

## 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. 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. Franklin, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert

## 3. SWEARING IN OF PROFESSIONALS

Mr. Vogt was sworn in.

## 4. PUBLIC HEARING ITEMS

- 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.

Ms. Morris stated that a variance is being requested for minimum lot width.

Mr. Abraham Penzer, Esq. on behalf of the applicant.

Mr. Glenn Lines, P.E. was sworn in stated that they are proposing a duplex on a 65 ft wide lot on Spruce Street. There is an identical subdivision that was approved by the Board to the east. We can agree to the engineer's review letter. There will be four parking spots per unit including a circular driveway. One apartment per basement.

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

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

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

- 2. SD 1854** (Variance Requested)  
Applicant: Dewey Court, LLC  
Location: Dewey Avenue, south of East Fourth Street  
Block 247 Lots 11-16  
Preliminary & Final Major Subdivision to create 12 zero lot line lots  
(6 duplex units)

### **Project Description**

The applicant is seeking a Zero Lot Line Major Subdivision approval in accordance with Section 18-911 of the UDO. The applicant proposes the subdivision of six (6) existing lots to create twelve (12) proposed lots with six (6) duplex structures. The existing six (6) lots of approximately 1.63 acres known as Lots 11 - 16 in Block 247 are proposed to be subdivided

into proposed Lots 11.01 - 11.12 on the Major Subdivision Plan. A cul-de-sac for the subdivision project is proposed, upon which most of the residential lots would front. The subject property is located on the westerly side of Dewey Avenue, a Township road, in the north central portion of the Township, south of East Fourth Street. Dewey Avenue is improved with sidewalk, curb, and driveway aprons constructed across the frontage of the site. The existing right-of-way width of Dewey Avenue is forty feet (40'). No additional right-of-way dedication is proposed. However, a five foot (5') wide road widening easement has been proposed. The site is currently occupied by six (6) single-family homes with associated driveways and accessory structures. All existing improvements will be removed to make way for the proposed residential subdivision. Besides the existing single-family dwellings the site contains mostly grassed areas. The land slopes gently from north to south with minimal existing elevation drop. The tract is basically bordered with developed residential lands. Proposed storm water management facilities and utilities are associated with this project. The project site discharges runoff to the surrounding area. Accordingly, proposed storm water management devices are proposed for water quantity and quality treatment. An underground recharge system is proposed for the cul-de-sac, as well as perimeter site recharge, and individual roof recharge systems. Proposed sanitary sewer will connect to an existing system in Dewey Avenue. Proposed potable water for the subdivision will connect to an existing main on the west side of Dewey Avenue. Four (4) off-street parking spaces are proposed for each duplex unit. The number of bedrooms for the units is not specified on the subdivision plans. The project is also proposing curb and sidewalk throughout. The subject site is located within the R-7.5 Single Family Residential Zone District. Duplex housing is a permitted use in the zone district. The site is situated within a predominantly residential area. We have the following comments and recommendations per testimony provided at the 7/10/12 Planning Board Plan Review Meeting and comments from our initial review letter dated June 28, 2012: 1. Zoning 1. The site is situated within the R-7.5, Single-Family Residential Zone District. Per Section 18-902G.1.b., of the UDO, "Two Family Housing and Duplexes, provided that existing lots have a minimum lot size of ten thousand (10,000) square feet and newly created lots have a minimum lot size of ten thousand (10,000) square feet and have a minimum lot width of sixty (60) feet" are permitted. Zero lot line subdivisions for duplexes are permitted in the R-7.5 Zone. Statements of fact. 2. According to our communications with the applicant's attorney, the Major Subdivision Plan will be revised to eliminate the following lot width variances for the zero lot line subdivision approval requested: • Minimum Lot Widths – Proposed Lots 11.05, 11.06, and 11.08 are less than thirty feet (30') at the front setback line, where thirty feet (30') is required. Revised plans will be submitted to increase the proposed front yard setback on the cul-de-sac lots to thirty-six feet (36'), which permits off-street parking in front of the units. The minimum lot widths will become conforming by making this change. The plans still require revisions to provide thirty-six foot (36') minimum front yard setbacks which would eliminate any proposed minimum lot width variances. 3. The revised plan proposes the following new variances: • A Side Yard Setback variance for proposed Lot 11.06 where a 6.75 foot setback is being provided at the front corner of the building and a seven foot (7') setback is required. • A Rear Yard Setback variance for proposed Lot 11.02 where a 7.50 foot setback is being provided and a fifteen foot (15') setback is required. • Most of the proposed units shown on the revised Preliminary Plat exceed the one thousand five hundred square feet (1,500 SF) shown. Therefore, the allowable Maximum Building Coverage of thirty percent (30%) is being slightly exceeded for the following combination of proposed Lots: Proposed Lots 11.01/11.02 – 30.18%. Proposed Lots 11.07/11.08 – 30.34%. Proposed Lots 11.09/11.10 – 30.09%. Proposed Lots 11.11/11.12 – 30.20%. 4. At least two (2) non-radial lot lines have been proposed around the cul-de-sac for

the project to meet the minimum required lot areas. All non-radial lines shall be designated and a design waiver requested from the Board under Section 18-805 of the UDO. The revised plans propose five (5) non-radial lot lines around the cul-de-sac for the project to meet the minimum required lot areas. The Board shall take action on the design waiver required. 5. The right-of-way width of Dewey Avenue is forty feet (40'). Unless waived by the Board a proposed right-of-way dedication of five feet (5') is required for Dewey Avenue which would bring the half right-of-way width to the proper dimension of twenty-five feet (25'). Should the Board waive the required right-of-way dedication, we recommend that a road widening easement of five feet (5') be proposed. The revised plans propose a five foot (5') wide road widening easement along Dewey Avenue (which must be labeled on the Preliminary Plat) instead of a right-of-way dedication. The Board shall take action on the required waiver from a proposed right-of-way dedication. 6. 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 A. General 1. Off-street parking: According to communications with the applicant's attorney, the plans will be revised to provide four (4) off-street parking spaces per unit, for a total of forty-eight (48) off-street parking spaces for the proposed twelve (12) units. The four (4) on-street parking spaces proposed for the cul-de-sac will be eliminated, as the proposed locations of the on-street parking spaces would restrict school bus turnaround in the bulb. The preliminary plat layout has been revised to provide four (4) off-street parking spaces per unit and eliminate on-street parking spaces from the proposed cul-de-sac. The Zoning Requirements list 4.3 off-street parking spaces per unit are required. This discrepancy must be addressed. 2. It is not indicated whether trash and recyclable collection is to be provided by the Township of Lakewood. Each unit shall have an area designated for the storage of trash and recycling containers. This matter is not addressed on the site plans and architectural plans have not been submitted. A meeting on the proposed project was held with the Department of Public Works and it is our understanding that collection is to be provided by the Township. A General Note shall be added to the plans accordingly. 3. The Storm Water Management Report indicates that the ownership and maintenance of the proposed storm water management system will be a homeowners association. This would include the proposed system beneath the cul-de-sac. The General Notes should address the ownership and maintenance of the proposed storm water management system. Testimony should also be provided as to whether the proposed cul-de-sac will be privately owned. As mentioned previously, a meeting on the proposed project was conducted with the Department of Public Works. The proposed cul-de-sac and storm water management system within the cul-de-sac will be owned and maintained by the Township. Therefore, the applicant shall pay a one-time maintenance fee to the Township in the amount of six thousand dollars (6,000.00). The proposed perimeter storm water management system located on individual lots will be owned and maintained by a Homeowners Association. 4. A new road name for the cul-de-sac has not been proposed for the project. A road name can be proposed with resolution compliance submission should subdivision approval be granted. 5. The proposed multiple building configurations indicate the requirements in 18-821 (Building Uniformity in Residential Developments) will be met. A minimum of two (2) basic house designs are required for developments consisting of between four (4) and six (6) homes. The plans show four (4) basic house designs. B. Plan Review 1. Zone boundary lines need to be added to the plans. The Zoning Map on the Title Sheet incorrectly lists the project to be in the R-10 Zone. Corrections have been made. The scale of the Zoning Map shall be corrected for resolution compliance submission should approval be granted. 2. The following corrections

should be made to the Zoning Requirements: a. Single-family residential should be eliminated since all proposed units are two-family residential. b. The required lot area for two-family residential is ten thousand square feet (10,000 SF). c. The required lot width for two-family residential is sixty feet (60'). d. The provided maximum building coverage should be less than thirty percent (30%). Based on the revised plans, some corrections to the Zoning Requirements must be made and can be provided with resolution compliance submission should approval be granted. 3. The Preliminary Plat shall have typical dimensions and road stationing added. Typical dimensions and road stationing has been added. Stationing shall shift to the proposed curb around the cul-de-sac bulb for the curb design and can be provided with resolution compliance submission should approval be granted. 4. Horizontal Datum shall be addressed. Vertical Datum is assumed and a benchmark shall be indicated. According to the proposed coordinates, the revised Final Plat indicates that Horizontal Datum is assumed. We have not found a benchmark on the plans. A benchmark can be provided with resolution compliance submission should approval be granted. 5. Proposed off-street parking spaces shall be provided with minimum dimensions. The proposed minimum off-street parking space dimensions must be added to the layout of the Preliminary Plat to insure the parking spaces are constructed large enough. The proposed dimensions can be provided with resolution compliance submission should approval be granted. 6. Curb and sidewalk is proposed throughout the development. The plans and construction details shall be coordinated to indicate a consistent five foot (5') proposed sidewalk width. The existing curb and sidewalk along Dewey Avenue will be replaced since it is unsalvageable with the proposed project development. Proposed sidewalk width shall be dimensioned along with distances from face of curb and right-of-ways. Proposed handicapped ramp locations should be added at the intersection. The revised plans propose a consistent five foot (5') sidewalk width with curb ramp locations added at the intersection. It appears a three foot (3') dimension should be added from the proposed face of curb to the sidewalk around the cul-de-sac. Therefore, a one foot (1') dimension should be added from the proposed right-of-way to the sidewalk around the cul-de-sac. The corrections can be provided with resolution compliance submission should approval be granted. 7. Two (2) dimensions are shown on proposed Lot 11.01 which must be clarified. The clarifications can be provided with resolution compliance submission should approval be granted. C. Grading 1. Detailed grading is provided on a Grading & Drainage Plan which is Sheet 4 of 7. A storm sewer collection system is proposed to collect runoff and recharge it within dry wells, a partial site perimeter recharge system, and the recharge system under the right-of-way of the cul-de-sac. The revised Grading & Drainage Plan is Sheet 4 of 8 of the plan set. 2. Road profiles are required for the cul-de-sac and Dewey Avenue. Profiles have been provided for Dewey Avenue and the cul-de-sac. The following revisions are required and may be provided with resolution compliance submission should approval be granted: a. The proposed curb returns with stationing and elevations for the new cul-de-sac shall be added to the Dewey Avenue profile. b. A proposed curb/gutter design with slopes, and if necessary, vertical curves shall be added to the Dewey Avenue profile. c. The manhole rims on the Dewey Avenue profile shall match the existing grades since they are located on the centerline. d. The proposed slope for the grading of the new cul-de-sac road shall be designed to intersect the proposed gutter station and elevation of Dewey Avenue. e. Proposed horizontal control points shall be added to the cul-de-sac profile. The horizontal control points shall include curb returns, points of curvature, points of reverse curvature, and points of tangency. The stationing for the cul-de-sac bulb shall shift to the proposed curb line at the point of curvature entering the bulb and terminate at the point of tangency exiting the bulb. f. A short vertical curve should be designed for the proposed high point of the curb at the midpoint of the cul-de-sac bulb. 3. Off road profiles are required for the

proposed perimeter storm drainage recharge system. The elevation of the proposed system should be lowered to better keep runoff on-site. In addition, the perimeter system shall be expanded to eliminate runoff being directed off-site. The expansion of the perimeter storm sewer recharge system will allow the number of dry wells to be reduced. A profile of the perimeter drainage system has been provided. Proposed grading shall be added to the profile which directs runoff to the inlets. The proposed inlet grate elevations should be lowered to keep runoff on-site. The perimeter system shall be expanded to eliminate the runoff being directed onto neighboring properties. The expansion of the perimeter storm sewer recharge system will allow the dry wells to be eliminated. These revisions can be provided with resolution compliance submission should approval be granted. 4. A detailed review of the grading can be completed during compliance submission; if/when this subdivision is approved. Statement of fact. D. Storm Water Management 1. A proposed storm sewer collection system has been designed to convey storm water runoff into three (3) forms of underground recharge systems. The proposed collection system discharges into dry wells, a partial perimeter recharge system, and the recharge system located under the site access road. The Storm Water Management Report indicates the ownership and maintenance of the storm water management system will be by a homeowners association. As mentioned previously, a meeting on the proposed project was conducted with the Department of Public Works. The proposed storm water management system within the cul-de-sac will be owned and maintained by the Township. The proposed perimeter storm water management system located on individual lots will be owned and maintained by a Homeowners Association. We recommend the expansion of the perimeter recharge system which will allow the individual dry wells to be eliminated. Revisions can be provided with resolution compliance submission should approval be granted. 2. Roof recharge beds are proposed for most of the buildings to allow recharge of runoff from roof leaders. The revised plans propose dry wells for all of the buildings. However, many of the dry wells conflict with other improvements such as landscape screening. We previously recommended the expansion of the perimeter storm water management system which will allow the individual dry wells to be eliminated. Revisions can be provided with resolution compliance submission should approval be granted. 3. The Storm Water Management Report and Design will be reviewed in detail after revisions to the project are made. A revised Storm Water Management Report is required and may be provided with resolution compliance submission should approval be granted. 4. A Storm Water Management Operation & Maintenance Manual must be submitted per the NJ Storm Water Rule (NJAC 7:8) and Township Code. The Storm Water Management Operation & Maintenance Manual may be submitted with resolution compliance submission after the final storm water management design is approved by this office, should the Board grant subdivision approval. E. Landscaping 1. A Landscape Plan has been provided on Sheet 5 of 7. A Landscape Plan has been provided on Sheet 6 of 8 of the revised plan set. 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 Board should provide landscaping recommendations, if any. The Shade Tree Commission recommended the following: a. Replace the White Pines with either Arborvitae or Leyland Cypress because the planting density will be too crowded. b. Replace the Aristocrat Pears with another species that is less invasive. c. Propose coniferous screening trees in rear yards where plantings are scarce. 2. Landscaping shall be reviewed in detail during compliance should subdivision approval be granted. Statement of fact. F. Lighting 1. A Lighting Plan has been provided on Sheet 5 of 7. A Lighting Plan has been provided on Sheet 6 of 8 of the revised plan set. 2. A point to point diagram must be provided to verify the adequacy of the proposed lighting. Providing a point to point diagram may be a condition of approval. 3. Lighting shall be reviewed

in detail during compliance should subdivision approval be granted. Statement of fact. G. Utilities 1. The proposed sanitary sewer will connect to an existing system in Dewey Avenue. It may not be possible to service the basements by gravity. 2. Potable water is proposed to be extended from an existing main on the west side of Dewey Avenue. The proposed main terminates with a fire hydrant at the end of the cul-de-sac. H. Signage 1. No project identification signs are proposed. Confirming testimony should be provided. I. Environmental 1. Tree Management A Tree Protection Plan has been submitted, but is incomplete. The plan should be revised in accordance with Chapter XIX, Protection of Trees. The plan only locates existing trees having a diameter greater than ten inches (10"). An inventory is required, compensatory planting must also be addressed. Testimony should be provided on Tree Management. J. Construction Details 1. Construction details are provided on Sheets 6 and 7 of the plans. The revised plans provide construction details on Sheets 7 and 8. 2. All proposed construction details must comply with applicable Township or NJDOT standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete. All revised details must specify the correct class of concrete. 3. Final review of construction details will take place during compliance review, if/when this project is approved by the Board. Final review of the construction details may be a condition of approval since the project requires revisions. K. Final Plat (Major Subdivision) 1. The Zoning Requirements need revisions, similar to the Preliminary Plat. Some corrections to the Zoning Requirements are necessary based on the revised plans submitted. 2. A proposed six foot (6') wide Shade Tree and Utility Easement has been shown behind the road right-of-ways. Proposed survey information should be completed and easement areas provided for the individual lots. The proposed six foot (6') wide Shade Tree and Utility Easement has been moved behind the road widening easement along Dewey Avenue. The proposed lengths of the curves for the individual lots on the fifty-six foot (56') radius side of the easements must be added. 3. The proposed ten foot (10') wide Drainage Easement should be dedicated to the homeowners association. The revised plans propose the ten foot (10') wide Drainage Easement to the Homeowners Association. Proposed distances for the Drainage Easement shall be provided on an individual lot basis. 4. The proposed non-radial lot lines shall be labeled. The revised plans label most of the proposed non-radial lines. An additional non-radial line between proposed Lots 11.09 and 11.10 shall be indicated. 5. Compliance with the Map Filing Law is required. Statements of fact. 6. The Final Plat will be reviewed in detail after design revisions are undertaken for the project. The revised map provided requires corrections and must be finalized as a condition of approval. A cursory review notes the following: a. Two (2) "C6" curves are shown. b. A proposed unit is only shown on Lot 11.06. c. The outbound bearing and distance shall be moved to the opposite side of the line in "Detail A". The proposed rear lot line distance for Lot 11.06 shall be substituted for the text being moved. d. A revision to the proposed property line between Lots 11.09 and 11.10 should be considered to eliminate the parking easement. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Developers Agreement at the discretion of the Township; b. Township Tree Ordinance; c. Ocean County Planning Board; d. Ocean County Soil Conservation District; and e. All other required outside agency approvals. New Jersey American Water Company will be responsible for constructing potable water and sanitary sewer facilities.

Mr. Vogt stated that the application will have a deeper front setback so they will be compliant. He also went through the other variances requested including rear yard setback, side yard setback and maximum building coverage.

Mr. Doyle on behalf of the applicant said they accept a deeper setback which because of the way the lot lines fan out as you go further back the width becomes larger, so they will meet the 60 ft. The balance of the variances requested are nominal in nature.

Mr. Joseph Kociuba, P.E, P.P., of RC Associates was sworn in. Due to the shape of the existing lot, we create narrow lots due to the cult-de-sac. We have agreed to a minimum 36 ft front yard setback instead of 30 ft. The cult-de-sac is 50 ft which meets the requirements for cars, emergency vehicles and school busses. The variances requested are de minimis in nature. They will provide four parking spaces per unit. They will pay the \$6,000 maintenance fee. They had a meeting with the DPW and board engineer discussing the stormwater management. Minor details will be worked out but they do agree in concept. The location of the drywells, perimeter stormwater drainage, landscaping in the rear all will be done in accordance with the board engineer at the time of compliance. All the other items in the engineer's letter will be met.

Mr. Doyle stated that there will be a homeowner's association and will have the requirements to maintain the perimeter system. The street will be owned by the town.

Mr. Schmuckler stated that some of these variances are so minor that he doesn't see why they can't just cut them out so a variance would not be required.

Mr. Kociuba said they would have no objection to eliminating the variances except for the rear yard setback variance.

Mr. Franklin stated that there is a problem with snow plowing. There is nowhere to put the snow as public works does not remove snow, they only plow and they will block the driveways.

Mr. Schmuckler asked if that can be put in the developer's agreement.

Mr. Jackson does not believe the homeowner sees that developer's agreement.

Mr. Vogt stated that would be a question for the Township attorney.

Mr. Neiman opened 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 including the one variance for lot 11.02 for the rear yard setback only.

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

## 5. PLAN REVIEW ITEMS

- SD 1856** (Variance Requested)  
Applicant: Saul Gray  
Location: Regent Drive & Central Avenue  
Block 284 Lots 165 & 168

Minor Subdivision to create three lots

**Project Description**

The applicant seeks minor subdivision approval to subdivide two (2) existing lots totaling 0.768 acres in area known as Lots 165 and 168 in Block 284 into three (3) new residential lots. The subdivision proposes to keep two (2) existing dwellings on the new exterior lots, and provide one (1) new dwelling on the new interior lot. The proposed lots are designated as Lots 165.01 through 165.03 on the subdivision plan. Proposed Lot 165.01 will contain an existing two-story frame dwelling. Proposed Lot 165.02 would be created to provide a new dwelling. Proposed Lot 165.03 will contain a one-story frame dwelling with a one-story frame accessory building. According to the plan, public water and sewer is available. The site contains two (2) existing dwellings, two (2) driveways, fences, and an unidentified one-story building. The plans show that all existing buildings within the subdivision are to remain. It is not clear what improvements will be removed. The site is situated in the west central portion of the Township on the northwest corner of Regent Drive and Central Avenue. Regent Drive is a Township Road and Central Avenue is a County Highway. The existing right-of-way width of Regent Drive in front of the site is sixty feet (60'). A sixty-six foot (66') right-of-way width exists for Central Avenue. Regent Drive is a paved road in fair condition. The existing curbing in front of the site is in poor condition. No sidewalk exists along the Regent Drive property frontage. Central Avenue is a paved road in good condition. Curbing and sidewalk along Central Avenue is new. The surrounding area is predominantly residential. Variances will be required to create this subdivision. The lots are situated within the R-12 Single Family Residential Zone. 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 Housing with a minimum lot size of twelve thousand square feet (12,000 SF) is permitted in the zone. 2. Per review of the Subdivision Map and the zone requirements, the following variances are required for the proposed subdivision: • Minimum Lot Area – 10,000 SF for proposed Lots 165.01 and 165.02, 12,000 SF required – proposed condition. • Minimum Lot Width – 71.45 feet for proposed Lot 165.01, 84.74 feet for proposed Lot 165.02, about 69 feet for proposed Lot 165.03, 90 feet required – proposed condition. • Minimum Front Yard Setback – 24.8 feet for proposed Lot 165.01 and 29.6 feet for proposed Lot 165.03, 30 feet required – existing condition. • Minimum Side Yard Setback – 5.6 feet for proposed Lot 165.01 and 4.9 feet for proposed Lot 165.03, 10 feet required – proposed condition. • Minimum Aggregate Side Yard Setback – 20.0 feet for proposed Lot 165.03, 25 feet required – proposed condition. 3. The applicant must address the positive and negative criteria in support of the required variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. II. Review Comments 1. A Boundary & Topographic Survey of the property has been provided. 2. Horizontal and vertical datum has been assumed. A bench mark has been provided. 3. During our site investigation on 7/20/12 we noted some large trees of significance located on the site. These large trees have not been indicated on the survey. 4. The Schedule of Bulk Requirements incorrectly lists proposed Lot 165.03 as requiring a Minimum Lot Area variance. 5. The proposed Minimum Lot Widths in the Schedule of Bulk Requirements must be reduced. Lot Width shall be measured between side lot lines at right angles to its depth. 6. The actual Building Coverage on proposed Lots 165.01 and 165.03 shall be listed in the Schedule of Bulk Requirements. It appears both lots will conform to the allowable Maximum Building Coverage of twenty-five percent (25%). 7. The Schedule of Bulk Requirements implies the unidentified existing one-story frame building to remain on proposed

Lot 165.03 is an accessory building. Testimony shall be provided on the use of the building. The provided side and rear setbacks shown are incorrect. 8. Four (4) off-street parking spaces will be provided per unit. This exceeds the 2.5 off-street parking spaces which are required for units with unknown number of bedrooms to comply with the NJ R.S.I.S. parking requirements. No off-street parking is shown for proposed Lot 165.01. Off-street parking for the dwelling remaining on proposed Lot 165.01 was provided by the stone driveway which would now be located on proposed Lot 165.02. It is assumed this existing stone driveway would be removed and a new driveway provided for the future dwelling on proposed Lot 165.02. The existing driveway to remain on proposed Lot 165.03 is large enough to accommodate four (4) off-street parking spaces. Testimony on off-street parking is required. Parking should be provided to the satisfaction of the Board and comply with ordinance 2010-62. 9. If a basement is proposed for the future dwelling on Lot 165.02, seasonal high water table information will be required. 10. The plans should be revised to show the existing storm drainage pipes in Regent Drive and Central Avenue. There is a low point that traps runoff at the intersection of Regent Drive and Central Avenue. We recommend a Type "E" Inlet be constructed over the existing drainage pipe to alleviate this problem. 11. Unless a waiver is requested from and granted by the Planning Board, proposed sidewalk shall be added along the Regent Drive frontage. Proposed sidewalk along Regent Drive should be five feet (5') wide unless pedestrian passing lanes are provided. 12. The existing curb on Regent Drive is in poor condition with very little face revealing on the curb. We recommend the Board require the replacement of curb on Regent Drive with the reconstruction of the gutter to provide positive drainage. 13. Proposed ten foot (10') wide shade tree and utility easements are shown on the subdivision plan. Survey data with easement areas for the proposed individual lots have been provided. 14. A sight triangle easement has been provided at the intersection of Regent Drive and Central Avenue. 15. The plans must be revised to indicate the extent of existing improvements to be removed. 16. Unless a waiver is requested from and granted by the Planning Board, shade trees shall be proposed within the shade tree and utility easements for the project. Landscaping should be provided to the satisfaction of the Board, and should conform to recommendations (if any) from the Township Shade Tree Commission as practicable. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan Review for the proposed lots. 17. An Improvement Plan is required for the project. 18. Proposed grading is required on the Improvement Plan. Coordination of proposed grading with existing improvements to remain is necessary. 19. Storm water management from the addition of parking on proposed Lot 165.01 and the development of proposed Lot 165.02 must be addressed. 20. The plan states water and sewer service is to be provided by New Jersey American Water Company. Water mains exist on the west side of Regent Drive and the south side of Central Avenue. No sanitary sewer manholes were observed in the vicinity of the project. Testimony shall be provided on sewage disposal. 21. The monument to be set at the angle point in front of proposed Lot 165.03 will be in the existing driveway. We recommend this proposed monument be replaced with a pin to be set. 22. No new streets are associated with this proposed project; therefore the Municipal Clerk Certification with respect to same shall be removed. 23. Since there are separate owners for the two (2) existing lots, two (2) Owner Certifications are required. 24. Proposed lot numbers must be approved by the tax assessor's office. 25. Compliance with the Map Filing Law is required. 26. The Improvement Plan must include grading, drainage, and construction details as required. This Improvement Plan may be provided during compliance if approval is given. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance; b. Ocean County Planning Board; c. Ocean County

Soil Conservation District; d. Ocean County Board of Health (if required); and e. All other required outside agency approvals.

Mr. Vogt stated the application is requested variances for Minimum Lot Area, Minimum Lot Width, Minimum Front Yard Setback, Minimum Side Yard Setback and Minimum Aggregate Side Yard Setback.

Mr. Flannery stated that they will be ready to address the engineer's comments at the public hearing.

A motion was made by Mr. Follman, seconded by Mr. Schmuckler to advance the application to the October 30, 2012 meeting. No further notice is required.

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

2. **SD 1861** (Variance Requested)  
Applicant: Jeffrey Fernbach  
Location: Stirling Avenue & Linden Avenue  
Block 189.30 Lot 151  
Minor Subdivision to create two lots

### **Project Description**

The applicant seeks amended minor subdivision approval to amend a previously approved minor subdivision application approved under Resolution SD#1646. The previous approval allowed for the subdivision of one (1) oversized lot known as Lot 151 in Block 189.17 into two (2) non-conforming lots to be known as Lots 151.01 and 151.02. The single-family dwelling currently existing on the site would have been removed and two (2) new single-family dwellings fronting Linden Avenue would have been constructed. The amended application reconfigures the lot layout and proposes for the existing dwelling to remain on Lot 151.01 and a new single-family dwelling to be constructed on Lot 151.02. The proposed dwelling on new Lot 151.02 would front Stirling Avenue. The existing seventeen thousand two hundred fifty square foot (17,250 SF), 0.398 acre property, is located in the north central portion of the Township on the northeast corner of the intersection of Stirling and Linden Avenues. Linden Avenue has a forty foot (40') wide right-of-way with about a thirty foot (30') pavement width which is patched and in fair condition. Linden Avenue borders the site to the west, and has existing curb and sidewalk in fair condition. Stirling Avenue has a varied width right-of-way with an approximately thirty foot (30') pavement width in fair condition, except for the north edge which is in poor condition. Stirling Avenue borders the property to the south, and has no existing curb and sidewalk in front of the site. New curb and sidewalk along Stirling Avenue in front of the project is proposed with the subdivision. Water and sewer are available. The proposed lots are situated within the R-10, 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-10 Single-Family Residential Zone District. Single-family detached dwellings are a permitted use in the zone. 2. The previous approval allowed a five foot (5') wide Road Widening Easement on Linden Avenue, while requiring a five foot (5') wide Right-of-Way Dedication on Stirling Avenue. The reason for the required right-of-way dedication on Stirling Avenue was to match the existing right-of-way immediately east of the project. The applicant is proposing a five foot (5') wide Road Widening Easement on Stirling Avenue with this amended application. We recommend

the previously required Right-of-Way Dedication be continued with this amended application and the requested bulk variances adjusted accordingly. 3. Minimum Lot Area variances are requested for proposed Lots 151.01 and 151.02. A lot area of 9,602.50 square feet is proposed for new Lot 151.01 and 7,647.50 square feet is proposed for new Lot 151.02, whereas ten thousand square feet (10,000 SF) is required. It should be noted that a right-of-way dedication along Stirling Avenue would decrease the proposed lot areas of new Lots 151.01 and 151.02 to 9,185 square feet and 7,315 square feet respectively. 4. A Minimum Lot Width variance is requested for proposed Lot 151.02. A lot width of 66.50 feet is proposed, whereas seventy-five feet (75') is required. It should be noted the previous approval granted proposed lot width variances of fifty feet (50') and sixty feet (60') for the new lots. 5. A Minimum Front Yard Setback variance is requested for the existing dwelling to remain on proposed Lot 151.01. A minimum front yard setback of twenty-five feet (25') is requested from Stirling Avenue, where thirty feet (30') is required. A right-of-way dedication along Stirling Avenue would decrease the proposed front yard setback to twenty feet (20'). However, the previous approval granted a front yard setback of only eighteen feet (18') when considering the right-of-way dedication along Stirling Avenue. 6. Minimum Side Yard Setback variances are required for proposed Lots 151.01 and 151.02. The previous approval granted side yard setback variances of seven feet (7') for one side yard and fifteen feet (15') for combined side yards, whereas ten feet (10') for one side yard and twenty-five feet (25') for combined side yards was required. Proposed Lot 151.02 will continue to be regulated by the values of the previous approval. Since the existing dwelling is now to remain on proposed Lot 151.01, a side yard setback of 3.8 feet is requested. Combined side yards do not apply since new Lot 151.01 would be a corner property. 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. II. Minor Subdivision Review Comments 1. The monuments found on the Outbound and Topographic Survey Plan must be added to the Minor Subdivision Map provided. 2. All plans provided must correctly list Block 189.17 and Lot 151 in the title boxes. 3. The Owners Certification and General Note #1 shall be revised to list Block 189.17. 4. The Zoning Data should be revised to indicate that the Minimum Lot Area for proposed Lot 151.02 and the Minimum Lot Width for proposed Lot 151.01 require variances and were not previously approved. 5. 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 is requiring and proposing four (4) off-street parking spaces per dwelling unit. Testimony should be provided on the proposed number of bedrooms anticipated, and on off-street parking to be provided. Testimony should also be provided on the apartment listed in the Zoning Data. 6. According to the previous approval basements were proposed for the new dwellings. Therefore, a test pit log must be provided for proposed Lot 151.02 to indicate the minimum two foot (2') separation from seasonal high water table has been maintained. Testimony should be provided on whether the basement proposed will be unfinished. The existing dwelling to remain on proposed Lot 151.01 has a basement. In any event, parking shall be provided in accordance with parking ordinance 2010-62. 7. The General Notes indicate that horizontal and vertical datum is assumed. A bench mark has been referenced and is shown on the Improvement Plan. 8. Proposed sidewalk extends across the Stirling Avenue frontage and matches the existing sidewalk to the east of the site which must be correctly labeled. A new curb ramp is proposed at the intersection. The design should be revised to provide landing areas and detectable warning surface. 9. Testimony is required on the disposition of storm water management for the proposed development. 10. Curb is proposed on Stirling Avenue from the existing curb at the

east end of the site to the intersection. The edge of pavement along Stirling Avenue requires reconstruction with the curb installation because of its poor condition. 11. The existing topography indicates a low point at the curb return on Stirling Avenue. The gutter across Stirling Avenue can be reconstructed to alleviate runoff trapped at this low point. 12. At a minimum, the gutter of Linden Avenue must be reconstructed to eliminate the runoff being trapped along the existing curb line. 13. Testimony should be provided on proposed site grading. Proposed lot grading should direct runoff to the adjoining roads and minimize runoff directed towards adjoining properties. 14. The plan notes that "new structures are to be serviced by public water and sewer". The project is located within the New Jersey American Water Company franchise area. Sanitary sewer is being extended on Stirling Avenue to service proposed Lot 151.02. An existing lateral from the manhole at the intersection of Stirling Avenue and Linden Avenue serves the existing dwelling to remain on proposed Lot 151.01. The existing water main on the north side of Stirling Avenue should be added to the Improvement Plan. 15. The plan indicates new lot numbers have been assigned by the Tax Assessor. The map shall be signed by the Tax assessor should approval be granted. 16. Proposed six foot (6') wide shade tree and utility easements are shown along the property frontage. Bearings, distances, and areas have been provided for the proposed easements on an individual lot basis. Seven (7) "October Glory Maple" shade trees are shown within the proposed six foot (6') wide shade tree/utility easement on the subdivision plan. Shade 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. 17. Our site investigation indicates there is some large trees the property. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review for proposed Lots 151.01 and 151.02. 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. The Legend should be revised, and "monument set" should be revised to "monument to be set". 20. The proposed monument at the intersection of new Lots 151.01 and 151.02 with the right-of-way line will conflict with the future sidewalk. 21. Compliance with the Map Filing Law is required. 22. The proposed dimension for the base of curb must be coordinated between construction details on the Improvement Plan. 23. The six and a half inch (6-1/2") dimension on the Depressed Curb Detail shall be revised to four and a half inches (4-1/2"). 24. The two foot (2') dimension on the Concrete Sidewalk Detail shall be revised to state "match existing". 25. Gutter reconstruction is need on the details showing the curb sections. 26. Additional construction details are need such as utility trench repair and curb ramps. 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 American Water (sewer and water); and e. All other required outside agency approvals.

Mr. Neiman announced that this application will be carried to the October 16, 2012 meeting.

- 3. SP 1954A** (No Variance Requested)  
Applicant: Harley Davidson of Ocean County  
Location: Route 70  
Block 1086 Lot 16  
Amended Preliminary & Final Site Plan for proposed addition to existing  
motorcycle dealership building with associate site improvements

**Project Description**

The applicant is seeking Amended Site Plan approval for the construction of the following: • An 8,982 square foot building addition for parts and bike storage. • Two (2) additions totaling 1,302 square feet, squaring off the front of the building for sales support area. • An additional sixty-four (64) stall paved parking area to the rear of the existing facility. • Striping to provide an additional handicap accessible parking space within the existing parking area. • Removal of the existing tent. The site is in the southern portion of the Township and fronts on Route 70 and Locust Street, east of Vermont Avenue. Access to the site is afforded from the Route 70 frontage, Route 70 is a State Highway. No access is provided along the Locust Street side of the site, Locust Street is a County Road. The property contains 4.701 acres. A one-story building exists on-site with associated parking and site improvements. Some of the wooded area existing on the site will be removed for the proposed building addition and parking lot. The property gently slopes from west to east. Additional storm water management facilities have been designed to incorporate the increase in impervious area proposed for the site. Except for the adjacent site to the west, the surrounding lands and roadways are all improved. Sidewalk does not exist along the frontages because of the nature of the use which does not lend to pedestrian traffic. The site is located in the B-5A Highway Development Zone. New motor vehicle salesrooms are a permitted use in the zone. I. Waivers A. The following waivers have been requested from the Land Development Checklist: B2 – Topography within two hundred feet (200') of the site. B4 – Contours within two hundred feet (200') of the site. C13 – Submission of an Environmental Impact Statement. The site features waivers have been requested because the survey overlap provides sufficient information for review of the design. The Environmental Impact Statement waiver has been requested because the dealership is already an existing, established use on the site and the proposed construction will not create any new environmental impacts. We support the requested waivers. II. Zoning 1. The site is situated within the B-5A, Highway Development Zone. New motor vehicle salesrooms are a permitted use in the zone. 2. No new variances have been requested. Per review of the Site Plan and the zone requirements, it appears no new variances are required for the proposed project. A setback variance was previously granted for the free standing sign. Side yard setback variances were previously granted for the building. 3. Per review of the site plans and application, the following design waivers are required: • No curb and sidewalk has been proposed along any of the site frontages. • No shade tree and utility easements have been provided along any of the site frontages. • No shade trees have been provided along any of the site frontages. These same design waivers were granted for the last site plan approval under Resolution SP# 1954. It should be noted the County granted approval to this project with no improvements along Locust Street provided that a note be added to the plan indicating access to Locust Street is strictly prohibited. III. Review Comments A. Site Plan/Circulation/Parking 1. General Note #13 lists a Parking Tabulation based on ordinance requirements. The number of off-street parking spaces is being increased by sixty-three (63) from eighty-three (83) to one hundred forty-six (146). Testimony must be provided as to how the parking complies with the UDO. 2. Our review indicates there are eighty-three (83) existing parking spaces on-site, four (4) of which are handicapped spaces. Van accessible signage is missing from the appropriate spaces. The plans propose to retrofit the existing handicap parking signs with “van accessible” signage. The plans also propose to stripe two (2) existing parking spaces to provide an additional handicap accessible space with accessible aisle. 3. Testimony must be provided on additional anticipated site traffic from the increase in the number of parking spaces. A summary traffic report may be necessary. 4. Testimony should be provided by the applicant's professionals as to existing and proposed site operations. General Note #14 lists the existing

dealership's hours of operation. 5. The existing and provided minimum lot frontage should be corrected to 241.49 feet. 6. The existing building coverage should be revised to 10.4 percent to account for the most recent addition constructed under a Site Plan Exemption. 7. The project has dual road frontage. Therefore, there is no rear yard. The proposed setbacks listed from Locust Street should be checked. 8. The Zoning Requirements list a building height of thirty-four feet (34'). The architectural plans submitted show a building height of just over thirty-five feet (35'). 9. The Zoning Requirements also list "Accessory Structures". The existing tent is to be removed. Clarifying testimony must be provided on the provided side setback dimension of thirty feet (30') under "Accessory Structures". 10. The Zoning Requirements reference Resolution SP# 1954. The date of the Resolution shall be corrected to 2/21/12. 11. Complete existing and proposed building dimensions shall be added to the site plan. 12. The site plan shows existing dumpsters to be relocated. The dumpsters will be enclosed by a six foot (6') masonry block wall to match the building and a self closing chain link gate. Unless waived by the Board, all relocated dumpsters shall be landscaped screened and designed in accordance with Section 18-809.E., of the UDO. Construction details have been provided. 13. The site plan shows three (3) existing equipment containers to remain and one (1) relocated equipment container. The plans indicate the equipment containers are utilized by the owner for storage purposes including snow clearing equipment and special events equipment. The General Notes state that the containers shall be screened at the direction of the review engineer and planning board. 14. A storm water management recharge system is proposed to the east of the new rear paved parking area. A vinyl privacy fence is proposed east of the parking area, while a chain link fence is proposed south and west of the parking area. 15. The future status of the existing metal canopy on the front of the building should be addressed. The canopy is not shown on the architectural drawings. 16. All building access points must be shown on the site plan. Coordination is required between the site plans and architectural plans. 17. The status of an inaccessible bituminous pavement area east of the building should be addressed. B. Architectural 1. Basic architectural floor plans and elevations were submitted for review. Per review of the submitted plans, the building is thirty-five feet, three and a half inches (35'-3-1/2") high, far less than the fifty foot (50') allowable height. 2. The plans need to better delineate between what is existing and proposed. All dimensioning should be completed. Testimony should be provided on the proposed floor area usage. 3. The elevations show doors which are not indicated on the site plan. 4. The applicant's professionals should provide testimony regarding the proposed building facade, and treatments. We recommend that renderings be provided for the Board's review and use prior to the public hearing, at a minimum. 5. Testimony should be provided as to whether any roof-mounted HVAC equipment is proposed. If so, said equipment should be adequately screened. Air handler equipment at ground level is shown on the site plans and architectural plans. Vegetative screening should be provided. 6. Proposed utilities must be addressed. Our site investigation notes existing utilities in different locations than indicated on the Survey. C. Grading 1. Per review of the proposed grading plan, the design concept is feasible. Final grading can be addressed during compliance review if/when approval is granted. 2. Per review of the existing elevations and per review of site conditions during our site inspection, on-site grades generally slope to the east. D. Storm Water Management 1. A proposed storm water management system has been designed utilizing a combination of sheet flow, a stone swale, and drains, to convey storm water runoff into a proposed underground recharge system. The proposed underground recharge system is located to the east of the proposed paved parking area. The proposed recharge system consists of twin thirty-six inch (36") perforated polyethylene (P.E.) pipes in a rectangular stone bed. As indicated in the Storm Water Management Narrative, impervious area will be increased

by more than 0.25 acres thereby classifying the project as major development. Storm water calculations have been submitted to demonstrate that the proposed storm water management system is adequately-sized to meet the required quantity reductions and water quality requirements. 2. A two foot (2') vertical separation between the proposed bottom of the storm water management system and the seasonal high water table has been demonstrated. Permeability test results have been provided to justify the recharge calculations used for the project. 3. The low values for the runoff coefficients of the pervious areas must be justified in the calculations. Additional storage for the recharge system may be required. 4. An emergency spillway has been designed to allow runoff to flow to Locust Street should there be a failure of the proposed recharge system. The proposed vinyl privacy fence shall be constructed to not impede the emergency spillway since the fence is solid. 5. A new Ocean County Soil Conservation District Soil Erosion and Sediment Control Certification will be required. The certification provided in the Storm Water Management Report is from the previous site plan approved under Resolution SP# 1954. 6. A Storm Water Management Facilities Maintenance Plan has been provided as an appendix in the submitted Storm Water Management Report. The Plan confirms operation and maintenance of the proposed storm water management system will be the responsibility of the applicant. The Maintenance Plan will be reviewed in detail during compliance submission should approval be granted. E. Landscaping 1. A Landscaping Plan has not been provided and is required unless a waiver is granted by the Board. At a minimum, we recommend a partial Landscaping Plan be provided for the various improvements that should be screened. 2. Landscape screening shall be designed around the air handler, proposed dumpster enclosure, and around the equipment containers as indicated in the General Notes. F. Lighting 1. A supplemental lighting plan has been provided. Two (2) proposed twenty-five foot (25') high lighting fixtures are shown within the paved parking area. The previous approval indicated that the only lighting proposed for the rear parking area is security lighting. When the dealership is not operating, the lights will be turned off. Therefore, the point to point diagram indicates the proposed site lighting will be deficient with respect to the ordinance requirements. Construction details for proposed lighting will be reviewed in during compliance submission should site plan approval be granted. 2. The overall lighting design is subject to review and approval by the Board. G. Utilities 1. The project is within the franchise area of the Lakewood Township Municipal Utilities Authority. The site plan does not correctly show the existing public water and sewer services which must have been altered when the addition which received the Site Plan Exemption was constructed. The proposed building addition will require an alteration to the water service at a minimum. LTMUA approval is required. H. Signage 1. No proposed signage information is provided. However, the site previously received a setback variance for the existing free standing sign. A full signage package for any new free-standing and building-mounted signs identified on the site plans (requiring relief by the Board) must be provided for review and approval as part of the site plan application. 2. All signage proposed that is not reviewed and approved as part of this site plan application, if any, shall comply with Township ordinance. I. Environmental 1. No Environmental Impact Statement (EIS) was prepared for this project since it is a developed site with a little more than an acre of additional disturbance proposed for the tract. To assess the site for environmental concerns, our office performed a limited natural resources search of the property and surroundings using NJ Department of Environmental Protection (NJDEP) Geographic Information Mapping (GIS) system data, including review of aerial photography and various environmental constraints data assembled and published by the NJDEP. Data layers were reviewed to evaluate potential environmental issues associated with development of this property. Any environmentally-sensitive areas exist off-site per available mapping. 2. A Tree

Protection Management Plan has been provided. Revisions to the plan are necessary which we can review with the applicant's engineer. Since the project is commercial, it is our interpretation based on the current plan that the applicant shall either pay a fee of \$1,572.00 based on 0.786 acres of clearing, or plant four (4) replacement trees of two inch (2") diameter or greater based on four (4) trees per acre. J. Construction Details 1. All proposed construction details must comply with applicable Township and/or applicable standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete. A detailed review of construction details will occur during compliance review; if/when this application is approved. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Developers Agreement at the discretion of the Township; b. Township Tree Ordinance (as applicable); c. Ocean County Planning Board; d. Ocean County Soil Conservation District; e. Lakewood Township Municipal Utilities Authority; and f. All other required outside agency approvals.

Mr. Ed Liston, Esq. on behalf of the applicant. There are no variances being requested. This is an expansion of the building and more parking because Harley has been so successful.

Mr. Vogt stated that they are requested waivers for Topography within two hundred feet (200') of the site, Contours within two hundred feet (200') of the site, Submission of an Environmental Impact Statement. He supports the requested waivers.

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

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

Mr. Liston stated that they will request lower levels on the lighting than the ordinance requires so we can be a good neighbor.

Mr. Neiman is allowing one person to speak from the public.

Mr. Liston stated that one issue that was brought up was access from Harley to Locust Street. He confirmed that there will not be access to Locust Street which is a condition of the County approval.

The attorney from Harrogate confirmed that is true. Another issue is the training track but Mr. Liston did indicate to him that he would stipulate that it would not be used for that purpose. Also the applicant would maintain the trees in the back area.

Mr. Vogt confirmed with the applicant that there will be some clearing but they will maintain that 50 ft buffer.

The attorney from Harrogate stated that per the plan there should be no clearing behind the fence along Locust.

The applicant's engineer confirmed.

Mr. Doug Staples, a board member of Lafayette Green Association, stated that they are in the

process of retaining an attorney. They do have several concerns including the noise, parking and the impact on the eastern side of the building.

Mr. Liston asked that their attorney contact him.

A motion was made by Mr. Follman, seconded by Mr. Rennert to advance the application to the October 30, 2012 meeting. No further notice is required.

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

Mr. Herzl arrived at the meeting.

## 6. CORRESPONDENCE

### 1. SD 1586C

Applicant: Thompson Grove Associates  
Location: Drake Road  
Block 251.01 Lot 32.22

Correspondence from the Board Engineer recommending administrative approval to revise condition 14 of the Resolution of Approval adopted on 11/9/10

A motion was made by Mr. Schmuckler, seconded by Mr. Follman to recommend the amendment.

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

## 7. PUBLIC PORTION

## 8. APPROVAL OF MINUTES

## 9. APPROVAL OF BILLS

A motion was made and seconded to approve.

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

**10. ADJOURNMENT**

The meeting was hereby adjourned. All were in favor.

Respectfully submitted  
Sarah L. Forsyth  
Planning Board Recording Secretary