

I. 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. 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. ROLL CALL

Mr. Herzl, Mr. Banas, Mr. Schmuckler, Mr. Follman, Mr. Rennert

3. SWEARING IN OF PROFESSIONALS

Mr. Vogt was sworn in.

4. MEMORIALIZATION OF RESOLUTIONS

- 1. SP 1988AA** (Variance Requested)
Applicant: Abe Shapiro
Location: Ocean Avenue, west of South Park Avenue
Block 248.01 Lot 78.01
Change of Use Site Plan from office to commercial laundromat facility

A motion was made and seconded to approve.

Affirmative: Mr. Schmuckler, Mr. Follman, Mr. Rennert
Abstained: Mr. Herzl, Mr. Banas

- 2. SD 1849** (No Variance Requested)
Applicant: Saul Mizrahi
Location: Jay Street, west of Warren Avenue
Block 768 Lot 41.01
Minor Subdivision to create two lots

A motion was made and seconded to approve.

Affirmative: Mr. Follman, Mr. Rennert
Abstained: Mr. Schmuckler, Mr. Herzl, Mr. Banas

3. **SD 1851** (No Variance Requested)
Applicant: Cedarbridge Development, LLC
Location: New Hampshire Avenue
Block 961.01 Lot 2.01
Minor Subdivision to create two lots

A motion was made and seconded to approve.

Affirmative: Mr. Herzl, Mr. Schmuckler
Abstained: Mr. Banas, Mr. Follman, Mr. Rennert

4. **SP 1990AA** (No Variance Requested)
Applicant: Nefesh Hachaim, Inc.
Location: White Street & Drake Road
Block 251.02 Lot 99
Site Plan Exemption for proposed modular classroom facility

A motion was made and seconded to approve.

Affirmative: Mr. Herzl, Mr. Follman
Abstained: Mr. Banas, Mr. Schmuckler, Mr. Rennert

5. **SD 1836** (Variance Requested)
Applicant: Homes For All, Inc.
Location: Vine Avenue, south of Oak Street
Block 1146 Lot 1
Block 1147 Lot 1
Block 1154 Lot 1
Block 1155 Lot 1
Block 1156 Lot 1
Maple Tree Village – Preliminary & Final Major Subdivision to create 71 residential single family dwellings & duplex affordable housing

An announcement was made to carry this resolution to the September 11, 2012 meeting.

5. PLAN REVIEW ITEMS

1. **SD 1860** (No Variance Requested)
Applicant: Rabbi Jack Lebovic
Location: Melville Avenue
Block 763 Lot 7
Minor Subdivision to create three lots

Project Description

The applicant seeks minor subdivision approval for the subdivision of one (1) existing residential lot into three (3) residential lots for a zero lot line duplex and a single family dwelling with basement synagogue. The project involves an existing 126.06' X 150', 18,909 square foot (0.43 acre) property known as Lot 7 in Block 763. The proposed properties are designated as proposed Lots 7.01 through 7.03 on the subdivision plan. Existing Lot 7 is a corner lot containing a dwelling. The existing dwelling will be removed from the site. Public water and sewer is available. Curb exists along only one (1) frontage of site. No sidewalk exists across either frontage of the tract. The site is situated in the central portion of the Township on the northeast corner of Melville Avenue and Elm Street. Both roads are paved Township Roads with fifty foot (50') right-of-ways. Proposed Lot 7.01 would become a rectangular corner lot for the proposed single family dwelling with basement synagogue having an area of 8,907.4 square feet. Proposed Lots 7.02 and 7.03 would become rectangular zero lot line properties for the proposed duplex, with frontage only on Melville Avenue. Both zero lot line properties would have an area of 5,000.8 square feet. The lots are surrounded by residential uses and are situated within the R-7.5 Single Family Residential Zone. No variances are being requested for the proposed subdivision. We have the following comments and recommendations: I. Waivers A waiver has been requested from submission of Topography. Per our site investigation, this site is level. We can support the requested waiver from a completeness standpoint only, provided the Board requires the submission of a Topographic Survey as a condition of approval, so that this survey and design can be reviewed during compliance. II. Zoning 1. The parcel is located in the R-7.5 Single-Family Residential Zone District. Single Family Detached Housing, Zero Lot Line Duplex Housing, and places of worship are all permitted uses in the zone. 2. Per review of the Floor Plans and the zone requirements, the Maximum Building Coverage of thirty percent (30%) will be exceeded because of the covered access fronting Melville Avenue. The proposed building area should either be decreased, or a variance requested. 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. II. Review Comments 1. The site location shall be identified on the Zone Map. 2. A 30' X 30' Sight Triangle Easement to Lakewood Township is proposed at the intersection of Melville Avenue and Elm Street. The proposed bearing for the hypotenuse of the Sight Triangle Easement is incorrect. 3. The following existing information will be required on the Improvement Plan as a condition of approval: a. Topography of old Lot 7. b. Topography of Melville Avenue and Elm Street along the frontages of old Lot 7. c. The existing utilities on Melville Avenue and Elm Street. 4. The Zoning Data indicates that four (4) off-street parking spaces will be required and provided for each lot. A minimum of four (4) off-street parking spaces for a dwelling unit with a basement is to be provided. The Floor Plans for proposed Lot 7.01 indicate the synagogue in the basement will have a usable main sanctuary of eight hundred square feet (800 SF), which would require no additional off-street parking. 5. The proposed handicap access to the synagogue conflicts with the design location of the off-street parking spaces. The design of the proposed off-street parking spaces must be revised. 6. Since a basement is already proposed for the single family dwelling with the synagogue, seasonal high water table information must be provided. 7. The Minor Subdivision Plan shows new lot numbers were assigned by the tax assessor's office. If approved, the map shall be signed by the tax assessor. 8. Public water and sewer is available to the project site. The

project will be serviced by New Jersey American Water Company, since the site is within their franchise area. 9. Six foot (6') wide shade tree and utility easements dedicated to the Township are proposed along the property frontages of new Lots 7.01 through 7.03. The proposed easement information and areas are shown on an individual lot basis. 10. A Tree List proposes seven (7) "October Glory Maple" street trees. The locations of the proposed shade trees are shown on the Improvement Plan. 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. Our site investigation indicates there are some existing trees on-site. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review for proposed Lots 7.01 through 7.03. 11. The applicant proposes to construct new curb on Elm Street, a curb ramp at the intersection, as well as sidewalk and driveway aprons along the property frontage of new Lots 7.01 through 7.03. Topography is required to ascertain whether any of the existing curb, which is in fair condition, along Melville Avenue can be salvaged. The line work on the plans for existing and proposed curb must be differentiated. A note shall be added to the plans that any existing curb damaged during construction shall be replaced at the direction of the Township Engineer. 12. The locations of proposed improvements within the right-of-way shall be dimensioned. 13. Two (2) separate Road Section Details are required since Elm Street will be improved with new curb and Melville Avenue will at least be partially improved with replaced curb. 14. The proposed sidewalk at the intersection should be designed to provide a landing area for the curb ramp. 15. Topography is required for the Improvement Plan. Little relief was observed during our site investigation and the Improvement Plan shall be revised to provide proposed grades for the top of curb and gutter to determine whether any drainage problems exist or will be created. 16. Testimony is required on the disposition of storm water from the development. The project is too small to qualify as major development. At a minimum, dry wells will be required for storm water management and shall be provided when plot plans are submitted. 17. Testimony should be provided on proposed site grading. No proposed grading is indicated on the Improvement Plan since the existing topography has yet to be completed. Proposed grading shall be designed. At a minimum, proposed grading will be included on the plot plan submittals. 18. Due to no construction proposed at this time, the Board may wish to require the cost of improvements to be bonded or placed in escrow to avoid replacing them in the future. 19. Proposed monuments should be added at the four (4) outbound property corners. 20. Compliance with the Map Filing Law is required. 21. At a minimum, Curb Ramp and Trench Repair construction details shall be added to the Improvement Plan. 22. Discrepancies in the concrete curb base dimensions shall be rectified between construction details. 23. The six and a half inch (6-1/2") dimension on the Depressed Curb at Driveways detail shall be corrected to four and a half inches (4-1/2"). 24. Final construction details will be reviewed during compliance should subdivision 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 (as applicable); b. Ocean County Planning Board; c. Ocean County Soil Conservation District; and d. All other required outside agency approvals.

Mr. Glenn Lines stated that there is a lot coverage variance for the awning over the front porch on one of the lots. They will remove that or make that the house smaller so that they will comply and not request a variance. He reviewed the rest of the engineer's letter and he will make the necessary revisions or as part of resolution compliance submission.

A motion was made by Mr. Follman, seconded by Mr. Follman to advance the application to the September 11, 2012 meeting. No further notices are required.

Affirmative: Mr. Herzl, Mr. Banas, Mr. Schmuckler, Mr. Follman, Mr. Rennert

6. PUBLIC HEARING

- 1. SP 1991AA** (No Variance Requested)
Applicant: Avi Verschleiser
Location: Kingsfield Drive
Block 11.12 Lot 35
Change of Use Site Plan to convert existing basement to a shul

Project Description

The applicant is seeking Site Plan exemption/Change of Use approval for conversion of the basement within an existing single-family residential dwelling into a Shul. As noted on the Change of use plan, no new site plan improvements are proposed with this request. The application describes the existing home as a three-bedroom Rabbi's residence with the Shul as an accessory use. The site is located on the north side of Kingsfield Drive, opposite of its intersection with Sanz Town Road. The property is rectangular in shape, is 4,050 sf in area. The site surrounded primarily by single-family residential structures on the northerly side of the street, with multifamily housing existing along the southern side of the street. Curbing and sidewalk exist along the property frontage. I. Zoning 1. The property is located in the R-15 (Single Family Residential) Zone. Synagogues are a permitted use in the zone, subject to the requirements of Section 18-905 of the UDO. 2. Per review of the Site Plan and the zone requirements, the proposed synagogue and sidewalk improvements comply with the Bulk requirements of the R-10 zone. The bulk requirements table notes existing non-conforming setbacks for the existing property and dwelling to remain, including: a. Existing Lot Area (4,050 sf provided, 15,000 sf required); b. Existing Lot Width (45 feet provided, 100 feet required); c. Side Yard setback (3.4 feet provided, 10 feet required); and d. Aggregate Side Yard setback (10.2 ft provided, 25 ft required). e. Building coverage (37% existing, 25% allowed). 3. No new bulk variances appear necessary for the change of use request. II. Review Comments 1. Per review of the basement architectural plat, the existing basement is a "Rec Room", with no bedrooms existing or proposed. The conversion for the Proposed Shul would create up to 747 sf of sanctuary space. No kitchen or catering facilities are depicted (only a "Kitchenette"). 2. As strictly interpreted, no additional parking is necessary per UDO requirements (18-905A.1) for the proposed sanctuary since the floor area is below the 800 sf net floor area threshold. No parking requirements are indentified with the UDO for libraries contained within places of worship. 3. Two (2) off-street 9'x18' parking spaces exist as part of the driveway. As indicated previously, the existing home is 3-bedroom, with no bedrooms existing or proposed in the basement. Parking should be provided to the satisfaction of the Board. 4. Per UDO Section 18-905B, a 20-foot perimeter buffer is required for disturbed areas adjacent to residential uses or zoning. We note that although no new construction is proposed for the Shul Use, the existing dwelling is several feet from both property lines (similar to residences on adjoining single-family Lots 34 and 36). Testimony should be provided as to what landscaping (if any) is proposed. Landscaping shall be provided to the satisfaction of the Board. 5. As depicted on the Change of Use site plan, trash will be disposed in robocans stored on the side of the residence that will be

put curbside for collection by the Township DPW. 6. Testimony should be provided regarding any existing or proposed security lighting associated with the proposed use. 7. Any information necessary to document compliance with Section 18-905, "Places of Worship and Religious Facilities" of the UDO.

Mr. Vogt stated that there are existing non-conforming variances but no new variances are being requested.

Mr. Lines stated that they had to re-notice one neighbor so that is why they are back tonight. The testimony was done at the last meeting.

Mr. Banas stated that Mr. Herzl was not at the last meeting where the testimony was presented. There will be no quorum if he can not vote.

Mr. Lines stated they are converting an existing basement in the Westgate subdivision as a synagogue for the neighbors. It is under 800 sq ft, there is no additional parking required and they have the required parking for the upstairs house.

Mr. Banas is concerned about the lot coverage.

Ms. Morris said she reviewed the plans that were previously approved and all of the lots were approved for that coverage.

Mr. Banas opened the microphone to the public, seeing no one he closed to the public.

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

Affirmative: Mr. Herzl, Mr. Schmuckler, Mr. Follman, Mr. Rennert

No: Mr. Banas

- 2. SD 1848** (Variance Requested)
Applicant: Pinchas Wolhendler
Location: Spruce Street, east of River Avenue (Route 9)
Block 778.06 Lot 59
Minor Subdivision to create two lots

Project Description

The applicant seeks minor subdivision approval to subdivide an existing lot totaling twenty-one thousand four hundred fifty square feet (21,450 SF) or 0.492 acres in area known as Lot 59 in Block 778.06 into two (2) new residential lots consisting of a duplex unit on two (2) zero lot line parcels. The proposed properties are designated as proposed Lots 59.01 and 59.02 on the subdivision plan. The site contains an existing one-story dwelling and a shed. It appears the structures will be removed from existing Lot 59 along with all other existing site improvements. Proposed Lots 59.01 and 59.02 will become two (2) zero lot line properties for a duplex unit. Public water and sewer is available. Curb and sidewalk exist across the frontage of the tract. The site is situated in the central portion of the Township on the north side of Spruce Street between Route 9 and Sharon Court. Proposed Lots 59.01 and 59.02 will be equal 32.50' X 330' zero lot line properties of ten thousand seven hundred twenty-five square feet (10,725 SF) each

in area. The lots are situated within the R-10 Single Family Residential Zone. Lot width variances are required to create this subdivision. We have the following comments and recommendations:

I. Zoning

1. The parcel is located in the R-10 Single-Family Residential Zone District. Duplex housing on zero lot line properties is a permitted use in the zone.
2. Per review of the Subdivision Map and the zone requirements, the following variance is required: • Minimum Lot Width for zero lot line properties (proposed Lots 59.01 and 59.02, 32.50 feet, 37.50 feet required) – proposed condition.
3. The applicant must address the positive and negative criteria in support of the requested variance. 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. A Survey Plan without topography has been submitted for review. The source of the existing topography used for the Improvement Plan has not been provided.
2. The existing shed shown on the survey has not been indicated on either the Minor Subdivision Map or Improvement Plan. A side yard setback variance for an accessory structure will be required for proposed Lot 59.02 unless the shed is removed.
3. The Survey Certification on the Minor Subdivision Plan indicates the survey date to be 5-2-2012. This date must be corrected.
4. The revision dates on the plans should be corrected.
5. The Minor Subdivision Plan should be labeled as sheet 1 of 2.
6. Sheet 2 of 2 should be titled Improvement Plan for Minor Subdivision.
7. The existing gas line should be shown on the Improvement Plan.
8. The Schedule of Bulk Requirements indicates that four (4) off-street parking spaces will be required for each unit. The Improvement Plan shows a proposed circular driveway configuration for the proposed duplex which is an excellent design along a heavily traveled road. However, the circulation is limited for the four (4) off-street parking spaces proposed for each lot. Since the proposed lots are extremely deep, we recommend moving the duplex unit further back from the road and reconfiguring the parking in the front yard to provide additional maneuverability. Parking shall be provided to the satisfaction of the Board.
9. The Improvement Plan indicates basements will be proposed for the future dwellings on proposed Lots 59.01 and 59.02. Therefore, a minimum of four (4) off-street parking spaces would be required to comply with the Township Parking Ordinance.
10. Since basements are proposed, seasonal high water table information will be required. The Notes on the Improvement Plan indicate seasonal high water table is greater than ten feet (10') as determined by Lines Engineering, LLC. The General Notes also indicate that seasonal high water table information will be provided with plot plan submissions.
11. The Minor Subdivision Plan shows new lot numbers were assigned by the tax assessor's office. If approved, the map shall be signed by the tax assessor.
12. General Note #2 on the Improvement Plan should be eliminated since it may not be true.
13. The project will be serviced by New Jersey American Water Company since it is located within their franchise area.
14. Six foot (6') wide shade tree and utility easements dedicated to the Township are proposed along the property frontages of new Lots 59.01 and 59.02. The proposed easement areas shall be shown on an individual lot basis.
15. An "October Glory Maple" street tree is proposed within the circular driveway island of Lots 59.01 and 59.02. Ten (10) "Japanese Holly" are proposed to break up the parking area. 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. Our site investigation indicates there are many existing trees on-site. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review for proposed Lots 59.01 and 59.02.
16. The applicant proposes to construct new curb, sidewalk, and driveway aprons along the property frontage of new Lots 59.01 and 59.02. The width and location dimensions shall be removed from the Concrete Sidewalk Detail since the existing sidewalk will be matched. The existing trees within the right-of-way shall be removed

since they will damage the sidewalk and curb. 17. The Improvement Plan shall be revised to provide a consistent proposed grade for the gutter. Accordingly, the Typical Pavement Widening Section shall be revised to increase the reconstruction limits and the mill and overlay limits of the road to the centerline. The existing pavement is in poor condition and the proposed grading and utility connections will disturb more than twenty percent (20%) of the asphalt area. 18. Testimony is required on the disposition of storm water from the development of proposed Lots 59.01 and 59.02. The property slopes northward toward the rear. The proposed grading requires revision since proposed runoff is being directed off-site. The General Notes on the Improvement Plan state that storm water management shall be provided when plot plans are submitted. 19. Testimony should be provided on proposed site grading. The proposed grading is indicated on the Improvement Plan and is directing runoff off-site. Proposed spot grades are required for the circular driveway area. Proposed grading revisions shall be submitted. The General Notes on the Improvement Plan indicate that proposed grading will be included on the plot plan submittals. 20. Due to no construction proposed at this time, the Board may wish to require the cost of improvements to be bonded or placed in escrow to avoid replacing them in the future. 21. The Legend shall be revised to "monument to be set". 22. Compliance with the Map Filing Law is required. 23. A Pavement Trench Repair Construction Detail shall be added to the Improvement Plan. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance (as applicable); b. Ocean County Planning Board; c. Ocean County Soil Conservation District; and d. All other required outside agency approvals. New Jersey American Water Company will be responsible for water and sewer service.

Mr. Penzer asked that this be carried to the August 28th meeting as there are only four members to vote.

A motion was made by Mr. Herzl, seconded by Mr. Follman

Affirmative: Mr. Herzl, Mr. Banas, Mr. Schmuckler, Mr. Follman
Abstain: Mr. Rennert

Mr. Jackson announced no further notices are required.

- 3. SP 1975** (Variance Requested)
Applicant: Lakewood Housing Partners
Location: Southeast corner of Vermont Avenue & Oak Street
Block 1154 Lots 1 & 10
Block 1155 Lots 1 & 6
Amended Preliminary & Final Site Plan for sixty-five affordable housing rental units

An announcement was made for this application to be carried to the September 11, 2012 meeting.

7. CORRESPONDENCE

- 1. SP 1973** (No Variance Requested)

**PLANNING BOARD MEETING
AUGUST 21, 2012**

**TOWNSHIP OF LAKEWOOD
PUBLIC HEARING MEETING**

Applicant: Tashbar of Lakewood
Location: Oak Street
Block 1012 Lot 1.01
Block 1017 Lot 1
Block 1024 Lot 2

Request for Administrative Approval to adjust the location of the approved dormitories and townhouses.

We have received documents for resolution compliance on the above referenced application. Minor changes were made to the project phasing by moving the dormitories to a more desirable location in order to provide sanitary sewer service. Accordingly, we have reviewed the resolution of approval and recommend the following amendments: 1. On page 1, Lot 1.02 in the title and first paragraph should be corrected to Lot 1.01. Lot 1.01 was created from a Minor Subdivision filed as Map J3812. The Cover Sheet on the Site Plan also requires correction. 2. On page 2, the phasing schedule should be amended as follows: • Phase 1: Construction of a three-story yeshiva college/high school, two dormitory buildings, and a three-story kindergarten through eighth grade elementary school along with associated parking and recreational facilities. • Phase 2: Construction of two 4-unit and two 6-unit campus housing buildings. • Phase 3: Construction of six 4-unit and one 6-unit campus housing buildings. • Phase 4: Construction of four 4-unit and four 6-unit campus housing buildings. • Phase 5: Construction of three 4-unit campus housing buildings. • Phase 6: Construction of a swimming pool. 3. On page 3, under Section D., Oak Street shall be corrected to an “improved” roadway. 4. On page 5, under Section H.3., the number of proposed parking spaces is listed as 220. The number should be corrected to 203, which is in excess of the 195 required. 5. On page 5, under Section H.5., the second sentence should be corrected to, “There will be seven spaces for buses and there will not be more than seven buses on the site for the grade school during initial occupancy of the school.” 6. On page 5, under Section H.6., the statement should be revised to; “Buses for the bus drop off for the high school will enter the site from Clyde Avenue and then circulate around to the front of the high school. There will be two spaces for buses and there will not be more than two buses on the site for the high school.” We recommend administrative approval of the above amendments.

Mr. Rennert stepped down.

Mr. Jackson stated that they just need the Board’s affirmation that this can be done administratively and they do not need a quorum for that.

Mr. Vogt stated that there are minor revisions in the phasing of house it’s going to be built based on the current design plans versus how it was heard at the hearing and how the phasing was structured. There are also minor changes with regard to the site layout in the locations of certain buildings. The site itself functions as intended but if someone were to go back and look at what we will be signing off of eventually versus what was approved there are deviations on the record with respect to the original resolution so we wanted to bring it to the Board’s attention. We do not have any objection to the changes but we wanted the record to be clear.

Mr. Banas asked if they would need to do a new resolution.

Mr. Jackson said he doesn't think so. He would send a memorandum noting that this was discussed and the Board members were in accordance.

The Board had no objections.

8. PUBLIC PORTION

Mr. Jackson expressed to Mr. Hobday that this is just an administrative change. He did not have to bring it to the Board but he did it out of caution.

Mr. Bill Hobday, 30 Schoolhouse Lane, feels you need a quorum.

There is no voting by the Board.

9. APPROVAL OF MINUTES

A motion was made and seconded to approve.

Affirmative: Mr. Herzl, Mr. Banas, Mr. Schmuckler, Mr. Follman, Mr. Rennert

10. APPROVAL OF BILLS

A motion was made and seconded to approve.

Affirmative: Mr. Herzl, Mr. Banas, Mr. Schmuckler, Mr. Follman, Mr. Rennert

11. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Sarah L. Forsyth
Planning Board Recording Secretary