all the proposed building boxes with typical deck dimensions. C. Grading 1. Grading is provided on Sheet 3 of 6. Runoff is being directed around and behind the units with swales. This runoff should be collected by a proposed inlet prior to leaving the site. An inlet and appropriate storm drainage should be added. 2. Proposed finished floor, basement floor, and building corner elevations have been provided. The plans note seasonal high water table information will be provided at time of plot plan submittal. 3. Proposed spot grades and contours must be completed. 4. The proposed gutter for Spruce Street shall be designed to a constant slope. 5. A retaining wall is proposed along the south and west sides of most of the site. 6. A detailed review of the grading can be completed during compliance submission; if/when this subdivision is approved. D. Storm Water Management 1. A roof drainage collection system has been designed to convey storm water runoff from the individual units into proposed recharge trenches. The proposed recharge system design shall be completed. Proposed inverts and slopes must be added to the roof drain conveyance piping. 2. The project must be designed to comply with applicable requirements of the NJ Storm Water Rule. 3. Soils information must be provided within the proposed project to confirm the seasonal high water table. Permeability testing is required for use in the recharge calculations. 4. Drainage Area Maps, a Storm Water Management Report, and the design will be reviewed in detail after resolution compliance submission should approval be granted. 5. A storm water maintenance manual will be required in

accordance with State and Township standards. E. Landscaping 1. Shade trees have been provided on Sheet 5 of 6. 2. The overall landscape design is subject to review and approval by the Board and should conform to recommendations from the Shade Tree Commission as practicable. 3. The Landscape Note should be revised since most of the buildings do not face an improved street. 4. Corrections are required to the General Planting Notes and General Seeding Notes. 5. A six foot (6') wide shade tree and utility easement is proposed along Spruce Street. Proposed utilities should be added to the plan to prevent planting conflicts. 6. Landscaping shall be reviewed in detail after compliance submission should subdivision approval be granted. F. Lighting 1. Lighting has been provided for the proposed access driveway on Sheet 5 of 6. 2. Proposed lighting has been provided for the access driveway area. The Plan indicates three (3) pole mounted fixtures are proposed. A detail shows the proposed height of the fixtures to be sixteen feet (16'). 3. A point to point diagram must be provided to verify the adequacy of the proposed lighting. 4. A Note states that all site lighting shall be installed by JCP&L and shall be maintained by JCP&L after installation. Testimony should be provided regarding site lighting ownership since the access driveway would be privately owned. 5. Lighting shall be reviewed in detail after compliance submission should subdivision approval be granted. G. Utilities 1. Potable water and sanitary sewer service will be provided by the New Jersey American Water Company. The project is within the franchise area of the New Jersey American Water Company. 2. The proposed sanitary sewer will connect to an existing system in Spruce Street. Only a preliminary layout has been designed. 3. Potable water is proposed to be extended from an existing main on the north side of Spruce Street. 4. Fire protection and access for emergency vehicles should be addressed. H. Signage 1. No site identification signage information is provided within the current design submission. A full signage package for any signage requiring relief by the Board must be provided for review and approval as part of the application. 2. All signage proposed that is not reviewed and approved as part of this application, if any, shall comply with Township ordinance. I. Environmental 1. Site Description Per review of the site plans, aerial photography, and a site inspection of the property, the tract has four (4) existing residential dwellings located on the property. Except for the northern frontage, existing on-site topography slopes from north to south away from Spruce Street. The site has no appreciable vegetation, habitat, or significant environmental value. 2. Tree Management As a condition of approval, if/when granted, a completed Tree Protection Management Plan in accordance with the current ordinance shall be submitted. The applicant must comply with the requirements for tree protection and removal as applicable for this site. J. Construction Details 1. Construction details are provided on Sheet 6 of 6 of the plans. 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. 3. Final review of construction details will take place after compliance submission, if/when this project is approved by the Board. K. Minor Subdivision Plan 1. The coordinates are based on an assumed datum, but are missing from the plan. 2. Proposed unit dimensions and decks are shown on the plan. 3. A "variance required" should be denoted for the proposed Minimum Lot Width of new Lot 6.02. 4. The proposed Minimum Aggregate Side Yard Setbacks for the combinations of new Lots 6.03/6.04 and 6.05/6.06 shall be 23.00 feet and 23.84 feet respectively and denoted "variance required". 5. The proposed Maximum Building Coverage for all lots must be revised to include the decks. 6. Accessory Building information is provided, but no accessory buildings have been proposed. 7. The proposed Sight Triangle Easement has been dedicated to the Township of Lakewood. The proposed area of the easement should be corrected to 871.87 square feet. 8. Stray site development notes shall be removed. 9. The date on the Surveyor's Certification requires correction. 10. Lots and Block

numbers in the Owner's Certification shall be corrected. 11. The Secretary's Certification shall be for a Minor Subdivision. 12. The Legend shall be revised to "monument to be set". 13. Compliance with the Map Filing Law is required. 14. The Minor Subdivision will be reviewed in detail after design revisions are undertaken for the project. 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; c. Ocean County Planning Board; d. Ocean County Soil Conservation District; and e. 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 variances are requesting for minimum lot frontage, minimum aggregate side yard setback.

Mr. Sam Brown, Esq. said this application is an attempt to resolve litigation where the previous denial was appealed. The application was cut down to fit with what the neighbor's had asked for and what the applicant thinks is a more reasonable application.

Mr. Jackson pointed out that this was in litigation and the applicant decided to come back with a revised application so they withdrew their suit.

Mr. Schmuckler said to be prepared to address the private roadway being used as part of the lots.

Mr. Brown said the lots by themselves can meet the bulk requirements. It is for a matter of convenience that the road is going to be part of the lots.

A motion was made by Mr. Follman, seconded by Mr. Banas to advance the application to the February 18, 2014 meeting.

Affirmative: Mr. Herzl, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert, Mr. Percal, Mr. Sussman

- 3. SP 2047** (No Variance Requested)
Applicant: Congregation Olam Chesed Inc
Location: Hillside Boulevard
Block 11.12 Lot 25, 26, & 28
Preliminary and Final Major Site Plan for proposed synagogue

Project Description

The applicant is requesting Preliminary and Final Major Site Plan approval to construct a two-story, 9,219 sf Shul with 'future' finished basement on the referenced property. The existing property contains two (2) single-family dwellings. The remainder of the site appears undeveloped in its current condition. Per review of the Architectural Plan, the facility will include a 2,760 sf Main Sanctuary, an 1,190 sf Bais Medrash area, two (2) classrooms, two (2) offices, a lobby, and a conference room. An access drive and off-street parking are proposed, extending from Hillside Avenue. Several single-family residences exist north of the property. Property to the east is undeveloped, and will likely remain undeveloped due to existing wetlands and associated buffers. The property is located in the R-15 Zone District. Shuls are permitted uses. I. Zoning 1. The parcel is located in the R-15 Single-Family Residential District. Shuls are

permitted in the zone, subject to the provisions of Section 18-905. 2. No variances are requested with the application. 3. Disturbance within the 20 foot landscape buffer adjoining residential Lots 23 and 24 is proposed for construction of the Shul building. The applicant is requesting relief from this requirement. 4. The following submission waivers re necessary for this application: • B2 – Topography within 200 feet of the site. • B4 – Contours within 200 feet of the site. • B10 – Man-made features within 200 feet of the site. • C13 – Environmental Impact Statement (EIS). We support the waivers as granted, provided that the applicant provides copies of the wetlands and buffer information (reports, etc.) as indentified on the plan. The applicant agrees with this request. II. Review Comments A. Site Plan/Circulation/Parking 1. As indicated previously, Per review of the Architectural Plan, the facility will include the facility will include a 2,760 sf Main Sanctuary, an 1,190 sf Bais Medrash area, two (2) classrooms, two (2) offices, a lobby, and a conference room. . Per UDO requirements, Subsection 18-905A, we estimate that up to twenty-four (24) off-street parking spaces required. Eleven (11) off-street parking spaces are provided. Per communications with the applicant's professionals, there are at least twelve (12) additional off-street parking spaces within 300 feet of the site which may be used as parking in accordance with UDO requirements. Off-street parking will be will be addressed to the Board's satisfaction at the Public hearing (and relief sought if deemed necessary). 2. A 24-foot wide, two-way access is proposed from Hillside Boulevard, as well as a separate drive that would allow for drop off or pickup of congregants. Per communications with the applicant's engineer, a circulation plan will be provided during compliance review, if/when Board approval is granted. 3. Per review of the site plan, existing lots 25 and 26, immediately north of the proposed Shul are developed with single-family dwellings. 4. As depicted on the Site Plans. Sidewalk and curbing exist along Hillside Avenue. Per communications with the applicant's professionals, the applicant agrees to repair any damaged sidewalk, curbing or paving along the property frontage during construction. 5. No trash or recyclables storage areas are depicted on the plans. 6. No traffic signage information (e.g., directional signs, stop signs or stop bars) are illustrated on the current plan. Said information would be provided and reviewed i detail during compliance review, if/when Board approval is granted. The applicant agrees to this requirement. 7. Proposed six foot (6') wide utility easements shall be added to the site plan and labeled along with providing bearings, distances, and areas. The applicant agrees to this requirement (as a condition of Board approval, if granted). B. Architectural 1. As depicted on the architectural plan, the front façade is not specified, but appears to be stucco and glass as depicted for both stories, as well as side and rear elevations. We recommend that architectural rendering be provided at the forthcoming public hearing, including building treatments for all elevations. 2. As depicted on the architectural plans, a "Future Finished basement" is proposed. 3. Per review of the plans and communications with the applicant's professionals, the building and site improvements are designed to be handicap accessible, and will be in conformance with Building Code requirements. 4. Per review of the plans and communications with the applicant's professionals, the building design will be code-compliant with respect to fire suppression. 5. Testimony should be required as to location of proposed HVAC equipment (roof-mounted, ground, other). Adequate buffer and/or screening of said units will be necessary. The applicant agrees to this requirement as a condition of Board approval, if/when forthcoming. C. Grading 1. Per review of the proposed grading, the overall design is well-prepared. As depicted, proposed grading avoids steeper slopes associated with the wooded wetlands area present within the interior of the property. 2. Included in the grading design is a shallow retaining wall system proposed around telephone utilities present in the front of the site, as well as a proposed handicap accessible ramp system proposed on the southern side of the Shul building. 3. Final review of the grading design, including but not limited to the proposed retaining wall and

handicap accessible ramp system will be addressed during compliance review should approval be granted. The applicant agrees to this condition. D. Storm Water Management 1. Per review of the submitted stormwater management design, it is generally well-prepared, and designed to comply with the requirements of the NJ Stormwater Rule (NJAC 7:8) as applicable to the project. The design includes a subsurface recharge system to attenuate runoff from the proposed Shul building, parking area and access drive 2. We recommend additional inlets and piping near the proposed drive entrance (or equivalent measures) to collect and convey pavement runoff to the proposed recharge system. This issue can be reviewed with the applicant's engineer during compliance, if/when Board approval is granted. The applicant agrees with this condition. 3. Soil data will be provided to our office for final review of the proposed design (including seasonal high water table and percolation rates). The applicant agrees to this condition. 4. A stormwater system maintenance report will be provided during compliance review, if/when Board approval is granted. The applicant agrees with this condition. 5. Final review of the stormwater management system, and proposed maintenance will occur during compliance, if/when Board approval is granted. E. Landscaping and Lighting 1. A detailed Lighting and Landscaping Plan is provided on Sheet 4 of the plans. As depicted, street trees are provided along Hillside Boulevard. as well as around the access drive and parking areas. Buffer and foundation plantings are depicted along the Shul frontage. 2. The Lighting design is also provided on Site Plan Sheet #4 of the submission, and is well-prepared. Light sources, illumination intensities and cut sheets for the various fixtures are provided. 3. We recommend that non-security lighting (i.e., other than proposed building-mounted lighting) be placed on timers for when the Shul is not in operation. 4. A final review of the lighting design will occur during compliance, if/when Board approval is granted. The applicant agrees to this condition. 5. A detailed Tree Protection Plan is provided on Sheet 7 of the site plans, and is well-prepared. The final design will be reviewed to document compliance with the Township Tree Protection Ordinance. The applicant agrees to this condition. F. Utilities 1. Proposed utilities are not depicted on the current design plans. However, per review of the site plans, public water and sewer exist within Hillside Boulevard, and should be suitable for the proposed Shul. As a result, NJAW approval of the necessary water and sewer services are required. The applicant agrees to this condition. 2. A final review of utilities, for site compliance purposes will occur as a condition of Board approval, if granted. The applicant agrees to this condition. G. Signage 1. No signage information is provided. A full signage package for free-standing and building-mounted signs, if any (requiring relief by the Board) must be provided for review and approval as part of the site plan 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. H. Environmental 1. To assess the site for environmental concerns, a natural resources search of the property and surroundings was completed 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. Freshwater wetlands are depicted within the interior of the site, consistent with what is depicted on the Site Plans. 2. As depicted on the Site Plans, an encroachment into the 50-foot wetlands buffer is proposed to construct the Shul. Said encroachment is permissible per NJDEP regulations, but will require NJDEP Land Use approval to do so. Per communications with the applicant's professionals, the applicant agrees to this condition. 3. Existing mature vegetation is also depicted on the Tree Management/Protection plan, as well as compliance with the Township Tree Protection Ordinance standards. I. Construction Details 1. 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 @ 4,500 psi. 2. Construction details are provided with the current design submission. We will review the construction details during compliance should site plan approval be granted. 3. Performance guarantees should be posted for any required improvements in accordance with Ordinance provisions. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Ocean County Planning Board; b. Ocean County Soil Conservation District; c. New Jersey American Water (NJAW) for water and sewer; d. NJDEP (wetlands buffer average or transition area waiver); e. Developer's Agreement (at the discretion of the Township); and f. All other required outside agency approvals.

Mr. Rennert stepped down.

Mr. Abraham Penzer, Esq. said there are no variances requested. There is sufficient off-street parking in the area.

Mr. Neiman asked if this is near the shopping center.

Mr. Penzer said no. It is on the other side.

Mr. Vogt said waivers are being requested for topography, contours, man-made features and EIS. Waivers are supported provided the application provides copies of the wetlands and buffer information as identified on the plan.

Mr. Lines said there was an LOI done on the property originally and now they have to obtain a buffer averaging plan.

A motion was made by Mr. Banas, seconded by Mr. Follman to approve the waivers.
Affirmative: Mr. Herzl, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Percal, Mr. Sussman

A motion was made by Mr. Schmuckler, seconded by Mr. Follman to advance this application to the January 21, 2014 meeting.
Affirmative: Mr. Herzl, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Percal, Mr. Sussman

- 4. SD 1926** (Variance Requested)
Applicant: S&M Investors LLC
Location: Cedarbridge Avenue and New Hampshire Avenue
Block 1603 Lot 1.04 (old Lot 1.02)
Preliminary and Final Major Subdivision for 66 duplex units, 1 single-family home, 2 open space lots, and 2 commercial lots

Project Description

The applicant is seeking a Preliminary and Final Major Subdivision approval. The applicant proposes to subdivide one (1) future vacant lot into sixty-seven (67) residential lots, two (2) commercial lots, and five (5) open space lots. The proposed sixty-seven (67) residential lots would consist of one (1) single family lot, with thirty-three (33) duplex buildings on sixty-six (66) zero lot line properties. The proposed two (2) commercial lots would consist of a clubhouse lot

with a play area and parking lot, as well as a "Future Site Plan" lot, which is not part of this application per communications with the applicant's professionals (but depicted for the Board's information). The proposed five (5) open space lots would be dedicated to a Homeowners Association for drainage and one (1) of the open space lots would contain a play area. The existing irregular property totaling 669,183 square feet, or 15.362 acres in area is known as future Lot 1.04 in Block 1603. The large vacant wooded tract is located northeast of intersecting County Highways Cedar Bridge Avenue and New Hampshire Avenue. Both County Highways are improved four (4) lane roads with one hundred foot (100') right-of-ways. This major intersection of these highways is signalized. Future Lot 1.04 surrounds future Lot 1.03 with more than five hundred feet (500') of frontage on New Hampshire Avenue and over six hundred feet (600') of frontage on Cedar Bridge Avenue. Future Lot 1.03 was approved for a Quick Chek with Gasoline Station under Application #SP-2041. All utilities will be available to these sites. Access to the proposed development will be provided by new roads. Flannery Avenue will intersect Cedar Bridge Avenue at a future traffic signal about eight hundred feet (800') east of New Hampshire Avenue. Another means of access would be from Bridgewood Avenue which will intersect New Hampshire Avenue. This right in/right out/left in intersection which prohibits left turns out to New Hampshire Avenue will be roughly seven hundred fifty feet (750') north of Cedar Bridge Avenue. Curb is being proposed along Cedar Bridge Avenue, but not New Hampshire Avenue. Sidewalk is not being proposed along the County Roads. However, both curb and sidewalk are proposed within the residential development. Proposed storm water management facilities and utilities are associated with this project. The proposed drainage system consists of a conventional storm sewer collection system that collects storm water and directs runoff to onsite underground recharge systems. Proposed sanitary sewer would be extended to the site along Cedar Bridge Avenue from an existing system on Oberlin Avenue North. Potable water for the subdivision will be extended from existing mains in New Hampshire Avenue and Oberlin Avenue North. The proposed lots are situated within the B-6 Corporate Campus/Stadium Support Zone. Except for the north side of the existing site, the surrounding area is mostly developed. We have the following comments and recommendations: I. Zoning 1. The site is situated within the B-6 Corporate Campus/Stadium Support Zone. In accordance with Ordinances 2013-16 and 2013-49, the following permitted use has been added. Residential uses and design standards permitted in the B-1 zoning district, except that no residential building of any type shall be permitted to front on Cedar Bridge Avenue or that portion of New Hampshire Avenue that is within three hundred fifty feet (350') from the intersection of New Hampshire Avenue and Cedar Bridge Avenue. 2. A variance is being requested from providing the Minimum Lot Area for proposed single family Lot 1.27 in Block 1603. A lot area of 5,999 square feet is being provided, whereas seven thousand five hundred square feet (7,500 SF) is required. 3. A variance is being requested from providing the Minimum Front Yard Setback for proposed single family Lot 21 in Block 1603.01. A front yard setback of 22.83 feet is proposed, whereas a front yard of twenty-five feet (25') is required. 4. Testimony should be provided as to whether any variances are required for the Clubhouse on proposed Lot 31 in Block 1603.01. 6. Waivers are required for proposed lot lines which are not perpendicular or radial to the right-of-way. The only instance where this appears necessary is at the cul-de-sac. 7. The following partial design waivers appear to be required: • Providing sidewalk along the County Highway frontages. • Providing curb along New Hampshire Avenue. 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. II. Review Comments A. General 1.

A Future Site Plan application will be required for proposed development of Lot 1.47 in Block 1603. 2. A revised Boundary & Topographic Survey for Lot 1.02 has been submitted which shows all Vegetative Buffer Easements along the frontages of New Hampshire Avenue and Cedar Bridge Avenue have been vacated. 3. Off-street parking: According to the plans provided, the applicant is proposing four (4) off-street parking spaces per unit which is enough to be in compliance with the RSIS and Township standards. Up to six (6) bedrooms per unit with unfinished basements are permitted for this project to be in compliance with parking ordinance 2010-62. The construction plans indicate that basements will be proposed. 4. Off-street parking along with handicap accessibility must be addressed for the proposed clubhouse on new Lot 31 in Block 1603.01. 5. The applicant shall confirm that trash and recyclable collection is to be provided by the Township of Lakewood. Each unit shall have an area designated for the storage of trash and recycling containers. This matter shall also be addressed for the clubhouse. 6. New road names, Chase Avenue, Flannery Avenue, Newwood Hills Avenue, and Bridgewood Avenue, have been proposed for the project. 7. The proposed lot numbers shall be approved by the Tax Assessor. The Final Plat shall be signed by the Lakewood Tax Assessor. 8. The requirements in 18-821 (Building Uniformity in Residential Developments) must be addressed. A minimum of eight (8) basic designs are required in every development consisting of more than twenty-five (25) houses. 9. Virtually all proposed storm water management has been designed within open space lots, drainage easements, and right-of-ways. The proposed open space lots and drainage easements will be owned and maintained by a Homeowners Association. It is our understanding the proposed right-of-ways will be Township owned and maintained. Some adjustments to the proposed storm water management system will be necessary to transition between Township and Homeowners Association ownership. 10. Per Subsection 18-911 F (2 (a-g)) of the zero lot line ordinance, a written agreement signed by the owner of the property is required, including provisions to address items associated with the use, maintenance, and repair of common areas and facilities associated with the overall property. Said agreement must be filed as part of this application to obtain the zero lot line subdivision approval from Lakewood Township. B. Plan Review 1. Ingress and egress easements through this project in favor of future Lot 1.03 (Quick Chek Application #SP-2041), are being created by the Minor Subdivision of Lot 1.02 (Application #SD-1913). The proposed cul-de-sac bulb is encroaching into this easement and the proposed shade tree and utility easement will conflict with the future access driveway to the Quick Chek site. It appears the proposed cul-de-sac can be shortened without losing any future residential lots. Minor modifications can be made to the lot lines in this vicinity which already require waivers. 2. Curb and sidewalk is proposed throughout the residential portion of the development. Proposed sidewalk shall be five feet (5') wide, unless pedestrian bypass areas are designed. The limits of proposed curb and sidewalk along County Highways need to be clarified. Curb and sidewalk is required across the entire project frontage unless waivers are granted. Proposed curb and sidewalk locations along County Highways will be dictated by Ocean County. Limits of proposed Township and County curb should be identified. 3. A vertical datum and bench mark should be added to the General Notes. 4. The Schedule of Bulk Requirements for the Future Site Plan should refer to proposed Lot 1.47. 5. Sight Triangle Easements to the Township of Lakewood are proposed throughout the interior of the development in accordance with AASHTO standards. Since Cedar Bridge Avenue and New Hampshire Avenue are County Highways, sight triangle easement requirements have been designed to County standards. 6. Ten foot (10') wide Shade Tree and Utility Easements are proposed along the road frontages. 7. The Site Development Plan should have typical dimensions for the location of proposed sidewalk within the right-of-way. The Site Development

Plan depicts all proposed roads to be thirty-two feet (32') in width, with road stationing shown. We recommend the proposed stationing around the cul-de-sac bulb be transitioned from centerline to top of curb. 8. Typical dimensions should be provided for all the various proposed building boxes. No proposed building coverage variances are being requested. 9. No turnaround has been proposed at the terminus of Newwood Hills Avenue. Since there is an adjoining proposed open space lot, there is room to provide a turnaround. C. Grading 1. Grading is provided on Grading and Drainage Plans which are Sheets 4 through 6 of 23. The design attempts to minimize the amount of retaining walls needed to tie proposed grading to neighboring properties. A wall is proposed along a portion of the north side of the site which approaches a maximum height of six feet (6'). Accordingly, fencing should be provided on top of the wall and guide rail at the terminus of Newwood Hills Avenue. 2. Basements are proposed for all the units throughout the development. Soil boring locations are shown on the Grading and Drainage Plans. The soil boring logs are provided in Appendix E of the Storm Water Management Report. The proposed boring logs will have to be checked to verify that the proposed basement floors will be two feet (2') above seasonal high water table. 3. Profiles have been provided for all proposed roads. 4. Off road profiles are required for the proposed storm drainage easements. 5. A detailed review of the grading can be completed during compliance submission; if/when this subdivision is approved. D. Storm Water Management 1. A proposed storm sewer collection system has been designed to collect and convey storm water runoff. The storm water from the development will be directed to seven (7) onsite underground recharge systems, an infiltration basin, and individual recharge systems designed for the roof runoff from the perimeter proposed duplex units and the clubhouse. It appears an emergency outlet for the seven (7) underground recharge systems has been designed to outlet from a proposed bubbler inlet located along the north property line. 2. If approval is granted, a meeting with the Department of Public Works will be necessary during compliance to review proposed ownership and maintenance responsibilities. 2. Our review of the project indicates it will be classified as Major Development since more than a quarter acre of impervious surface will be added and over an acre of disturbance will take place. As a result, the project must meet water quality and water quantity reduction rate requirements. The Storm Water Management Report must be revised to address water quality. 3. Soils information and permeability testing has been completed within the proposed project to confirm the seasonal high water table and permeability rate used in the routing calculations. The Storm Water Management Report should better discuss these matters in the Narrative. 4. Predevelopment and Post Development Drainage Area Maps have been provided for review. 5. The Storm Water Management Report and Design also includes hydrographs, pipe calculations, conduit outlet protection calculations, and roof recharge trench calculations. The Report and Design will be reviewed in detail after revisions to the project are made. 6. Storm Water Management Operation & Maintenance Manuals have been submitted per the NJ Storm Water Rule (NJAC 7:8) and Township Code. The Manuals are for the recharge trenches and for the Cedarwood Hills subdivision as a whole. The Manuals will be reviewed in detail after the storm water management design is found to be acceptable. E. Traffic 1. A revised Traffic Impact Analysis has been submitted for review, assessing impacts from sixty-seven (67) residences, a fifty-five hundred square foot (5,500 SF) Quick Chek with gas pumps, and a future twenty thousand square foot (20,000 SF) office/retail building. 2. The Analysis examines future traffic from a mixed-use development anticipated to be constructed and fully tenanted by 2016. 3. The following highlights some of the findings of the analysis: a. The Cedar Bridge Avenue and New Hampshire Avenue signalized intersection will operate at levels of service "D" for the AM and PM peak hours. b. The proposed Cedar Bridge Avenue signalized intersection with Flannery Avenue will operate at levels of service "B"

for the AM and PM peak hours. c. The proposed New Hampshire Avenue intersection with the southern site access will operate at levels of service "A" and "B" during peak hours. d. The proposed New Hampshire Avenue intersection with Bridgewood Avenue will operate at a level of services "B" during the AM and PM peak hours. e. All driveways and intersections associated with the project will operate within acceptable traffic engineering parameters. 4. Traffic testimony should be provided at the Public Hearing. F. Landscaping 1. Proposed shade trees have been provided along all new roads except for Chase Avenue. Proposed screening trees have been provided along the east side of the project where disturbance reaches a neighboring developed property. Proposed landscaping design has been included on Sheets 10 through 12 of 23. 2. The proposed easements and utilities are shown on the Plan. Except for the proposed shade tree and utility easements, landscaping should not be located in the easements. The plans should be revised to eliminate planting conflicts. 3. Two (2) proposed playground areas are shown on the Landscape Plans. A location is proposed on the clubhouse lot and another location on an open space lot at the Flannery Avenue and Newwood Hills intersection. 4. The overall landscape design is subject to review and approval by the Board and should conform to recommendations from the Shade Tree Commission as practicable. The entire site will be cleared for the construction of the project. Compensatory plantings shall be addressed with the Tree Protection Management Plan. 5. Landscaping shall be reviewed in detail after compliance submission should subdivision approval be granted. G. Lighting 1. Street lighting has been provided for the proposed residential portion of the subdivision and the future parking lot on the clubhouse site. The proposed lighting is shown on Sheets 10 through 12 of 23. 2. The Plan indicates that Cobra Head, one hundred watt (100W) high pressure sodium pole mounted fixtures are proposed for street lighting. A detail shows the proposed height of the fixtures to be twenty-five feet (25'). 3. The Plan also indicates that two (2) Shoe Box type, one hundred fifty watt (150W) high pressure sodium pole mounted fixtures are proposed for the future parking lot on the clubhouse site. A detail shows the proposed height of the fixtures to be sixteen feet (16'). 4. A point to point diagram has been provided to verify the adequacy of the proposed lighting. The proposed parking lot lighting will be conforming, but the street lighting must be adjusted to not exceed the uniformity ratio. 5. It is anticipated that all lighting within public right-of-ways will be owned and maintained by the Township and all fixtures on individual lots will be privately owned and maintained. Confirming testimony should be provided regarding lighting ownership. 6. Lighting shall be reviewed in detail after compliance submission should subdivision approval be granted. 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. 2. Proposed sanitary sewer will be constructed to connect to an existing system on Oberlin Avenue North. 3. Proposed eight inch (8") water mains throughout the residential subdivision will connect to an existing sixteen inch (16") main in New Hampshire Avenue and an existing twelve inch (12") main in Oberlin Avenue North. I. Signage 1. Proposed regulatory signage and details should be completed. 2. No project identification signs are proposed. 3. All signage proposed that is not reviewed and approved as part of this application, if any, shall comply with Township ordinance. J. Environmental 1. Site Description Per review of the plans, aerial photography and a site inspection of the property, the initial tract consisted of a total 18.48 acres in area, and is currently undeveloped and contains forested uplands. The proposed subdivision portion of the site is listed at 15.36 acres. The project is located in the eastern portion of the Township on the northeasterly corner of New Hampshire Avenue and Cedar Bridge Avenue. The intersection is signalized. The site is bordered to the north and east by commercial development of the Industrial Park. 2. Environmental Impact Statement The applicant has submitted an Environmental Impact Statement. The document has been

prepared by Trident Environmental Consultants to comply with Section 18-820 of the UDO. The report has been prepared for the entire site, not just the application for subdivision approval. The report presents an inventory of existing environmental conditions at the project site; an analysis of consequential impacts that the proposed project will impose on the site; an overview of mitigation and restoration efforts toward attenuation or elimination of any potentially adverse impacts. 3. Tree Management This application shall include the submission of a Tree Management Plan. It should be noted that the Existing Conditions Plan locates trees ten inches (10") or greater in diameter within eight (8) tree plot areas for the site. 4. Phase I If existing, a Phase I Study should be provided to address potential areas of environmental concern, if any within the site. K. Construction Details 1. Construction details are provided on at least Sheets 15 through 20 of 23 in the plan set. 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. 3. Final review of construction details will take place after compliance submission, if/when this project is approved by the Board. L. Final Plat (Major Subdivision) 1. Revisions should be made in accordance with previous comments contained in this report. 2. Non-radial lines shall be labeled. 3. Compliance with the Map Filing Law is required. 4. The Final Plat will be reviewed in detail after design revisions are undertaken for the project. III. 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; and h. All other required outside agency approvals.

Mr. Vogt stated that variances are requesting for minimum lot area for lot 1.27, minimum front yard setback for lot 21. Testimony should be provided if any variances are being requested on the clubhouse lot.

Mr. Sam Brown, Esq. stated the relief requested is relatively minor. There are only a few design variances. For the most part, this application is conforming.

Mr. Neiman asked if they can remove the minimum lot area variance on lot 1.27.

Mr. Flannery said that lot is for a single family home. There is area on the lot next to it but there will be drainage on that lot.

Mr. Neiman asked how many off-street parking spaces there will be for each home.

Mr. Flannery said four for each unit.

Mr. Schmuckler asked about recreational.

Mr. Flannery said there will be an open space lot for the playground as well as a 4,000 sf community building. All the homes have rear yards for a place to play. This application complies with the requirements for open space.

Mr. Schmuckler asked how big the rear yards are.

Mr. Flannery said a minimum of 20 ft.

Mr. Schmuckler said that includes the deck.

Mr. Flannery said yes.

Mr. Schmuckler said you will need more tot lot space.

Mr. Flannery said that will be addressed at the public hearing.

Mr. Schmuckler asked about the parking lot at the community center.

Mr. Flannery said there are eight spaces in front of the center.

Mr. Neiman said perhaps they could add another tot lot on the lot where they are asking for a variance.

Mr. Flannery said they will consider it.

Mr. Schmuckler asked to see architectural plans for the community center.

Mr. Flannery said they would submit them to the Board.

Mr. Schmuckler would also like to see a rendering of the tot lot.

A motion was made by Mr. Follman, seconded by Mr. Herzl to advance the application to the January 21, 2014 meeting.

Affirmative: Mr. Herzl, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert, Mr. Percal, Mr. Sussman

7. PUBLIC HEARING ITEMS

- 1. SP 2044** (No Variance Requested)
Applicant: Congregation Bnos Yaakov Inc
Location: County Line Road and Kent Ave
Block 1 Lot 3
Block 1.01 Lot 5
Preliminary and Final Major Site Plan for building addition

Project Description

The applicant is seeking Preliminary and Final Site Plan approval to consolidate the subject properties and construct an addition to the existing school along with site improvements, on the subject premises. The two (2) existing lots would be consolidated into a single tract for the proposed site, since the addition and improvements would cross onto lands containing an existing dwelling to remain. The project site consists of Lot 3 in Block 1 and Lot 5 in Block 1.01, situated in the R-15 Zone. The site is in the northwestern portion of the Township. Lot 3 in

Block 1 is a large property containing freshwater wetlands associated with the North Branch of the Metedeconk River. The southern portion of this site which contains an existing school is on the uplands section beyond the transition area. This tract is located on northwest corner of County Line Road West and Kent Road. Both streets are improved County Highways. Curb in good condition exists along County Line Road West, but not along the Kent Road frontage. However, neither frontage has sidewalk nor is any proposed. Lot 5 in Block 1.01 is at the end of a cul-de-sac known as Cathedral Drive. This lot contains an existing one-story frame dwelling and the rear of this property abuts the school tract. The cul-de-sac is improved and has existing curb and sidewalk. According to the plans, sanitary sewer and potable water is available and serves the existing lots. The plans indicate a proposed addition to the south side of the existing school. The proposed addition and associated site improvements cross onto Lot 5 in Block 1.01. An existing interior parking area would have to be altered to accommodate the proposed addition. The modified parking lot would provide a total of fifty-five (55) off-street parking spaces throughout the school site, with at least three (3) spaces being designated as handicap accessible. Minimum parking space size would be 9' X 18', with a minimum aisle width of twenty-four feet (24'). An unmarked drop off area exists in front of the main school access which fronts Kent Road. The existing dwelling to remain on Lot 5 in Block 1.01 has a bituminous driveway with a car port on the south side of the house. The existing driveway and car port are capable of parking three (3) vehicles. Access to the school is provided via a circular drive configuration on the Kent Road frontage and a right turn in, right turn out drive on the County Line Road West frontage. These existing driveways will service the off-street parking spaces. Proposed storm water management facilities have been proposed for the building addition. The site is in a developed section of the Township with the surrounding properties being mostly residential uses. The property is located in the R-15 Zone District. We have the following comments and recommendations per testimony provided at the 12/10/13 Planning Board Plan Review Meeting, and comments from our initial review letter dated December 4, 2013: I. Waivers A. The following submission waivers have been requested: 1. B2 - Topography within 200 feet thereof. 2. B4 - Contours within 200 feet of the site boundaries. 3. B10 - Man-made features within 200 feet of the site. 4. C13 - Environmental Impact Statement. 5. C14 - Tree Protection Management Plan. We can support the B-Site Features waivers only from a completeness standpoint. Topographic mapping north of the transition area line will not be necessary. An updated survey has been submitted to satisfy the partial waiver granted by the Board. This is satisfactory. We can support the waiving of an Environmental Impact Statement due to the proposed addition being located close to County Line Road West away from the freshwater wetlands. The Board granted a waiver from an Environmental Impact Statement. The applicant will be required to comply with the Township Tree Protection Ordinance as a conditional of Board approval (if/when granted). Fact. The submission waiver for landscaping should only be from a completeness standpoint and should be required prior to the public hearing. A Landscape Plan has been submitted to satisfy the requirement. II. Zoning 1. The parcels are located in the R-15 Single-Family Residential District. Detach Single Family Dwellings and Schools are permitted uses in the zone. Schools are subject to the provisions of Section 18-906. Statements of fact. 2. A waiver is required from the construction of sidewalk along the frontages of County Line Road West and Kent Road. A waiver is also required from the construction of curb along the frontage of Kent Road. The Board shall take action on the required waivers. 3. A waiver is required to permit the existing fence which is not shown on the plans and is more than four feet (4') high to remain in the front yard of County Line Road West. The revised plans propose the relocation of the existing fence which is more than four feet (4') high, closer to County Line Road West. The Board shall take action on the required fence

height waiver. 4. Section 18-906A., of the UDO must be addressed to determine the extent of any waivers from the Buffer Requirements. A waiver from the necessary buffers is requested. Existing structures maintain setbacks of less than twenty feet (20') and the proposed relocated parking maintains a setback of less than twenty feet (20'). Landscaping has been proposed where the setbacks have not been maintained. The Board shall take action on the buffer request. 5. Section 18-906C., of the UDO must be addressed to determine whether any variances are required from the Parking Regulations. Parking calculations for the school have been provided in accordance with ordinance standards. Per communications with the applicant's professionals and per review of available parking and UDO requirements, we estimate that 57 spaces (total) will be provided resulting from the proposed improvements, vs. 58 spaces required per the UDO. The applicant is willing to add a stall if desired by the Board (as a conditional of approval, if forthcoming). 6. The temporary site identification sign location has been added to the plans. Permanent signage shall be addressed, along with any zoning compliance matters. The existing temporary site identification sign is not setback fifteen feet (15') from the right-of-way. Per communications with the applicant's professionals, said sign will be relocated. 7. 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. The General Notes on the Title Sheet indicate the vertical datum is assumed. A vertical bench mark shall be added, as well as a horizontal datum. The information can be provided with resolution compliance submission should approval be granted. 2. The General Notes on the Title Sheet indicate the existing water and sewer connections are to remain. Testimony should be provided as to whether the proposed addition can utilize these existing service lines. The applicant's engineer indicates a new water service will be constructed from Kent Road to support the anticipated fire sprinkler system. 3. The provided lot area in the Zoning Requirements can be confirmed in accordance with the updated survey information to be submitted. Statement of fact. 4. The provided lot width in the Zoning Requirements shall be based on the Cathedral Drive frontage. The applicant's professionals shall provide confirmation that the one hundred foot (100') minimum width is being met and that a variance is not necessary. Based on the existing dwelling being more than thirty-four feet (34') from the street line, the applicant is requesting that the front yard setback from Cathedral Drive be approved at thirty-four feet (34') such that a lot width variance would not be required. The provided lot width is 101.8 feet at the thirty-four foot (34') front yard setback, which complies. 5. While we cannot confirm the provided building coverage, it is certainly less than the twenty-five percent (25%) allowable. Statement of fact. 6. The off-street parking requirements must be detailed, including the existing dwelling to remain. Based on the proposed number of off-street parking spaces, three (3) handicap spaces shall be provided. The number of van accessible spaces must also be indicated. We recommend that three (3) spaces be provided. The applicant agrees to this condition. 7. Testimony shall be provided as to how the existing dwelling to remain is associated with the school. The applicant's engineer indicates that the existing dwelling is utilized as a daycare for employees of the school. 8. A consolidation of the existing properties is required since the proposed addition and improvements cross the property line. A deed of consolidation and description shall be provided for review by the Planning Board Attorney and Engineer prior to filing with the Ocean County Clerk, should site plan approval be granted. The applicant's engineer indicates a deed of consolidation shall be provided as a condition of approval. 9. Proposed setback lines should be added to the site plan based on the consolidation. The rear setback line passing through the

existing masonry building to remain shall be revised to a side setback line. The correction can be provided with resolution compliance submission should approval be granted. 10. Unless waivers are granted, proposed shade trees as well as shade tree and utility easements should be added. In addition, deeds of easement and descriptions shall be provided for review by the Planning Board Attorney and Engineer prior to filing with the Ocean County Clerk, should site plan approval be granted. A shade tree and utility easement must be added along the Cathedral Drive frontage (during compliance, if/when approved). 12. The proposed school addition dimensions must be coordinated with the architectural plans. The one hundred sixty-six foot (166') dimension should be revised to 174.67 feet. The proposed corner offset from Kent Road should probably be one hundred feet (100') as shown in the Zoning Requirements. The corrections can be provided with resolution compliance submission should approval be granted. 13. The General Notes on the Site Plan should be edited where necessary. Corrections can be provided with resolution compliance submission should approval be granted. 14. There is an existing trash enclosure on the north side of the parking area which has not been depicted on the plans. The applicant's professionals should provide testimony on solid waste collection. The existing trash enclosure has been added. Per communications with the applicant's professionals, trash pickup shall occur off-hours to avoid a conflict with the spaces. B. Architectural 1. Only preliminary floor plans have been submitted for the proposed two-story building addition. Elevations are required. According to the Zoning Requirements, the building does not exceed the allowable height of thirty-five feet (35'). The applicant's engineer indicates that revised architectural plans shall be provided as a condition of any approvals. 2. The existing and proposed building square footage and dimensions should be checked and coordinated with the site plans. The applicant's engineer indicates that revised architectural plans shall be provided as a condition of any approvals. 3. Testimony should be provided as to whether the school has a sprinkler system. Testimony should be provided as to whether the proposed addition will require any new sanitary sewer or potable water services. The applicant's engineer indicates that revised architectural plans shall be provided as a condition of any approvals. 4. The location of existing and proposed HVAC equipment should be shown. Said equipment should be adequately screened. Per communications with the applicant's professionals, HVAC units will be roof-mounted (and screened by the proposed parapet). Revised architectural plans shall be provided as a condition of any approvals. The applicant agrees to this condition. 5. The proposed roof drainage of the building must be coordinated with the site plans. The applicant's engineer indicates that revised architectural plans shall be provided as a condition of any approvals. 6. We recommend that color renderings of the building be provided for the Board's use at the forthcoming public hearing for the application. The applicant's engineer indicates that elevations are to match the existing building. C. Grading 1. A detailed grading plan is required complete with existing and proposed contours. The existing contours shall be based on the updated survey information required. The information can be provided with resolution compliance submission should approval be granted. 2. The third Plan Note for the grading must be corrected. The note can be corrected with resolution compliance submission should approval be granted. 3. Final grading can be addressed during compliance review should approval be granted. Statement of fact. D. Storm Water Management 1. The Drainage Calculations need to be revised. The project is large enough to be classified as Major Development. Therefore, both water quality and quantity shall be addressed in the proposed design. Storm Water Management calculations addressing Major Development requirements have been provided. The Report will be reviewed after resolution compliance submission should approval be granted. 2. Predevelopment and Post Development Drainage Area Maps, along with a Storm Water Management Report, shall be provided for the project design with the

resubmission documents for the public hearing. The Drainage Area Maps have been provided within the Report. The Maps will be reviewed after resolution compliance submission should approval be granted. 3. The existing storm water management system should be shown on the plans to determine whether the proposed improvements are sufficient. The information provided on the updated survey must be added to the plans for resolution compliance submission should approval be granted. 4. Storm water management will be reviewed in detail with a revised submission. Final storm water management will be reviewed after resolution compliance submission should approval be granted. E. Landscaping 1. The final 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. The project shall be submitted to the Shade Tree Commission for recommendations since the original plans proposed no landscaping. The Board should provide landscaping recommendations, if any. 2. Landscaping shall be reviewed in detail during compliance should site plan approval be granted. Statement of fact. F. Lighting 1. No site lighting information has been provided with the submission. Installation of site lighting has not been fully completed onsite. The applicant agrees to complete said lighting. 2. The final lighting design shall be reviewed during compliance review, if/when Board approval is granted. A point to point diagram will be required with resolution compliance submission should approval be granted. G. Utilities 1. The site is served by public water and sewer from New Jersey American Water since the project is within their franchise area. Based on the preliminary architectural plans additional sewer and water services may be needed for the proposed addition. The applicant's engineer indicates that additional water service will be necessary for the fire sprinkler system. H. Signage 1. Existing regulatory signage shall be shown and proposed where necessary. Regulatory signage shall be addressed with resolution compliance submission should approval be granted. 2. There is a temporary site identification sign which has not been shown on the site plan. No site identification or building 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 existing temporary site identification sign location has been shown, and it conflicts with the proposed shade tree and utility easement along Kent Road. Testimony should be provided on the future status of the sign. I. Environmental 1. The uplands of the existing property have sporadic locations of large trees. A Tree Protection Management Plan must be provided as a condition of approval to comply with the Township's Tree Ordinance. A Tree Protection Management Plan has been provided. We will conduct a review of the Tree Protection Management Plan after resolution compliance submission should approval be granted. J. 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 (as applicable); c. Ocean County Planning Board; d. Ocean County Soil Conservation District; and e. All other required outside agency approvals.

Mr. Rennert stepped down.

Mr. Neiman stepped down.

Mr. Vogt said there are no variances but waivers are being requested from the construction of sidewalk along County Line Road West and Kent Road, to permit the existing fence which is not

shown on the plans in the front yard setback of County Line Road West, perimeter buffer should be discussed. There is a slight variance condition with regard to the parking.

Mr. Joseph Kociuba, PE, PP was sworn in.

Mr. Abraham Penzer, Esq. Said the school is looking to add more classrooms as it is growing rapidly. They would also consolidate two lots, one of which has an existing day care center. Waivers are being requested from installing curbs and sidewalks as they will lead into wetlands and they do not want the children walking along there.

Mr. Kociuba said they providing 57 parking spaces total which will be one shy of the required 58. They would provide the additional parking space as part of resolution compliance. Approximately 19,000 sf of space is being added. This was approved previously as a three phase application. The third phase had never been constructed and they are now amending that third phase.

Mr. Penzer said they have gone back and forth with the township engineer and have come to an agreement concerning the stormwater management.

Mr. Kociuba said the lighting is the same as previously proposed in the original application. The only change to the parking is they are shifting the parking lot approximately 6 ft to account for the building.

Mr. Banas opened to the public.

Mr. David Baker, Cathedral Drive, was sworn in. He complained that there is not enough parking and the traffic this is causing in the area.

Mr. Penzer suggested he call the police. He does not want the neighbors impacted. It is a daycare center where they are supposed to drop off the kids and leave. If they are being impacted then they should be ticketed.

Mr. Vogt suggested that the engineer explain how they are expanding the parking area.

Mr. Kociuba explained the expansion and said there will be an additional 3 or 4 parking spaces.

Mr. Baker said that will not be enough parking.

Mr. Penzer said that he and the Rabbi would gladly help him get rid of the people parking on his street. They do not want them to be there either.

Mr. Schmuckler suggested that no parking should be allowed on the south side of Cathedral Drive.

Mr. Banas said this is beyond the jurisdiction of the Board as it is an enforcement issue.

Mr. Banas closed to the public.

A motion was made by Mr. Herzl, seconded by Mr. Schmuckler to approve the application. Mr. Schmuckler would like some sort of attempt be made to help the neighbor.
Affirmative: Mr. Herzl, Mr. Banas, Mr. Schmuckler, Mr. Percal, Mr. Sussman

2. **SD 1912** (Variance Requested)
Applicant: Lakewood Investments LLC
Location: Columbus Avenue
Block 12.10 Lot 19

Minor Subdivision to create two lots

This project is being carried to January 21, 2013, due to the fact that several objectors cannot attend tonight.

A motion was made by Mr. Schmuckler, seconded by Mr. Herzl to carry this application to the January 21, 2014 meeting. No further notices.

Affirmative: Mr. Herzl, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Percal, Mr. Sussman

8. CORRESPONDENCE

- **SD 1586C** – Removal of passive recreation easement

Mr. Brian Flannery stated that the applicant would like to eliminate the pedestrian access easement which is located near the headwaters of the Metedeconk River. There is still a conservation easement on the property and a deed restriction. As it stands now, the 18 new houses has a right to walk on that property. If the Board approves this change, they would not have the right to walk there though they probably would anyway. This will eliminate an insurance concern for the owner of that property and any potential walking in that sensitive area.

Mr. Sam Brown reiterated that this large area of land will not be developed as it will be deed restricted.

Mr. Schmuckler questioned why the Board would take away the right for the homeowners to be able to use that open space.

Mr. Flannery said this area is currently open space and will remain that way.

Mr. Neiman said he has been to the site and there is so much open space in that area. Giving the homeowners the right to access that area is going to cause issues. The DEP doesn't want people in that area anyway.

Mr. Neiman opened to the public.

Ms. Carol Murray, 51 Drake Road, was sworn in. She believes the open space easement should not be eliminated. Many of the houses are being built on lowlands and this was part of the agreement in the original approval. It was supposed to be a playground for the children. She believes that are doing this in order to build more homes.

Mr. Flannery said the property will be deed restricted. It can not be used for further clustering.

Mr. Neiman closed to the public.

A motion was made by Mr. Schmuckler, seconded by Mr. Herzl to approve the change.
Affirmative: Mr. Herzl, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Percal, Mr. Rennert, Mr. Sussman

- **SP 1998** – Discussion of project approval and the Board's intent regarding the extent of clearing on Block 1130 Lot 1

Mr. Rennert stepped down.

Mr. Penzer explained that Mr. Krupnick owns land behind this and they believe the applicant over cleared, therefore, they sued the applicant. The judge asked that the board engineer go out and make sure the applicant had complied with the approved plans.

Mrs. Morris said that she spoke with the objecting attorney, Mr. Liston, concerning the letter and photos they received from the board engineer. They indicated that they will not be attending tonight's meeting.

Mr. Neiman said if he chose not to be here and object then perhaps he is ok with it.

A motion was made by Mr. Schmuckler, seconded by Mr. Banas to approve.
Affirmative: Mr. Herzl, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Percal, Mr. Sussman

- **SD 1644** – Removal of basin screening, modification to drainage pipe ownership

Mr. Brian Flannery said this was approved during the time where the Homeowner's Association had to maintain the drainage system. At this point in time, the drainage that is involved is very minimal and within the right-of-way. The Township has an ordinance saying that there is a one-time maintenance fee to take it over. The applicant is willing to pay that fee and then there would be no need for the Homeowner's Association.

Mr. Vogt asked if Public Works has looked at this yet.

Mr. Flannery said they would meet with Public Works for approval.

A motion was made by Mr. Schmuckler, seconded by Mr. Herzl to approve the change.
Affirmative: Mr. Herzl, Mr. Neiman, Mr. Schmuckler, Mr. Percal, Mr. Rennert, Mr. Sussman
No: Banas

- **SD 1607** – Modification of new streets ownership

Mr. Brian Flannery stated that there will be a HA for this but they have met with Public Works on this and added a manhole in the street. The HA will maintain the drainage in the yards. The Township would maintain the drainage in the roads and the roads themselves. The applicant would pay the one-time maintenance fee.

A motion was made by Mr. Herzl, seconded by Mr. Schmuckler to approve the change.

Affirmative: Mr. Herzl, Mr. Neiman, Mr. Schmuckler, Mr. Percal, Mr. Rennert, Mr. Sussman
No: Banas

SP 1838B NJ Hand

Mr. Penzer explained that at the meeting Mr. Zaks had asked for a 75 ft buffer. The engineer will need 25 ft for the retaining wall which would leave 50 ft.

Mr. Schmuckler asked about the other neighbors.

Mr. Penzer said that Mr. Zaks is the only one that is being impacted. He is the only one here tonight.

Mrs. Morris does not specifically remember that 75 ft would be provided. Her notes indicated that the applicant could clear up to as far as he needed to install the retaining wall.

Mr. Zaks would also like a row of arborvitaes planted.

Mr. Banas is worried about the roots affecting the retaining wall.

Mr. Penzer agreed that they will plant a row of arborvitaes.

Mr. Neiman said they are allowing them to clear an additional 25 ft. One row of trees will be planted.

A motion was made by Mr. Herzl, seconded by Mr. Sussman to approve the change.

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

No: Mr. Schmuckler

Abstained: Mr. Percal

9. PUBLIC PORTION

10. APPROVAL OF MINUTES

11. APPROVAL OF BILLS

12. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted

**PLANNING BOARD MEETING
JANUARY 7, 2014**

**TOWNSHIP OF LAKEWOOD
PLAN REVIEW MEETING**

Sarah L. Forsyth
Planning Board Recording Secretary