

1. CERTIFICATION OF COMPLIANCE

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

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

2. ROLL CALL

Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Schmuckler, Mr. Rennert

3. SWEARING IN OF PROFESSIONALS

Mr. Vogt was sworn in.

4. ORDINANCE FOR DISCUSSION

1. Transportation Improvement District

Mr. Schmuckler said this entire transportation plan adds 21 million dollars worth of infrastructure upgrades and if that is all that Lakewood needed they should have done this a long time ago. This plan may be short of what realistically needs to be done but it is a good start. This is not very specific but the Smart Growth plan does cover that.

Mr. Banas said he is sure Mr. Slachetka would insist on that and when it comes forth for development, this Board will be involved.

Mr. Schmuckler said they will be involved and it calls upon the Board to do an assessment for new applications to see what sort of impacts that they would have.

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

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

5. MEMORIALIZATION OF RESOLUTIONS

1. Franklin Street Redevelopment Area

A motion was made by Mr. Sussman and seconded by Mr. Schmuckler To approve.

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

Abstain: Mr. Schmuckler

2. **SD 1958** (No Variance Requested)
Applicant: Paramount Developers, LLC
Location: East Fourth Street
Block 243 Lots 28 & 29

Preliminary & Final Major Subdivision to create 8 lots

A motion was made by Mr. Sussman, seconded by Mr. Schmuckler to approve.

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

Abstain: Mr. Banas, Mr. Schmuckler

- 3. SP 2093** (Variance Requested)
Applicant: Khal Skulen deLakewood
Location: Park Avenue
Block 238 Lot 5

Preliminary & Final Major Site Plan for a synagogue

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

Affirmative: Mr. Herzl, Mr. Sussman, Mr. Schmuckler

Abstain: Mr. Banas, Mr. Rennert

6. PLAN REVIEW ITEMS

- 1. SD 1989** (Variance Requested)
Applicant: Robert Cormack
Location: Seminole Drive
Block 2.04 Lot 3.01

Minor Subdivision to create 2 lots

Project Description

The applicant seeks approval to subdivide an existing single family residential lot into two (2) proposed lots. The site, consisting of existing Lot 3.01 in Block 2.04 would be subdivided into proposed Lots 1 and 2 as designated on the subdivision plan. The existing tract consists of an L-shaped lot totaling about 0.7 acres. Existing Lot 3.01 contains a one and a half story masonry dwelling with a couple of asphalt driveways and a back patio. The existing dwelling would remain on proposed Lot 2. A new residential building lot proposed as new Lot 1 would be created. Proposed Lot 1 would become a 12,311 square foot irregular new building lot. Proposed Lot 2 would become an 18,275 square foot L-shaped lot containing the existing one and a half story masonry dwelling. Existing Lot 3.01 contains the one and a half story masonry dwelling and two bituminous concrete driveways. The dwelling and driveway on the east side of the dwelling will remain on proposed Lot 2, while the driveway and steps on the south side of the dwelling will be removed. The site is situated in the northwest portion of the Township on the southerly corner of the intersection of Seminole Drive and Iroquois Place. A pond borders the property on the north side. The survey shows freshwater wetland flagging along the shoreline. Seminole Drive and Iroquois Place are improved municipal roads in fair condition with fifty foot (50') right-of-ways. Curb in fair condition exists along Seminole Drive and Iroquois Place. There are no sidewalks. Trees are present on the site and the large trees have not been located. The property slopes generally toward to the north, towards the pond. Existing sanitary sewer is in Seminole Drive. Existing potable water is located in both roads. There is overhead electric on the northwest side of Seminole Drive and the northeast side of Iroquois Place. The proposed lots are situated within the R-12 Single-Family Residential Zone. The surrounding land uses are residential. We have the following comments and recommendations: I. Zoning 1. The parcels are located in the R-12 Single-Family Residential Zone District. Single-family housing is a permitted use under R-12 Zoning requirements. 2. Per review of the Subdivision Map and the zone requirements, a variance is required for Minimum Lot Width. New Lot 1 proposes an 81.1 foot lot width, whereas ninety feet (90') is required. 3. It appears the applicant is

requesting design waivers from the construction of sidewalk and the planting of street trees. 4. The applicant must address the positive and negative criteria in support of the required variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. II. Review Comments 1. The plan set submitted was prepared by a professional engineer. The subdivision plan must be prepared by a professional land surveyor. A revised Minor Subdivision Plan prepared by a licensed professional land surveyor must be submitted prior to scheduling a Public Hearing. 2. The Survey provided is five (5) years old and requires updating. At a minimum, the updated survey should include the following: a. Horizontal and vertical datum used should be specified, along with the providing of a vertical bench mark. b. Hydrants, valves, and manholes, for water and sewer lines should be shown. c. All utility poles and mailboxes should be added. d. Large existing trees should be located and shown. 3. The revision dates for the Sheet Index on the Cover Sheet shall match the plan set. 4. The allowable lot coverage shall be revised to thirty percent (30%). 5. Unless a height variance is being requested, the Table of Compliance erroneously proposes heights in excess of thirty-five feet (35'). 6. The Notes indicate the existing asphalt patio area to be cut back. However, the limits of removal have not been specified. 7. The Notes indicate a transition area adjustment is needed for existing improvements. The Grading and Wetlands Plan shows a proposed Transition Line along with a proposed Transition Area Adjustment. This information along with metes and bounds must be included on the Minor Subdivision Plan. 8. The plans indicate that the wetlands delineation was performed by Trident Environmental Consultants. 9. The Certifications required on the Plan shall be in accordance with Section 18-604B.1., of the UDO. 10. Since the survey has plus/minus dimensions to the pond, lot areas shall be rounded to the nearest foot. 11. Proposed offsets and setback dimensions shall be completed. It appears the unusual proposed configuration of the new lots was based on providing the minimum side and rear setbacks for the existing dwelling to remain. 12. Proposed monuments shall be provided at all side property line intersections with the right-of-way. Proposed pins shall be provided at all property line intersections and changes in direction of the transition line. 13. Coordinates must be provided on at least three (3) outbound corners. 14. The basis for the north arrow shall be provided. 15. Road centerlines should be added to the plans. 16. The proposed shade tree easement must be revised to a six foot (6') wide Shade Tree and Utility Easement and designed across the entire street frontages of the project. 17. A 25' X 25' Sight Triangle Easement shall be added at the intersection of Seminole Drive and Iroquois Place. 18. A Legend shall be added. 19. The remains of the retaining wall must be addressed since it would span proposed lot lines. 20. Off-street parking has not been addressed. Testimony on off-street parking shall be provided. 21. Dimensions of the driveways should be shown. 22. Curb exists along the Seminole Drive and Iroquois Place frontages of the project. The curb should be replaced where existing and proposed driveways will be altered. A curb ramp with detectable warning surface shall be constructed at the intersection. This information should be provided on the Grading Plan. 23. New lot numbers should be assigned by the Tax Assessor. The map shall be signed by the Tax Assessor should approval be granted. 24. Seasonal high water table information must be provided for proposed Lot 1 if a basement is proposed. A soil boring location and log must be provided. A minimum two foot (2') separation will be required from seasonal high water table should a basement be proposed for the new dwelling. Testimony should be provided on whether any basement proposed will be unfinished. 25. Storm water management must be addressed for the future dwelling on new Lot 1. 26. Proposed lot grading should be better addressed. Proposed spot grades shall be provided in addition to the proposed contours. 27. Potable water and sanitary sewer lines should be shown on the plans. The project is located within the New Jersey American Water Company franchise area. The future dwelling on new Lot 1 would most likely connect to the existing water and sewer mains in Seminole Drive. 28. Unless a waiver is granted, street trees are required on the Seminole Drive and Iroquois Place frontages. Street trees should be provided to the satisfaction of the Board and should conform to recommendations (if any) from the Township Shade Tree Commission as practicable 29. Our site investigation indicates there are large trees on the property. This development, if approved must comply

with the Township Tree Ordinance at time of Plot Plan review for the proposed dwelling on new Lot 1. 30. 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. 31. Compliance with the Map Filing Law is required. 32. Construction details shall be added to the Grading 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; d. New Jersey Department of Environmental Protection; and e. All other required outside agency approvals.

Mr. Vogt stated variances are requested for minimum lot width. Design waivers are requested from construction of sidewalks and street trees.

Mr. Cormack said there is an existing house on the lot that is approximately 100 years old which will remain. The house has recently had various improvements. There is a section going into a small pond which is a category one pond as it feeds into the Metedeconk. The buffer is 150 ft so in order to meet the lot area requirements, he had to create a jog in the property line that gives it an irregular shape. That area is also a steep grade with a 20 ft drop. Because of the location of the existing house, it does not allow enough frontage on Seminole Drive. The ordinance requires 90 ft and he is proposing 81.1 ft. There are no trees indicated on the plans but that will be corrected for the public hearing. The area right in front of the existing house where there is a potential shade tree easement, they can plant trees but the problem with putting a sidewalk in that area is the ground is a fairly steep rise from the road but if the Board would like sidewalks they would have to regrade.

Mr. Schmuckler said they would require sidewalks.

A motion was made by Mr. Schmuckler, seconded by Mr. Sussman to advance the application to the December 16, 2014 meeting.

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

- 2. SD 1992** (Variance Requested)
Applicant: Aaron Furst
Location: Ocean Avenue
Block 189 Lot 175
Minor Subdivision to create 2 fee-simple duplex lots

Project Description

The applicant seeks minor subdivision approval for the subdivision of one (1) existing residential lot into two (2) residential lots for a zero lot line duplex unit. The project involves an existing 13,257.42 square foot (0.30 acre) property comprised of one (1) lot known as Lot 175 in Block 189. The proposed properties are designated as new Lots 175.01 and 175.02 on the subdivision plan. The overall tract is roughly "L" shaped containing an existing one-story dwelling. The subdivision plan indicates the existing structure will be removed. Public water and sewer is available. Curb and sidewalk exists along the Route 88 and North Oakland Street frontages. The site is situated in the northern portion of the Township, northeast of the intersection of Route 88 and North Oakland Street. This property surrounds a corner lot at the intersection. The tract has limited frontage (16.47 feet) on the east side of North Oakland Street. North Oakland Street is an improved Township Road with pavement in fair condition. It has a fifty foot (50') wide right-of-way with about a twenty-eight foot (28') pavement width. The main frontage of the site (70') is on the north side of Route 88. Route 88 is an improved State Highway with curb and sidewalk. This State Highway only has a forty-one and a half foot (41.5') right-of-way width at this location, with a twenty-eight foot (28') pavement width. However, the half right-of-way width in front of

the site is twenty-five feet (25'). Therefore, the State will probably not require an additional right-of-way dedication. Proposed Lots 175.01 and 175.02 would become "L" shaped zero lot line properties of 6,341.30 square feet and 9,916.12 square feet respectively, with frontages on Route 88 and North Oakland Street. The pair of zero lot line properties would have a combined area exceeding twelve thousand square feet (12,000 SF). The site is relatively flat and contains no trees of significance. Sanitary sewer, potable water, electric, and gas are all available to the site. The surrounding lots are mainly residential. The tract is situated within the R-10 Single Family Residential Zone. Variances are required for this proposed subdivision. We have the following comments and recommendations: I. Zoning 1. The parcel is located in the R-10 Single-Family Residential Zone District. Zero Lot Line Duplex Housing with a minimum combined lot area of twelve thousand square feet (12,000 SF) is a permitted use in the zone. 2. Minimum Lot Width variances are required for proposed Lots 175.01 and 175.02. Our review indicates that Minimum Lot Widths of less than thirty-five feet (35') are proposed for new Lots 175.01 and 175.02. Minimum Lot Widths of thirty-seven and a half feet (37.5'), fifty percent (50%) of the seventy-five foot (75') Minimum Lot Width for the zone, are required. It should be noted that lot width is measured perpendicular to the lot depth which would make the lot widths slightly less than the thirty-five feet (35') shown. 3. Side Yard Setback variances are required for proposed Lots 175.01 and 175.02. Based on the proposed units shown on the Improvement Plan, our review indicates that Side Yard Setbacks of less than eight feet (8') are proposed. Ten foot (10') Side Yard Setbacks are required. 4. A design waiver is required for proposed side lot lines not being perpendicular to the street line. However, we recommend approval of this design waiver since the proposed side lot lines would be parallel to the outbound lot lines. 5. 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 Survey provided indicates the horizontal datum is based on the deed and the vertical datum is based on NGVD 29. We have reviewed the Survey Plan provided and the following revisions are required: a. The benchmark is a poor choice since it is likely to be disturbed during construction. Something more permanent is recommended. b. A graphic scale shall be added. c. The area of the tract in square footage and acreage must be added. d. The chain link portion of the fence along the northern property line shall be indicated. 2. Existing fence encroachments must be addressed. 3. The two hundred foot (200') limit shall be corrected on the Tax Map to insure the Property Owners List is proper. 4. All references to Lakewood Township Zoning Board shall be corrected to reflect the Lakewood Township Planning Board. 5. The Surveyor's Certification requires a date. The Certification has not been signed since the monuments are not in place. 6. We recommend a substitution of the proposed monument between the new lots on the North Oakland Street frontage since it would be within a proposed driveway. 7. General Note #5 indicates that coordinates and elevations are based on an assumed datum. This is in conflict with the survey provided, and General Note #16 which references the benchmark. 8. General Note #9 states that estimated seasonal high ground water elevation is greater than ten feet (10') as determined by Lines Engineering. However, no backup data has been provided. 9. General Note #10 states that all trees within limits of grading to be removed except as noted. However, no trees are shown. 10. General Note #11 states that no grading within five feet (5') of property lines permitted. Based on the Improvement Plan provided, the statement is not true. 11. The Zoning Data Table requires corrections. 12. Four (4) off-street parking spaces will be provided per unit. This exceeds the three (3) off-street parking spaces which are required for units with unspecified number of bedrooms to comply with the NJ R.S.I.S. parking requirements. The plans indicate that four (4) off-street parking spaces per unit will be required. A minimum of four (4) off-street parking spaces are required for proposed units with basements. Parking should be provided to the satisfaction of the Board. 13. 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. 14. A six foot (6') wide shade tree and utility easement along the Route 88 property frontage is proposed for new Lots 175.01 and 175.02. An easement shall also be provided along the North Oakland

Street frontage. Proposed easement information and areas must be shown on an individual lot basis. The easements should be dedicated to the Township. 15. Dimensions of proposed driveways must be added. 16. A twelve foot (12') wide bituminous common driveway is proposed from the North Oakland Avenue frontage. Testimony is required on the purpose of this driveway since access to new Lots 175.01 and 175.02 is being proposed from the Route 88 frontage. 17. The proposed limits of the apron, walks, and driveway along the North Oakland Street frontage shall be correctly shown. The proposed sidewalk shall extend to the projection of the southerly property line and connect to the existing walk to the north. 18. The existing sidewalk along the Route 88 frontage should be replaced with six inch (6") thick reinforced concrete sidewalk at the proposed driveway locations. 19. The General Notes on the Improvement Plan indicate that curb is to be replaced within the limits of the property lines. This work will be dictated by the New Jersey Department of Transportation along the Route 88 frontage. New Jersey Department of Transportation Access Permits will be required for proposed Lots 175.01 and 175.02. 20. 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. 21. The plans propose three (3) "October Glory Maple" street trees. The locations of the proposed shade trees are shown on the plans. Proposed shade trees shall not conflict with utilities or driveways. 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. 22. Based on our site investigation, there are no trees of significance onsite. Therefore, it appears this development would be exempt from the Township Tree Ordinance. 23. Testimony is required on the disposition of storm water from the development. At a minimum, dry wells will be required for storm water management and shall be provided when plot plans are submitted. 24. Testimony is required on site grading from the development. At a minimum, proposed conceptual grading shall be completed on the Improvement Plan. 25. 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. 26. Compliance with the Map Filing Law is required. 27. Construction details should be revised on the Improvement Plan in accordance with the conditions of any approvals. 28. 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; d. New Jersey Department of Transportation (Access Permits); and e. All other required outside agency approvals.

Mr. Vogt stated that variances are required for minimum lot width and side yard setback. A design waiver is required for proposed side lot lines not being perpendicular to the street line.

Mr. Flannery said he has read the engineer's review letter and will be ready to testify at the public hearing.

A motion was made by Mr. Schmuckler, seconded by Mr. Sussman to advance the application to the December 16, 2014 meeting.

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

- 3. SD 1993** (Variance Requested)
Applicant: Yehuda Lench
Location: Alamitos Drive
Block 189.11 Lot 3
Minor Subdivision to create 2 lots

Project Description

The applicant seeks minor subdivision approval for the subdivision of one (1) existing residential lot into two (2) single family residential lots. The project involves an existing 31,374 square foot (0.72 acre) property comprised of one (1) lot known as Lot 3 in Block 189.11. The proposed properties are designated as new Lots 3.01 and 3.02 on the subdivision plan. The overall tract contains an existing bi-level dwelling. The subdivision plan indicates all existing structures will remain. The bi-level dwelling is currently serviced by a septic system and potable well. The site is situated in the northeastern portion of the Township between the southwest side of Lanes Mill Road and the north side of Alamitos Drive. Lanes Mill Road is an improved County Road with a variable width right-of-way. The half right-of-way width in front of the site is shown to be thirty feet (30'). No curb or sidewalk is along the property frontage of Lanes Mill Road. Utility poles with overhead wires exist on the southwest side of Lanes Mill Road. Alamitos Drive is an improved municipal road in good condition with a fifty foot (50') right-of-way and a pavement width of thirty-two feet (32'). Curb and sidewalk in fair condition exist along the Alamitos Drive frontage. Underground electric exists in Alamitos Drive and serves the residential development. The property generally slopes towards Alamitos Drive and the rear of the site fronting Lanes Mill Road is wooded. The larger trees on the site have been located on the survey. Proposed Lots 3.01 and 3.02 would become residential properties. Proposed Lot 3.01 would become a new single family building property and the existing dwelling would remain on proposed Lot 3.02. The properties would each be roughly sixteen thousand square feet (16,000 SF) in size. Lot area variances would be required to create this subdivision. The surrounding lots are primarily residential. The lots are situated within the R-20 Single Family Residential Zone. We have the following comments and recommendations: I. Zoning 1. The parcels are located in the R-20 Single-Family Residential Zone District. Single family dwellings are permitted. 2. Lot area variances are required for proposed Lots 3.01 and 3.02. Lot areas of roughly sixteen thousand square feet (16,000 SF) are proposed for the new lots. Lot areas of twenty thousand square feet (20,000 SF) are required. It should be noted that the County is requiring a three foot (3') dedication along Lanes Mill Road which would further reduce the available land area for the subdivision by approximately four hundred square feet (400 SF). 3. It appears design waivers are being requested from providing curb and sidewalk along the frontage of proposed Lot 3.01 on Lanes Mill Road. 4. The applicant must address the positive and negative criteria in support of the required variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. II. Review Comments 1. We have reviewed the Outbound & Topographic Survey Plan provided. Existing wire fencing crosses property lines between Lots 3 and 66. Encroachments must be addressed by the Minor Subdivision. 2. Vertical Datum shall be referenced on the Minor Subdivision Plan. The benchmark shown on the Survey should be indicated on the Minor Subdivision Plan. 3. The General Notes indicate that horizontal datum is assumed. Accordingly, the coordinates provided are in an assumed datum. 4. The existing dwelling is to remain on proposed Lot 3.02 along with other site improvements. 5. The minimum lot width for proposed Lot 3.01 shall be corrected. The minimum lot width shall be measured between the side lines perpendicular to the lot depth. It should be noted that the proposed minimum lot width will exceed one hundred feet (100'). Therefore, the proposed lot width will be complying. 6. The minimum front yard setback for the existing dwelling to remain on proposed Lot 3.02 shall be corrected to 35.4 feet. 7. The NJ R.S.I.S. requires 2.5 off-street parking spaces for a single-family dwelling when the number of bedrooms is not specified. The Zoning Data indicates that four (4) off-street parking spaces are required and being provided. Testimony should be provided on the number of bedrooms anticipated for the proposed dwelling on new Lot 3.01. The driveway for the existing dwelling to remain on proposed Lot 3.02 is not large enough to double stack vehicles (less than 36') or allow proper room for side by side vehicles (less than 18'). Therefore, unless off-street parking is added, a variance would be required. 8. The address provided on the Minor Subdivision Plan for the Owner differs from the address provided on the Application. 9. The General Notes indicate the existing dwelling is served by an onsite septic and well. The General Notes also indicate the proposed dwelling shall be served by an onsite septic and well.

Therefore, Ocean County Board of Health approval will be required. 10. Zones and a Zone Boundary Line must be added. 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. Six foot (6') wide shade tree and utility easements dedicated to the Township are proposed along the property frontages. Proposed survey data for the easements shall be completed. Proposed easement areas for the new individual lots have been provided. 13. Monuments are proposed at the intersections of the shade tree and utility easement and the side lines for new Lot 3.02 to avoid conflicting with the existing utility boxes. 14. The Surveyor's Certification has not been signed since the monuments have not yet been set. 15. The Improvement Plan includes one (1) proposed street tree to be planted within the easement along the Lanes Mill Road frontage since there are other existing large trees within the easement. There are already two (2) existing large trees with the easement along the Alamitos Drive frontage. 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. 16. Our site investigation notes that the survey accurately locates the existing large trees onsite. If this development is approved, proposed Lot 3.01 must comply with the Township Tree Ordinance at time of Plot Plan review. Based on the proposed improvements shown, the trees to be removed should be indicated. 17. Seasonal high water table and permeability information will be required for the proposed onsite septic, storm water management, and if a basement is proposed for new Lot 3.01. 18. The existing onsite septic and well for the dwelling to remain must be shown as it could impact the subdivision design, as well as the design of the storm water management, septic, and well for the future dwelling on proposed Lot 3.01. 19. The dimensioning of the proposed driveway for new Lot 3.01 shall be completed. A turnaround has been provided since the driveway intersects Lanes Mill Road, a County Highway. 20. The Improvement Plan indicates that runoff from proposed the dwelling shall be piped into a drywell. The runoff from the proposed driveway must also be considered. 21. Proposed storm water management shall be designed at time of Plot Plan submission. 22. Proposed grading is indicated on the Improvement Plan. Proposed grading should be designed to minimize runoff directed towards adjoining lots. 23. The Improvement Plan shall include any improvements required by the Board along Lanes Mill Road. 24. 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. 25. Compliance with the Map Filing Law is required. 26. Construction details shall be completed on the Improvement Plan in accordance with any conditions of approval required by the Board. 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; d. Ocean County Board of Health; and e. All other required outside agency approvals.

Mr. Vogt stated variances are requested for lot area. A design waiver is requested from providing curb and sidewalk along the frontage of proposed lot 3.01 on Lanes Mill Road.

Mr. Sam Brown, Esq. stated that everything in the engineer's review letter is acceptable and he will be ready to testify at the public hearing.

A motion was made by Mr. Sussman, seconded by Mr. Herzl to advance the application to the December 16, 2014 meeting.

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

- 4. SD 1994** (Variance Requested)
Applicant: Jonathan Schlesinger
Location: Mountain View Drive
Block 1077.03 Lot 21
Minor Subdivision to create 2 lots

Project Description

The applicant is proposing to subdivide an existing residential property into two (2) single family residential lots. The site, consisting of existing Lot 21 in Block 1077.03 would be subdivided into proposed Lots 21.01 and 21.02 as designated on the subdivision plan. The existing tract is irregular in shape containing 69,209 square feet, or 1.59 acres and has an existing two-story dwelling with a substantial area of freshwater wetlands. The subdivision would create two (2) new proposed irregular lots. Proposed Lot 21.01 would be a 13,801 square foot lot and still contain the existing dwelling. Proposed Lot 21.02 would be a 55,408 square foot new building lot which would require Transition Area Averaging to be viable. Some of the existing wood fence which would encroach onto new Lot 21.02 would need to be removed. The site is situated in the southern portion of the Township on the southwest intersection of Mountain View Drive and Chestnut Street. The property around the vicinity of the existing dwelling has been cleared; otherwise, most of the land remains wooded. Two (2) large isolated trees exist within the cleared area which have been located and shown on the survey. The property slopes generally downward towards the wetlands on the north side. The two (2) wetlands pockets are shown to be delineated by Dubois Environmental Consultants. Chestnut Street is an improved County Highway with existing curb and sidewalk along the project frontage. The Tax Maps indicate the right-of-way width of Chestnut Street to be sixty-six feet (66'), while the survey shows the right-of-way to be fifty feet (50') wide. Based on our observation of the existing pavement width, we believe the Tax Maps to be correct. There are utility poles with overhead wires on the south side of Chestnut Street. Mountain View Drive is an improved municipal road with a fifty foot (50') right-of-way and a pavement width of approximately thirty-two feet (32'). The street is in fair condition. Sidewalk and curb in fair condition currently does exist along the frontage of the property. Potable water, sanitary sewer, and gas are all available. Underground electric is present along Mountain View Drive. Street lighting is present along the southeast side of Mountain View Drive. A fifty foot (50') wide wetlands buffer area is proposed from the wetlands limit line. A Wetlands Transition Line is proposed to make new Lot 21.02 a viable building lot. A compensation area of 2,476 square feet is proposed to offset a 2,472 square foot reduction area. The proposed lots are situated within the R-12, Single-Family Residential Zone. The surrounding land uses are residential. A minimum lot width variance for proposed Lot 21.01 would be required to create this subdivision. We have the following comments and recommendations: I. Zoning 1. The parcels are located in the R-12 Single-Family Residential Zone District. Single-family detached dwellings are a permitted use in the zone. 2. Per review of the Subdivision Map and the zone requirements, a variance is required for Minimum Lot Width – New Lot 21.01, eighty feet (80') proposed, ninety feet (90') 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. An Outbound and Topographic Survey has been provided. Only a partial topography has been proposed since there will be no development within the freshwater wetlands area. However, the survey must be revised as follows: a. The proposed layers for the Minor Subdivision Plan must be turned off. b. There is a Mt. Laurel, NJ 08054 label shown erroneously. c. Bearings and distances for the wetlands limit lines should be added. d. Tie distances should be added from existing property corners to the intersections of the wetlands limit lines with property lines. e. Add the existing wood fence on the southwest side of the dwelling. f. Correct the Chestnut Street right-of-way and add the existing utility poles. g. Add the gas and water mark outs. h. Show a consistent line type for the sanitary sewer main. i. The sign face shown along Mountain View Drive is actually facing the wrong direction. 2. A wood fence crosses the property line between Lots 20 and 21. Any approvals shall be conditioned upon rectifying this encroachment. 3. An existing wood fence would encroach onto proposed Lot 21.01. Any approvals shall be conditioned upon rectifying this proposed encroachment. 4. The Minor Subdivision shows a 2,472 SF reduction area associated with the proposed transition limit

line. It also shows a 2,476 SF compensation area. Bearings and distances must be added to the proposed Wetlands Transition Line. 5. Bearings and distances shall also be added to the fifty foot (50') Wetlands Buffer Line at least in the locations where this line is not overridden by transition area averaging. A tie distance shall be added from an existing property corner. 6. The Area Map should show zones and zone boundaries. 7. Coordinates are provided on three (3) outbound corners. Horizontal datum has been assumed. 8. The bench mark shown on the survey must be provided on the Minor Subdivision Plan. 9. General Notes on the Minor Subdivision Plan and on the Improvement Plan should include that the vertical datum is assumed and reference the bench mark 10. An asterisk footnote for "variance required" shall be added to General Note #7 11. Proposed Lot 21.02 would become a corner property. Therefore, the proposed combined side yard setback would not be applicable. 12. The NJ R.S.I.S. requires 2.5 off-street parking spaces for a single-family dwelling when the number of bedrooms is not specified. The Zoning Data indicates that four (4) off-street parking spaces are required and being provided. The proposed asphalt driveway shown on the Improvement Plan for new Lot 21.02 is large enough to accommodate four (4) vehicles. The existing asphalt driveway for new Lot 21.01 is large enough for four (4) vehicles. Testimony should be provided on the number of bedrooms anticipated for the proposed dwelling on new Lot 21.02. Testimony on off-street parking shall be provided. 13. A proposed six foot (6') wide shade tree and utility easement is shown along the property frontage upland of the wetlands transition line. Areas have been provided for the proposed easement on an individual lot basis. However, proposed bearings and distances have not been completed on new Lot 21.02. 14. Any sight triangle easement required at the intersection of Chestnut Street and Mountain View Drive will be dictated by the County. 15. The ten foot (10') side setback line on the northeast side of proposed Lot 21.01 shall be corrected to fifteen feet (15'). 16. The Surveyor's Certification has not been signed since the proposed monument between new Lots 21.01 and 21.02 has not been set. 17. Pins shall be proposed for the controlling buffer or transition line at all changes in direction and intersections with property lines. 18. New lot numbers should be assigned by the Tax Assessor. The map shall be signed by the Tax Assessor should approval be granted. 19. General Note #10 on the Improvement Plan shall be revised to state "proposed coverage for new Lot 21.02 shall not exceed thirty percent (30%)". 20. General Note #11 on the Improvement Plan indicates that seasonal high water table was encountered at forty-eight inches (48"). A minimum two foot (2') separation must be provided from seasonal high water table if a basement is proposed for the new dwelling. Testimony should be provided on whether any basement proposed will be unfinished. 21. Testimony should be provided on the disposition of storm water management for the proposed development of new Lot 21.02. A minimum two foot (2') separation must be provided from seasonal high water table for any recharge proposed. 22. The Improvement Plan shows proposed site grading. The proposed site grading should minimize runoff into the wetlands. 23. The existing curb ramps at the intersection of Chestnut Street and Mountain View Drive must be updated to be ADA compliant. 24. The Improvement Plan shows existing curb and sidewalk. The existing sidewalk in front of the site is four feet (4') wide. Pedestrian bypass areas must be added along Mountain View Drive. 25. The existing sidewalk shall be replaced at the proposed driveway location for new Lot 21.02. 26. The project is located within the New Jersey American Water Company franchise area. The future dwelling will be connected to the existing water main in Mountain View Drive. The future dwelling will also be connected to the existing sanitary sewer in the center of Mountain View Drive. 27. Three (3) street trees are shown within the proposed six foot (6') wide shade tree and utility easement on the subdivision plan. Street trees should be provided to the satisfaction of the Board and should conform to recommendations (if any) from the Township Shade Tree Commission as practicable. 28. These three (3) shade trees are not labeled. There is an incomplete call out leader attached to one (1) of the trees. 29. A Planting Schedule must be included. 30. Our site investigation indicates two (2) isolated large trees on the property which are in the cleared area and have been located in the future building area. The Improvement Plan should be revised to indicate that these large trees will be removed. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review for proposed Lot 21.02. 31. 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. 32. Compliance with the Map Filing Law is required. 33. Construction details have been included on the Improvement Plan. Construction details will be reviewed after plan revisions are submitted. 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; d. New Jersey Department of Environmental Protection; and e. All other required outside agency approvals.

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

Mr. Sam Brown, Esq. stated the engineer's review letter is acceptable and will be ready to testify at the public hearing.

A motion was made by Mr. Herzl, seconded by Mr. Schmuckler to advance the application to the December 16, 2014 meeting.

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

5. **SD 1997** (Variance Requested)
Applicant: MNYK Developers at Prospect, LLC
Location: Lewin & Rachel Avenues
Block 472 Lots 1, 4, & 7
Preliminary and Final Major Subdivision to create 20 fee simple duplex units

This application is being carried to the November 18, 2014 meeting.

6. **SD 1998** (Variance Requested)
Applicant: MNYK Developers at Prospect, LLC
Location: Nussbaum & Amsterdam Avenues
Block 461 Lots 1, 4, & 5
Preliminary and Final Major Subdivision to create 20 fee simple duplex units

This application is being carried to the November 18, 2014 meeting.

7. PUBLIC HEARING

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

This application is being carried to the November 18, 2014 meeting.

2. **SD 1966** (Variance Requested)
Applicant: Yehuda Ehrman
Location: Lanes Mill Road
Block 189.16 Lot 50.01 & 50.02
Minor Subdivision to create 3 lots

Project Description

The applicant is seeking a Preliminary and Final Major Subdivision approval. The applicant proposes to remove two (2) single family dwellings and construct one (1) single family residence and three (3) duplexes on six (6) zero lot line properties. The existing two (2) tracts known as Lots 89 and 90 in Block 223 are proposed to be subdivided into seven (7) proposed lots shown as new Lots 89.01 through 89.07 on the Major Subdivision Plan. The entire tract totals 1.07 acres in area and consists of two (2) existing residential properties. The back of these lots are heavily wooded. There are some large trees on the property, particularly on Lot 89. The plan states that all existing structures are to be removed. The land generally slopes from north to south towards Ridge Avenue. The site is situated in the north central portion of the Township on the northeast side of Ridge Avenue, southeast from Manetta Avenue. Ridge Avenue has a thirty-three foot (33') right-of-way and a twenty-four foot (24') pavement width. Curbing and sidewalk are in fair condition, but the pavement is in poor condition. No right-of-way dedication is proposed. An eight and a half foot (8.5') road widening easement is proposed. Twenty-eight (28) parking spaces are proposed for the seven (7) units. Two (2) of the proposed parking spots for the single-family residence, on new Lot 89.01, are accessed from Ridge Avenue. The rest of the proposed off-street parking would access a private twenty-six foot (26') wide road complete with curb. Associated site improvements are proposed for the major subdivision. These improvements include water, sewer, and drainage; curbing and sidewalk along Ridge Avenue, and landscaping. The subject site is located within the R-10 Single-Family Residential Zone District. The area is virtually all residential development.

We have the following comments and recommendations per testimony provided at the 9/9/14 Planning Board Plan Review Meeting and comments from our last review letter dated August 13, 2014: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. B2 - Topography within 200 feet thereof. 2. B4 - Contours of the area within 200 feet of the site boundaries. 3. B10 - Man-made features within 200 feet thereof. 4. C13 - Environmental Impact Statement. We have reviewed the requested waivers from the Land Development Checklist and offer the following comments for the Board's consideration: We can support the "B-Site Features" waivers since there is enough information provided for design. We can support the waiver from providing an Environmental Impact Statement due to the developed nature of the site. The Board approved the submission waivers. II. Zoning 1. The site is situated within the R-10, Single-Family Residential Zone. Per Section 18-902F.1.a. & b., of the UDO, "Single Family Detached Housing" is listed as a permitted use, and "Two Family and Duplexes, with a minimum lot size of twelve thousand square feet (12,000 SF) and a minimum lot width of seventy-five feet (75')" is listed as a permitted use. Furthermore, zero lot line development is permitted in the zone. Statements of fact. 2. A variance is required for minimum lot frontage on proposed Lots 89.02 through 89.07. The proposed lots have no road frontage, whereas seventy-five feet (75') would be required (37.5 feet for zero lot line properties). The Board shall take action on the required variance. 3. The revised plans require a minimum lot area variance. The proposed lot area for the combination of new Lots 89.06/89.07 would be 11,956.29 square feet, whereas twelve thousand square feet (12,000 SF) would be required. The Board shall take action on the required lot area variance. 4. The applicant's engineer contends that minimum front yard setbacks do not apply to a private road. The single family dwelling on proposed Lot 89.01 would be setback 13.17 feet from the private road. The duplex units on proposed Lots 89.02 and 89.03 would be setback 8.17 feet from the private road. The duplex units on proposed Lots 89.04 through 89.07 would be setback 27.31 feet from the private road. Thirty foot (30') front yard setbacks are required. 5. A variance is required for the aggregate side yard setback of proposed Lot 89.01. The proposed lot has a combined side yard setback of 23.17 feet, where twenty-five feet (25') is required. Assuming there is no front yard setback from a private road, the revised plans propose a combined side yard setback of 23.18 feet for new Lot 89.01. The Board shall take action on the required aggregate side yard setback variance. 6. A waiver from right-of-way dedication is required. An eight and a half foot (8.5') road widening easement is proposed instead of the right-of-way dedication. The Board shall take action on the required waiver from providing right-of-way dedication. 7. 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.

III. Review Comments A. General

1. Off-street parking: According to the plans provided, the applicant is proposing four (4) off-street parking spaces per dwelling which is enough to be in compliance with the RSIS and Township standards of four (4) off-street parking spaces required. Up to six (6) bedrooms per unit with an unfinished basement are permitted for this project to be in compliance with parking ordinance 2010-62. The architectural plans indicate that five (5) bedroom units with basements will be proposed. Statements of fact.
2. The revised plans propose a private road with an 18'x18' K-turn section added. A Circulation Plan should be provided to determine its adequacy. Approval from the Lakewood Department of Public Works will be required.
3. The plans indicate that trash and recyclable collection for the residential subdivision is to be provided by the Township of Lakewood. Each unit shall have an area designated for the storage of trash and recycling containers. A couple of proposed angled trash enclosures without dimensions have been added near the front of the site. This requires the access road to be narrowed to twenty-four feet (24') near Ridge Avenue. Furthermore, the proposed trash enclosures have not been screened. Approval from the Lakewood Department of Public Works will be required.
4. The proposed lot numbers shall be approved by the Tax Assessor. The Final Plat shall be signed by the Lakewood Tax Assessor. The Lakewood Tax Assessor signature is required prior to map filing should approval be granted.
5. 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. The agreement must be provided with resolution compliance submission should approval be granted.

B. Plan Review

1. A Survey for the property has been provided. The following revision is required:
 - a. Both lots are labeled Lot 90. The larger of the two (2) lots should be corrected to Lot 89. The applicant's engineer previously indicated that the survey is being revised and will be submitted for resolution compliance should approval be granted.
2. Circulation for the private road shall be designed for all Township vehicles, such as fire and sanitation trucks. While a turnaround has been provided, a Circulation Plan demonstrating its functionality has not been submitted.
3. The driveway encroachment onto neighboring Lot 91 shall be addressed. The applicant's engineer previously indicated that the existing driveway will be removed. The plans shall be revised for resolution compliance submission should approval be granted.
4. The Zoning Data needs to be edited. The Zoning Data has been revised based on the plan revisions. Final corrections shall be provided for resolution compliance submission if approval is granted.
5. Many corrections are required to the proposed dimensions and offsets. Corrections have been made based on design revisions. Final corrections shall be provided for resolution compliance submission if approval is granted.
6. Proposed setback lines should be provided for all lots. Proposed setback lines shall be added for resolution compliance submission should approval be granted.
7. Based on the architectural plans, the proposed decks should be corrected to 12' X 12' for new Lots 89.02 and 89.03. Based on the revised design, it appears the architectural plans previously provided are no longer valid. Confirmation is required from the applicant's professionals. The architectural plans shall be revised for resolution compliance submission should approval be granted.
8. The Subdivision Plans shall be coordinated with the Architectural Plans since the proposed site improvements will be impacted. Coordination must be provided for resolution compliance submission if approval is granted.
9. Access points and stairs should be shown as indicated on the Architectural Plans. Access points and stairs must be provided for resolution compliance submission if approval is granted.
10. No sight triangles are shown. Sight Triangle Easements to the Township should be proposed at the vehicular intersection point along Ridge Avenue. The applicant's engineer previously indicated that the sight triangle will be provided during resolution compliance should approval be granted.
11. We recommend the proposed off-street parking spaces with direct access to Ridge Avenue be relocated to access the private road. The applicant's engineer indicates that the applicant would like to retain the two (2) proposed off-street parking spaces backing out directly

onto Ridge Avenue. We recommend the Board require the relocation of these proposed spaces since Ridge Avenue is a heavily traveled narrow street. 12. The curb and sidewalk along Ridge Avenue is proposed to be replaced. Statement of fact. C. Architectural 1. Three (3) preliminary architectural plans have provided. A 35' X 64' single family residence is proposed on new Lot 89.01. The duplex units on proposed Lots 89.02 and 89.03 would be 30' X 50'. The duplex units on proposed Lots 89.04 through 89.07 would be 30' X 60'. The proposed heights of all units would be less than the allowable thirty-five feet (35'). Based on the revised construction plan design submitted, it appears these preliminary architectural plans are no longer valid. 2. We recommend that location of air conditioning equipment be shown and adequately screened. Revised construction plans and/or architectural drawings are required. 3. Decking dimensions and access need to coordinate with the site plans. Coordination must be provided for resolution compliance submission if approval is granted. D. Grading 1. A profile of the private road with proposed utilities and drainage is required. We recommend the Board condition any approvals on providing a profile for the proposed private road, utilities, and drainage. 2. Basements are proposed for all units. Seasonal high water table information must be provided to substantiate a minimum two foot (2') separation to the proposed basement floors. Seasonal high water table information shall be provided with resolution compliance submission should approval be granted. 3. A detailed review of the grading can be completed during compliance submission; if/when this subdivision and subsequent site plan is approved. A preliminary review has been conducted and we offer the following comments to be considered for resolution compliance submission should approval be granted: a. The base map must show existing grades to the hundredth of a foot as shown on the survey. b. A gutter repair shall be included with the curb replacement along Ridge Avenue. E. Storm Water Management 1. 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 land disturbed. As a result, the project must meet water quality and water quantity reduction rate requirements. A drainage area map is included along with hydrograph information. However, a complete Storm Water Management Report must be provided for review with resolution compliance submission if approval is granted. 2. Soil borings and permeability testing must be provided within the proposed project to confirm the seasonal high water table depth and infiltration rates since underground recharge is being designed. Soil borings and permeability testing must be provided with resolution compliance submission should approval be granted. 3. The Storm Water Management Report and Design will be reviewed in detail after a revised submission of the project is made. We note that the latest design proposes drainage easements. However, a dedicated party has not been provided. Testimony shall be provided on the future ownership and maintenance of storm water management facilities. 4. A Storm Water Management Operation & Maintenance Manual shall be submitted for the residential subdivision per the NJ Storm Water Rule (NJAC 7:8) and Township Code. The Manual will be reviewed in detail after the storm water management design is found to be acceptable. Statements of fact. F. Landscaping 1. Proposed landscaping is illustrated on the Grading & Utility Plan. Three (3) Willow Oak shade trees have been provided in front of the residential units on Sheet 2 of 4. Statements of fact. 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. The site will be cleared as necessary for the construction of the project. Compensatory plantings shall be addressed with the Tree Protection Management Plan. The Board should provide landscaping recommendations. The Shade Tree Commission commented that foundation plantings shall be included for each unit in accordance with the Ordinance. A Tree Protection Management Plan has been submitted. 3. Landscaping shall be reviewed in detail after compliance submission should subdivision approval be granted. Statement of fact. G. Lighting 1. No additional street lighting or site lighting is proposed. This matter must be addressed. The applicant's engineer previously indicated that a lighting plan is being prepared and will be provided with resolution compliance submission should approval be granted. H. Utilities 1. Utility information is provided on Sheet 2. As illustrated, the existing sanitary sewer main is in the center of Ridge Avenue. Proposed sewer pipe will be laid under the proposed private roadway. A terminal manhole can be provided for resolution

compliance submission if approval is granted. 2. Proposed potable water services will be installed from the future units to an existing main on the north side of Ridge Avenue. Testimony should be provided on fire safety. I. Signage 1. No regulatory signage is shown or proposed. Any approvals should be conditioned upon providing regulatory signage. 2. All signage proposed that is not reviewed and approved as part of this application, if any, shall comply with Township ordinance. Statement of fact. J. Environmental 1. Tree Management A Tree Protection Management Plan has been submitted. The Tree Protection Management Plan shall be reviewed in detail after compliance submission should subdivision approval be granted. Statements of fact. K. Construction Details 1. Final review of construction details will take place after compliance submission, if/when this project is approved by the Board. Statement of fact. L. Final Plat (Major Subdivision) 1. The Final Plat shall be corrected in accordance with the previous applicable plan review comments. Corrections shall be provided with resolution compliance submission should approval be granted. 2. The Surveyor's Certification has not been signed since the monuments have not been set. The date on the certification shall be corrected to match the survey for resolution compliance submission should approval be granted. 3. The property owners name in the signature block does not match the name in the Notary Public Certification. This information must be rectified with resolution compliance submission should approval be granted. 4. Coordinates shall be provided on at least three (3) outbound corners. The applicant's engineer previously indicated that coordinates will be added for resolution compliance submission should approval be granted. 5. Proposed monuments shall be added to the outbound corners. The applicant's engineer previously indicated that proposed monuments will be added for resolution compliance submission should approval be granted. 6. The private access road shall be added. The private access road being a common element shall be added for resolution compliance submission should approval be granted. 7. Overwrites shall be eliminated. Overwrites can be eliminated for resolution compliance submission should approval be granted. 8. Compliance with the Map Filing Law is required. Statement of fact. 9. The Final Plat will be reviewed in detail after design revisions are undertaken for the project. Statement of fact. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Department of Public Works (trash and recycling collection); b. Developers Agreement at the discretion of the Township; c. Township Tree Ordinance; d. Ocean County Planning Board; e. Ocean County Soil Conservation District; and f. 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 requested for lot area and lot width.

Mrs. Miriam Weinstein, Esq., on behalf of the applicant, stated the applicant had previously filed an application with the Zoning Board for a retail store on the property. Many of the neighbors approached the applicant and expressed their objections. The applicant met with the neighbors and tried to come up with a use that would satisfy all parties. Duplexes were considered but the neighbors were still not happy with that plan. That is why they are here tonight with single family homes. There are some variances associated with the application and across the street is the R-15 zone and these lots would pretty much be compliant with that zone.

Mr. Brian Flannery, P.E., P.P. was sworn in. He entered a rendered version of the site plan as exhibit A-2. The site currently has an existing house and a barn which are in dire need of redevelopment. Exhibit A-1 is a copy of the tax map showing the surrounding lots.

Mr. Schmuckler asked where the Percal map was.

Mr. Flannery said he does not have one. He explained that the R-15 zone is right across the street.

Mr. Schmuckler said they would not comply with the R-15 zone either. He does not want to start a trend of granting these type of variances in this area.

Mrs. Weinstein made the argument that this is on Lanes Mill Road and not on one of the side streets.

Mr. Schmuckler said the zoning does not change just because it is on a busy road.

Mr. Sussman asked if there are any other lots in the area where they can come in with a similar plan.

Mr. Flannery said there are no other properties that are similar to this.

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

A motion was made by Mr. Herzl, seconded by Mr. Rennert to approve.

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

No: Mr. Schmuckler

8. CORRESPONDENCE

9. PUBLIC PORTION

10. APPROVAL OF MINUTES

11. APPROVAL OF BILLS

12. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Sarah L. Forsyth
Planning Board Recording Secretary