

## **1. FLAG SALUTE & CERTIFICATION OF COMPLIANCE**

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

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

## **2. ROLL CALL**

Mr. Franklin, Mr. Herzl, Mr. Follman, Ms. Zografos, Mr. Garfield, Mr. Flancbaum

## **3. SWEARING IN OF PROFESSIONALS**

Mr. Martin Truscott, PP, AICP, LEED-GA and Stan Slachetka, PP, AICP of T&M Associates were sworn.

## **4. 2017 DRAFT MASTER PLAN REVIEW**

Mr. Jackson wants to go through the process and procedure again. What the board has in front of them is a legislative document similar to when Congress enacts a law or when the state legislature has a bill before them. The Planning Board is the entity responsible for adopting the Master Plan which is the vision, constitution and controlling principals that will guide the governing body in how to adopt land use regulations and that will carry out the goals and objectives of the Master Plan. The Master Plan itself is not a land use ordinance, it just sets the framework and the principals that the governing body will take into account when it adopts land use regulations. That is why it doesn't matter to talk about what setbacks should be or how large a landscape buffer should be. They are really talking about the big picture items where for example, should they be pro-growth, pro-environment, should they encourage the governing body to have strict through streets to relieve traffic congestion. The board really can't do that but they can say there is an important need and the Master Plan recognizes that they have to alleviate traffic along certain corridors and the board recommends the encouragement of through streets or they have concerns with population, density and in these neighborhoods this is the appropriate density for zoning. In this case, there has been a lot of work done prior to the board seeing the Master Plan and the board has to decide whether they want to adopt that document. Part of the process now is to allow the public to come in and make comment. Based on those comments and the deliberations, the board makes a decision to either adopt it or modify it. Since they have gone over it at many hearings, the board at some time will have to direct the planner to make or not to make certain changes and additions and bring back a document which will reflect the board's decision and then once it is on file for ten days, they confirm it is what the board approved and then it gets adopted.

Mr. Herzl opened to the public.

Ms. Joyce Bay, Toms River, was sworn. She observed numerous violations of State law under the Open Public Meetings Act while attending Master Plan Advisory Committee meetings. She filed numerous complaints with the Ocean County Prosecutor. She asked the Planning Board not to move forward with adoption of any recommendations made by the advisory committee which she believes met in violation of the Sunshine Law.

Ms. Carol Suckno, 59 Foxwood Road, was sworn. She urged the board to make the right decision for the many existing tax payers and families and not those who gain financially at the expense of others.

Ms. Connie Fossa, 86 Rosewood Drive, was sworn. She has lived in Lakewood for 44 years. She asked that the R-40B ordinance will be reinstated and that the board consider to establish schools as a conditional use.

Ms. Gedalia Weinrib, 211 North Drive, was sworn. He lives near Hearthstone Park which is a beautiful place for his children to play. He heard they want to add about a hundred houses in the area which would ruin their quality of life.

Mr. Herzl said the board isn't making any recommendations in that area.

Mr. Flancbaum said they discussed it last night.

Mr. Weinrib complained about the traffic on Massachusetts Avenue.

Ms. Noreen Gill, 192 Coventry Drive, was sworn. She asked if the board has an updated zoning map.

Mr. Truscott said there was a discussion last night. Their maps are up to date. He is unsure exactly what maps she was referring to but if it was tax maps, those are updated on an annual basis.

Ms. Gill said on October 26, 2017, the Township Committee unanimously instructed the Master Plan Subcommittee that no increased density be allowed in any zones. She said the Master Plan Subcommittee members did not agree with that. The town is overcrowded, traffic is heavy and she hoped that subcommittee went in with open minds.

Mr. James Campbell, 6 Rosewood Court, was sworn. The board should not adopt this Master Plan if it does not accept the fact that Lakewood is already overdeveloped and the infrastructure will not support the quality of life of people who live here now.

Mr. Frederick Robison was sworn. He urged the board not to make a decision until they have a true and complete plan. There are several elements not addressed including the economic plan and educational facilities. Lakewood is an education destination and it needs to be addressed thoroughly. There is also not an element addressing how to continue to support the development of private schools. Another part of the report speaks to preserve environmentally sensitive areas but there is no follow up to that. Cross Street is not listed as a street with high traffic volume. He is concerned that the whole concept of the Schedule A lands has not been fully explained and needs to be clarified. He questioned why they are allowing public lands to be used to the benefit of a for-profit developer. He stressed the importance to take the time and get this right and suggested they form a draft review committee to fix all of these things.

Mr. Grunberger arrived.

Mr. Norman Shaye, 26 Winding River Road, was sworn. He remembers attending Master Plan meetings 10 years ago. He asked if that plan was adopted in its entirety, if not, what plan would he use to help determine how to develop his property.

Mr. Jackson said they cannot offer advice on that. He would have to hire a civil engineer to help develop his property.

Mr. Shaye asked if the last Master Plan was approved in its entirety.

Mr. Jackson said he can make comments regarding this Master Plan but this forum cannot be used as an interrogation.

Mr. Shaye said it took him over an hour to drive here tonight as he hit traffic on three streets. He said building should stop until the infrastructure is improved.

Mr. Moishe Ingber, 28 Gefen Drive, was sworn. He lives in White Oaks and he believes there is a piece near Burnside that is going to be changed to R-10.

Mr. Herzl said they spoke about it last night, it was not part of the original draft.

Mr. Ingber said it was recommended originally and then it was taken off but last night it was brought back up again. This particular piece of property is surrounded by R-15 and he is unsure why it was recommended to be changed as it does not fit and there is also wetlands running through it. He asked that the property remain R-15.

Mr. Zachary Levin, 30 Eagle Ridge Circle, was sworn. He is concerned about the elimination of the Eagle Ridge Golf Course.

Mr. Moshe Edeltch, 839 Hearthstone Drive, was sworn. He thanked the board that the park area will remain R-12. He asked that the corner of Cross and Massachusetts remain single family.

Mr. Dovid Englander, 1004 Princewood Avenue, was sworn. He lives in the Hearthstone development where many people work or study in other areas of town and the commute is becoming more and more difficult. He is concerned about increasing density as there are already issues now. He asked that the board consider the people who live in the south side of town and commute north. He is not against growth but it must be done responsibly.

Mr. Avi Solomon, 172 Chateau Drive, was sworn. He said any Master Plan which encourages more development and density is destroying Lakewood. He doesn't understand if so many people are urging the building to stop and no one is listening, how they can believe they have a government representing the people.

Mr. Rudolph Desio, 49 Skyline Drive, was sworn. He is concerned about the abundance of rentals in Lakewood and people not being able to afford their mortgages.

Mr. Abraham Gobiuff, 830 Windstrom Avenue, was sworn. He lives in an area currently zoned as R-40 and it is being recommended to be changed to R-10. He asked where the logic was changing the area to R-10 as that is a little drastic. Newport Avenue only leads out one way to Cross Street and it is a very narrow road. He asked if they could consider R-15 or higher to keep the rural nature of the neighborhood and keep the traffic at bay.

Mr. Dov Lerman, 272 Rachel Court, was sworn. He thanks the board for leaving the Hearthstone Park area as single family. He expressed his concerns about the intersection of Cross and Massachusetts. He asked that the board not approve duplexes in that area.

Mr. Yehoshua Birnhack, 18 Esti Circle, was sworn. He asked that the zone be changed from A-1 to residential to conform to the rest of the area.

Mr. Yosef Binder, 14 Chardonnay Court, was sworn. He stressed that the board not increase density in areas which are already dense as it affects quality of life and public safety. He asked the board not approve duplexes near Cross and Massachusetts and to set aside recreational space for children to play.

Mr. Steven Graher, 94 Faraday Avenue, was sworn. He asked that the zone be changed from A-1 to residential to conform to the rest of the area.

Mr. Wayne Stewart, 1145 Tiffany Lane, was sworn. He said the town is already overdeveloped and they are proposing additional density. He doesn't see how this Master Plan is going to help traffic and the quality of life.

Isaac Goldsmith was sworn. Concerning the Cross/Massachusetts core, the 2013 Smart Growth Plan recommended single family, commercial and a park which was smart. The Master Plan recommendation now resembles nothing of what was in that Smart Growth Plan. It only recommends multi-family development, no single family.

Mary Davis, 23 Winding River Road, was sworn. She expressed her concerns about the supervision of students in Lakewood. She urged the board to do the right thing and think about the future.

Mr. Bob Speedy, 53 Ivy Hill Road, was sworn. He expressed his concerns about density, congestion and the overall quality of life. He is not against growth but it should be done smartly.

Mr. Shlomo Klein, Chateau Drive, was sworn. He lives on the south side of Lakewood near the senior developments and is concerned all of the density will be dumped next to him. He said the Master Plan is geared toward developers. He asked how impact fees will improve traffic flow in Lakewood.

Mr. Nick Pastel, 129 Skyline Drive, was sworn. He is concerned about Eagle Ridge Golf course becoming residential homes.

Mr. Brian Flannery, 257 East Pleasant Grove Road, Jackson, was sworn. He represents different people who own property throughout the town and they certainly have a right to ask for their property to be zoned the way they think appropriate. The impact fee ordinance was approved which will get put into developer's agreements. T&M indicated they are working to improve it. It will be a designated fund for traffic improvements. Hearthstone Park has been brought up a few times and to be clear, it is not going anywhere. The 2007 Master Plan recommended that the surrounding area be R-7.5 with no duplexes. The advisory committee passed along that recommendation and it should have been clarified that it was never intended to be duplexes. The majority of the lots in the area are less than 10,000 sf. He passed out a map showing lots in the area where 28% are above the R-10. If the undeveloped area of Hearthstone was developed as R-10 with no duplexes than it would be consistent with the area. He asked that T&M look into Schedule A and B. His understanding is that areas that are not publicly owned and have public sewer would be in Schedule B and the Schedule A is for areas which are environmentally sensitive and out of the sewer service area. He further discussed the Eagle Ridge Golf Course, handing out resolutions and suggested phased development.

Ms. Monica Berger, 38 Blue Jay Way, was sworn. She said the area behind Pine Boulevard should not be rezoned for higher density. She urged the board to keep the area as R-12.

Mr. Akiva Pollak, 970 Morris Avenue, was sworn. He lives near Hearthstone and is concerned if more density is allowed then it will be a safety issue.

Mr. Zalman Sorotzkin, 100 Stratford Place, was sworn. He said there are many students in Lakewood and they need housing and he is pro-growth.

Ms. Rivka Richman, 750 Forest Avenue, was sworn. She is concerned about the overall quality of life which has diminished over the years.

Mr. Moshe Krohn, 219 North Drive, was sworn. He lives near Hearthstone Park and wants to keep the area as is. He asked that the Cross/Massachusetts area stay single family.

Mr. Frank Friedman, 289 Dewey Avenue, was sworn. He said besides the density and quality of life there is a real safety concern. He is not against growth but it should be done smartly.

Mr. Moshe Schwartz, 140 Vintage Circle, was sworn. He likes living in a higher density area as his children have many friends to play with and he has a number of shuls to choose from.

Mr. Aaron Hirsh, 146 Mountain View Drive, was sworn. He asked that a fiscal impact study be added to the Master Plan. He wants to know, before there is any development, how it would affect the rest of the town. He said certain zone changes discussed were not noticed at certain meetings and should not be considered. He expressed his concern with the increase in density as the infrastructure can't handle it.

Mr. Avrohom Shubert, 18 Gefen Drive, was sworn. He said there was an attempt by the builders to rezone from R-15 to R-10 and many people were very concerned but he was told it would not be changed. Last night, they found out it will be changed and the public was not aware.

Mr. Herzl said they are not voting on that.

Mr. Shubert said there was testimony that their neighborhood is a cluster zone which is very disheartening to him. He urged the board to keep the area R-15.

Mr. Herzl closed to the public hearing.

Mr. Jackson said if the board wants any changes, they would have to inform T&M so they are included and the document must be on file ten days before.

Ms. Zografos was glad to see neighbors come up and express their opinions concerning Esti Court. She heard testimony asking the zoning be changed from A-1 to residential but A-1 is a residential zone.

Mr. Herzl said it should conform to the surrounding areas.

Ms. Zografos hasn't heard the reason why they want this change.

Mr. Herzl doesn't think they will be voting on that. They are basically following the original recommendations.

Mr. Flancbaum said any recommendations made by the Master Plan Advisory Committee they should certainly take into account and any recommendations afterwards perhaps they should be forwarded to the Township Committee for their consideration.

Ms. Zografos thinks it makes sense to send the recommendations to the Township Committee and then go from there.

Mr. Flancbaum would like to confirm certain items discussed are in the Master Plan including an emergency annex on Massachusetts Avenue and that the Township set aside certain areas within the Cross/Prospect/Massachusetts triangle corridor for open space and recreation.

Mr. Slachetka said it is but if the board wants to further emphasize and strengthen the recommendation, actually it was mentioned in the 2013 Smart Growth Plan, that a specific area should be set aside for park and recreation.

Mr. Flancbaum said it should as not only did the Master Plan recommend more open space and recreation within new residential developments which is something that many people have brought up and he has said as well as other members of the subcommittee is the old 'tot lot' is not sufficient. There needs to be more space for children and adults as well. For example, the Fairways Development where they have walking paths and open space. He wants to make sure that whatever document they are voting on contains these strong recommendations. Also, when it comes to approving new development in the area, he thinks it is important that the Master Plan reinforce to the Township that you have to look at an entire area and make sure they have the appropriate open space, not that each application comes in one at a time. The entire area should be looked at, not just piece by piece.

Mr. Slachetka agrees with that and it is the intent of the center development component. It is not only focusing on individual developments but looking at the comprehensive whole. There has been a lot of testimony with regards to connecting streets and grid type development. It is important that developments work together so that there are street connections and a regulating plan which identifies area potentially for open space purposes so you have one comprehensive plan with open space integrated, road connections, commercial components there so that it all works as a community and not as disparate developments. It is hard work and the work that needs to take place is at the ordinance level to craft a proper ordinance to make sure those setbacks, open space, buffer areas all work together to create a new community.

Mr. Flancbaum said until now they have been dealing with development in this town, application by application and that has to change and that is really the purpose of this Master Plan document and why they have been deliberating for the past 12 to 14 months. They have talked about wider roads, more open space, more recreation but these things have to be shown on development applications before they are even considered before they come to this board. Applications have to comply with this document and if they don't then they are incomplete.

Mr. Slachetka said it is important to talk about street widths because they have heard testimony concerning pedestrian and bicycle safety. Clearly the boards policy in reviewing development applications is to ensure sidewalks are in place but it is important to establish a circulation plan both internal within developments and externally that provides for bicycle lanes, adequate sidewalk, wider streets. It is hard to retrofit existing streets but where new development takes place, those streets have to be designed in a way that are pedestrian, bicyclist safe and provides for adequate circulation.

Mr. Flancbaum said there was an area off Shorrocks Street discussed at a subcommittee meeting as a possible area for large scale school development.

Mr. Follman asked who owns the property.

Mr. Flancbaum believes it is mainly Township owned.

Mr. Follman said they should use Cedarbridge Development as a school zone and get the schools out of the Industrial Park in order to get back their rateables so taxes could go down.

Mr. Herzl agrees that this town definitely needs a school zone.

Mr. Flancbaum thinks there are at least five Class 'A' 50,000 sf to 60,000 sf office buildings within the Cedarbridge Development so he is unsure about introducing schools into that area. It may just be duplicating what is happening in the Industrial Park. The Township has land and there's got to be more land set aside for future school development.

Mr. Slachetka said the recommendation for identification of a school district or a school zone is a sound one from a planning perspective. He thinks the board should be considering, not so much selecting an area right now, but recommending a comprehensive evaluation of an appropriate location of that school district based on factors they have heard from the public concerning safety and traffic and are addressed in that study. There is a traffic circulation study being conducted as they speak by Maser Consulting and he thinks that evaluation of where these schools should be located from a standpoint of land use, public safety, pedestrian safety and circulation requires a comprehensive evaluation and analysis.

Mr. Herzl said if they allow schools in all zones, they have to make sure the buffering is there so everyone will feel comfortable living where they are.

Mr. Slachetka asked if the board is recommending that schools be conditional uses with appropriate conditions.

Mr. Follman thinks schools should be a conditional use.

Mr. Herzl isn't sure schools should be a conditional use but they have to make sure buffering is sufficient.

Mr. Slachetka said they could make a list of potential conditions and the board could make a determination at that point.

Mr. Jackson said it is complicated business developing the conditions in a conditional use criteria. The board is not saying that it has to be conditional but they are recommending to the governing body they should consider imposing conditions on schools in zones where schools are permitted and they would define those conditions. If they meet those conditions, they come before this board and if they don't meet those conditions they would go to the Zoning Board. It is complicated figuring out what those conditions should be and they may be different depending on the zone.

Mr. Slachetka agrees. The board shouldn't necessarily be establishing the conditions but recommending to the governing body such standards as appropriate.

Mr. Garfield said there was a lot of testimony concerning Cross/Massachusetts. He thinks as soon as possible, they should meet with the County to get an idea of how they can work with them.

Mr. Franklin recommended that the Eagle Ridge Golf Course be zoned to R-40B to not allow schools.

Mr. Herzl believes schools should be allowed in all zones but they should work with the Township Committee to make sure they have all the conditions they need.

Mr. Franklin said there was testimony that the golf course should be designated as open space.

Mr. Flancbaum personally does not think it is appropriate to designate it as open space as it was sold as private property. That is not a proper designation for any private property.

Mr. Herzl agrees.

Mr. Franklin said there are existing restrictions on the property. There is a landfill, open space.

Mr. Herzl said that would be under NJDEP restriction and if there are any landfills then they would not be able to build regardless.

Ms. Zografos doesn't think she has enough information to rezone as open space. She disagrees with the designation.

Mr. Follman abstained.

Mr. Garfield said another plus of having a school zone is the busing would be more condensed in one area rather than all over town.

Mr. Flancbaum said it was discussed at the Master Plan subcommittee meetings and the plan report states that schools should continue to be a permitted use in all zones. It is tough to say that certain uses should be excluded from certain zones without a proper study. He thinks they should be geared to certain areas but the fact of the matter is there are about 130 schools in town and there are going to be more.

Mr. Jackson said right now, schools are permitted in all zones and the board has made a recommendation that the committee consider imposing conditions as appropriate zone by zone. The question is whether to exclude the golf course from schools.

Mr. Follman said schools will have to meet all conditions within that zone.

Ms. Zografos said there is going to be congestion and a slowdown in traffic in any town where there are schools.

Mr. Herzl said it was discussed at a previous meeting that school buses cannot pull over on the road and they would have to make a special turnaround for buses for the traffic to flow.

Ms. Zografos remembers speaking about the motor vehicle law and how there has to be a barrier in order to make that happen. There are regional schools in the state where kids travel long distances. At this point, she is not persuaded that prohibiting schools in that area fixes anything.

Mr. Garfield still thinks a school zone would be appropriate, for example, in the Cedarbridge area.

Mr. Truscott said the only exception would be the proposed airport business commercial zone where schools are excluded.

Mr. Herzl recommends that the Township not vacate any roads. They need as many streets as possible in order to form a grid.

Mr. Follman asked how the Township could get these vacated streets back.

Mr. Jackson said the Township would have to condemn that property. The board can make a recommendation that the governing body not vacate any streets.

Mr. Flancbaum said that is included.

Mr. Herzl said these streets should be developed with sidewalks.

Mr. Flancbaum believes it is recommended within two subcommittee reports.

Mr. Herzl wants to ensure that every builder pay their fair share. The impact fee should be applicable in every zone in town and the money should be strictly for infrastructure.



Mr. Slachetka said the impact fee plan specifies specifically those improvements that are to be funded.

Mr. Jackson asked how the board will handle the additional recommendations for rezoning certain areas.

Mr. Slachetka believes he heard that the board is not making those changes and the board would defer any decision on those to the Township Committee. However, there was a lot of testimony concerning the Hearthstone Park area being rezoned to R-7.5. He asked if that is being included in the plan.

Mr. Flancbaum said that change wasn't even brought up to the Master Plan Committee.

Mr. Slachetka said that area should continue to be shown as R-12.

Mr. Flancbaum confirmed.

Mr. Follman suggested eliminating duplexes and townhouses altogether.

Mr. Jackson said they can make a recommendation that it should be investigated further.

Mr. Flancbaum wants to make sure the recommendation for building a pedestrian bridge over Lake Carasaljo is removed from the Master Plan.

Mr. Truscott said there was a request to shift the B-2 and R-M zone in the downtown area. He wants to confirm that it will not be included but it would be a separate recommendation to the Township Committee. There was also a letter concerning expanding the airport business zone.

Mr. Herzl confirmed those should be separate requests to the Township.

A motion was made and seconded to carry the final vote, based upon filing of the final document, to the October 3, 2017 meeting.

All were in favor.

## **5. ADJOURNMENT**

The meeting was hereby adjourned. All were in favor.

Respectfully submitted,  
Sarah L. Forsyth  
Planning Board Recording Secretary