

1. FLAG SALUTE & CERTIFICATION OF COMPLIANCE

Acting Chairman John Franklin 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. Sabel, Mr. Franklin, Mr. Flancbaum, Mr. Isaacson, Ms. Zografos, Mr. Meyer

3. SWEARING IN OF PROFESSIONALS

Mr. Terrance Vogt, P.E., P.P., C.M.E. was sworn.

4. MEMORIALIZATION OF RESOLUTIONS

1. SD 2255 Accurate Builders

601 Prospect Street Block 402, Lot 3
Minor Subdivision to create two lots

A motion was made and seconded to approve the resolution.

2. SP 2295 Bnos Hadassah

Prospect Street Block 402, Lots 3.01 & 3.02
Preliminary & Final Major Site Plans for a warehouse to remain and for a new school

A motion was made and seconded to approve the resolution.

3. SP 2241 Congregation Talmud Torah Inc

Pine Street Block 855.01, Lots 21, 34.03, & 37
Resolution granting phasing of previously approved Site Plan

A motion was made and seconded to approve the resolution.

4. SP 2280 Torah Links

1301 Central Avenue Block 12.04, Lot 48
Preliminary and Final Major Site Plan for a school

Mr. Sabel believes there was a request for speed bumps as well as striping in the middle of the parking lot adjacent to the building which was not included in the resolution.

Mr. Jackson said he would revise the resolution.

A motion was made and seconded to approve the resolution.

- 5. SD 2216 Gofar Drake, LLC**
Serenity Way Block 251.01, Lots 32.19 & 32.20
Preliminary and Final Major Subdivision to create three lots

A motion was made and seconded to approve the resolution.

- 6. SP 2284 Hal Stickel Inc**
1991 Rutgers University Boulevard Block 1609, Lot 34
Preliminary and Final Major Site Plan for an addition to existing warehouse

A motion was made and seconded to approve the resolution.

- 7. SP 2244 Khal Meor Chaim**
270 Miller Road Block 9, Lot 3.01 & 6
Amended Preliminary and Final Major Site Plan for a synagogue

A motion was made and seconded to approve the resolution.

- 8. SD 2323 Yechezkel Piotrovski**
30 Gudz Road Block 11.30, Lot 13
Minor Subdivision to create three lots

A motion was made and seconded to approve the resolution.

5. CORRESPONDENCE

- **SD 2007 Times Square Holdings, LLC** – clarification of variances approved

Mr. Adam Pfeffer, Esq. said the State CAFRA permit required the reduction of 8 duplex dwelling units, therefore, additional variances are required.

Mr. Brian Flannery, P.E., P.P. was sworn. When this was approved a few years ago, the board asked that as much parking be provided as possible within the open space so they would need a variance for off-street parking located 46.5 ft from the centerline of a State highway whereas 65 ft is required. They don't technically need the parking as they have provided more than enough per ordinance requirements but additional parking is always a benefit. A 10 ft minimum rear yard setback variance for the decks on lots 13.01 through 13.06 is requested whereas 15 ft is required. Lastly, minimum rear yard setback variances are also being requested for lot 13.07, 8.8 ft is proposed, and lot 13.11, 9.9 ft is proposed, whereas 15 ft is required. He believes these variances make sense and are within the intent of the original approval and they are asking for the board to approve a resolution clarifying these variances.

Mr. Sabel asked what sort of impact there would be for the off-street parking spaces being 46.5 from Route 9.

Mr. Flannery said they would have to remove 7 parking spaces which they can do but he doesn't believe it makes any sense. The board asked them at the time of the original approval to provide these additional spaces which he the board knew was within the setback but thought it was worth it.

Mr. Sabel asked if the variances changes the sidewalk or curbing along Route 9.

Mr. Flannery said no, nothing is being changed.

A motion was made and seconded to approve the variances requested.
All were in favor.

- **SP 2069 Pinebelt Chrysler** – relief from landscaping requirements

Mr. Graham MacFarlane, P.E., P.P. was sworn. Work on this site has been completed and a CO has been issued. The applicant applied for a bond release inspection and three items are outstanding from which they are seeking relief. The first item refers to the landscaping proposed as part of the application. The landscaping plan shows a very small amount of landscaping proposed contained along the front of the property and the islands. At this time, his client does not see any benefit of providing that landscaping in a project such as this. Landscaping in car dealerships really becomes a nuisance for them to maintain and keep and they really don't think it provides much of a benefit to the site.

Mr. Franklin asked what would be there in lieu of the landscaping.

Mr. MacFarlane said it would be lawn/grass strips. There is a very nicely maintained grass strip along the front of the property. The other islands would either be grass or stone. The other two items deal with the drainage system. This project was below the threshold of major development and technically was not required to provide any onsite drainage system to reduce the amount of runoff. However, during the design, they did decide to add a small recharge system in the back of the property behind the building so there is a run of perforated pipe which is pretty much all along the property line. That was protected during construction and they have certainly had ample opportunity recently to confirm that system is functioning adequately with all of the rain as of late. Therefore, they have no concerns that the system needs to be cleaned or is compromised in any fashion whatsoever. The two items requested by the Township is Contech inserts must be installed in catch basins but for this facility they feel it is not warranted. Any vehicle maintenance is conducted inside the buildings and nothing will be happening outside of this facility which will create any pollution or sedimentation. The second item in regards to the drainage system is hydraulic cleaning and video inspection of the system. Again, they have had ample opportunities to confirm the system is working properly. It was protected during construction in accordance with standards of the Soil Conservation District and they think it is an unnecessary expense and are fully confident that the system was constructed properly and is functioning adequately.

Mr. Vogt asked if the Contech inserts he referred to are the Flo-guards which are typically installed.

Mr. MacFarlane believes the engineer specified a different brand.

Mr. Vogt said it is his testimony that the drainage system is not major development per the stormwater rule.

Mr. MacFarlane confirmed.

Mr. Vogt said if that is the case then they are not required by State regulation. If the project was major development as defined by the stormwater rule and if it was an underground infiltration system, it would require some form of treatment. He asked if the applicant would be maintaining the system.

Mr. MacFarlane confirmed.

Mr. Vogt has no issue with the waiver request for the inserts. The second requirement for the hydraulic cleaning is a Township inspection and he would rather deal with the applicant outside of the board in terms of reaching a happy medium.

Mr. MacFarlane said it was identified in the bond estimate as a line item.

Ms. Morris said that is a standard item and not something the Planning Board typically has jurisdiction over.

Mr. Vogt said if he can provide the Township engineer with some kind of certification confirming that he is confident the system is clear so that if and when the system clogs, it is the applicant's responsibility.

Mr. Sabel asked if it is costly.

Mr. Shea said they need this bond release as soon as possible in order to start construction on the Subaru dealership as the applicant cannot have two outstanding performance bonds with the same lender.

Mr. Sabel asked why landscaping was required for this application.

Mr. Vogt said landscaping is required with any application and this is what was shown on the plans, it is not something they specifically asked for.

Mr. Sabel asked if landscaping is provided along the other property frontages.

Mr. Shea confirmed this is entirely compatible with everybody else.

A motion was made and seconded to approve the waiver from providing landscaping per the approved plans. All were in favor.

6. PUBLIC HEARING

1. SD 2173 Shulem Illowitz

431, 493, & 501 Joe Parker Road Block 189.04, Lots 188-190
Second Extension of a Minor Subdivision to create four lots

Mr. Glenn Lines, P.E., P.P. said he would like to request an extension as they are currently dealing with the County concerning road improvements. They expect to be done with the next month or so.

A motion was made and seconded to approve a one year extension
All were in favor.

2. SD 2299 Jonathan Rubin

319, 323, 327 Ocean Ave Block 246, Lots 40, 41, 42.01, & 67
Extension of a Minor Subdivision to create seven lots

Mr. Brian Flannery, P.E., P.P. was sworn. He asked for a one year extension as they are trying to obtain all of their approvals.

A motion was made and seconded to approve a one year extension
All were in favor.

3. SP 2285 JAYG Enterprises, LLC

1875 Swarthmore Ave Block 1609, Lot 11

Preliminary and Final Major Site Plan for an additional warehouse building

A review letter prepared by Remington & Vernick Engineers dated June 20, 2018 was entered as an exhibit.

Mr. Vogt said submission waivers are requested for an environmental impact statement and a tree protection management plan. Since the site is already developed and a general permit has been provided from the DEP, we can support this request. The applicant's engineer indicates there are no trees in the rear area of the site proposed for disturbance. The existing trees in the front portion of the site are not proposed to be disturbed, therefore, we can support that waiver as well.

The board granted the submission waivers as recommended by the Board Engineer and Planner.

Mr. Vogt said variances required include minimum side yard, combined side yard and rear yard setbacks. Testimony shall be given as to the adequacy of off-street parking. Sign variances are needed as well which are identified in the letter. A design waiver is required with respect to buffering relative to the proposed off-street parking aisle.

Mr. Brian Flannery, P.E., P.P. was sworn. Exhibit A-1 is a copy of the site plan submitted showing the existing building and the proposed building, exhibit A-2 is an aerial photograph showing the property backing up to an OCUA easement and woods with a stream corridor as well as the other industrial building along the street, exhibit A-3 is the tax map showing the subject property, and exhibit A-4 shows the property outlined in orange, the existing building in green and the proposed building in the back of the site. As you can see from exhibit A-2, in the back of the site there is nothing else there. The site used to have trailers stored back there but they are not there at this point and the property is actually cleared in anticipation of adding the second building. The existing building is in the M-1 Industrial Zone and the existing business that are on the site are an e-cigarette distributor and manufactory, a metal railing manufacturer, and a distribution warehouse for B&B clothing. The proposed uses in the back would also comply with the M-1 zone. The additional building is proposed to be 16,100 sf which would require 40 parking spaces whereas 45 additional spaces will be provided. There is currently a slight deficiency per ordinance calculation of the parking needed for the site. There are other provisions in the ordinance where you go by the number of employees and they have also submitted that the existing building will not be changing and it currently has 22 employees with an additional 20 employees for the new building. Therefore, they will be providing 89 parking spaces for 42 people. Anytime he has been by the site, there has been plenty of parking spaces and they anticipate it would be the same after this additional building is completed.

Mr. Sabel asked how many spaces are required per ordinance.

Mr. Flannery said 84 parking spaces whereas 79 is being provided. The existing site has 45 spaces so they are adding enough spaces to compensate for what they are doing. The existing site is a few spaces short but they never needed them.

Mr. Meyer asked how many tenants would be in the new building.

Mr. Flannery said they have submitted architectural plans which shows room for 2 or 3 tenants. The applicant will be using part of the building for himself. The minimum side yard setback variance is to the building in the rear, the existing building complies but in the back where the woods are they are asking for 15 ft whereas 30 ft is required. The combined side yard setback variance proposed is 63.5 ft whereas 70 ft is required and a minimum rear yard setback of 15 ft is proposed whereas 30 ft is required, which again, will be in the back towards the woods so it wouldn't impact anyone. The building coverage allowed is 40% and they are less than 30% so they could propose a bigger building but the building in this configuration provides an additional ratable for the town and better

utilization of the property. There are existing identification signs, one of them will be removed and the other will be relocated out of the sight triangle so they are improving the situation but they will need variances for a setback of 5 ft whereas 15 ft is required, the area of the sign is 48 sf whereas 35 sf is permitted and the height is 8 ft whereas 6 ft is permitted. He referenced sections of the Master Plan and MLUL to support the variances requested. A design waiver for the buffer is being requested, 25 ft is required whereas 4.6 ft is proposed. He believes the buffer is not needed as it is next to another industrial use.

Mr. Franklin asked what is adjacent to this property.

Mr. Flannery said there are industrial uses on each side. The back of their building lines up with the back of their building and there are all woods in the back.

Mr. Jackson asked if those 5 parking spaces located inside the building were taken out of the square footage.

Mr. Flannery said no.

Mr. Jackson said then their parking requirements take into account as if they were also warehouse. He asked what the odds are that as soon as a CO issued, those parking spaces located inside the building will be used for warehouse space.

Mr. Flannery believes it will be very remote. The applicant will be moving into that building and he specifically wants those 5 spaces for his use. Design waivers are also required for sidewalks, street trees and a shade tree/utility easement but this is a site that was developed many years ago and it is consistent with other properties in the area and it is his testimony that it would actually be a detriment to have sidewalks in the industrial area. There is a school up the street and putting sidewalks along there is going to encourage kids to walk on them.

Mr. Vogt said the architectural plans indicate they may need relief for the proposed aisle width.

Mr. Flannery said the inside parking is a little narrower and that is a situation which is customary for parking garages and inside parking. It is certainly parking that works and it is not going to be a high use turnover like retail but in this case, the owner is going to designate 5 people who can park responsibly. The trash will be private pick up.

Mr. Sabel asked where the trash will be picked up.

Mr. Flannery said in the back.

Mr. Sabel said it is not in the back as of today, it is in the middle of the property on the side.

Mr. Flannery said if the board acts favorably, the trash will be moved in the back. The HVAC equipment will also be located behind the new building. A waiver is requested from providing screening but again, there are only woods in the back.

Mr. Flancbaum asked if it is possible to add 5 spaces on the site.

Mr. Flannery said there is nowhere that makes sense and they don't feel they are needed. The parking lot is never full now and they are deficient in parking.

Mr. Isaacson asked if they could add the spaces in the back.

Mr. Flannery said there is a drive aisle there. They could stripe spaces but that would encourage people to park there which would affect the ease and the use of the site.

Mr. Flancbaum understands the current tenants do not utilize all of the spaces now but future tenants might. He asked if a few spaces could be added there.

Mr. Jackson said looking at the architectural plans, he doesn't think they would ever come close to needing 79 spaces.

Mr. Flannery confirmed and if you look at the site, each door has a space in front of it and a couple people could park there.

Mr. Flancbaum understands but he doesn't want this to become a situation where the board grants a parking variance and then someone else comes in asking for the same variance. He would like to see a few spots added on the site.

Mr. Jackson asked if this type of business ever gets any retail traffic where customers would come.

Mr. Flannery said it would be very rare as it is wholesale and it is sent out.

Mr. Sabel asked if there is a display where customers come to choose items or if it is just warehouse storage.

Mr. Flannery said it is warehouse storage only.

Mr. Sabel said the board should condition the approval that the building be used for storage only.

Mr. Flannery said retail is not permitted in the M-1 zone.

Mr. Flancbaum said they have to comply with the permitted uses in the M-1. That is the bottom line.

Mr. Sabel visited the site today and there were spaces taken up by garbage cans, old trailers and trucks.

Mr. Flannery said that will be cleaned up for the additional building.

Mr. Meyer asked if there does happen to become a parking issue then those 5 spaces would be added.

Mr. Sabel said all of the trailers, garbage cans etc will be removed from the site.

Mr. Flannery confirmed.

Ms. Zografos questioned items #10 and #15 in the engineer's review letter regarding the retaining wall.

Mr. Flannery said they would satisfy the board engineer.

Mr. Meyer asked how deep the new loading docks are.

Mr. Flannery said about 34 ft.

Mr. Meyer asked if the average box truck could fit there.

Mr. Flannery said there are overhead doors and the trucks can actually go into the building.

Mr. Meyer was concerned that the trucks parking there would go 40 or 45 ft into that alleyway but the trucks should go out to about 30 ft.

Mr. Flannery confirmed.

Mr. Meyer asked why the sign can't be pushed back 15 ft.

Mr. Flannery said due to the vegetation there, the sign wouldn't be visible.

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

Mr. Meyer asked that something be provided for the parking spaces located inside the building for safety purposes.

Mr. Flannery said they would provide some sort of wheel stop.

A motion was made and seconded to approve the application with the condition that curbs and sidewalks be provided along the property frontage.

All were in favor.

4. SD 2337 Chaim Tzvi Hershkowitz
Towers Street Block 855.03, Lot 37
Minor Subdivision to create two lots

A review letter prepared by Remington & Vernick Engineers dated July 11, 2018 was entered as an exhibit.

Mr. Vogt said a variance is required for minimum lot width.

Mr. Glenn Lines, P.E., P.P. was sworn. The application is to create two lots on the corner of Towers Street and New Hampshire Avenue. A lot width variance is being requested for the interior lot basically to make the building envelopes the same width of 62 ft. Also, based on the neighborhood, 87% of the lots are undersized as far as width. Within block 855.03, all of the lots are 87.5 ft wide so they would be .5 ft less than the rest of the lots in their block. The next block over, 855.03, there are 14 75 ft lots and the rest of the lots shown in blue are all undersized as far as width ranging from 90 ft to 75 ft whereas 100 ft is required. The benefit of granting the variance would be having two nice building envelopes, otherwise the building envelope on the corner lot gets much narrower plus the lots have to face Towers Street as the County does not allow access on New Hampshire Avenue. The County has indicated they have a drainage structure on the northeast corner of the property which extends into the right-of-way so that last 15 ft, they either have to rebuild their headwall or obtain a waiver from constructing the last 15 ft of sidewalk. The next lot behind them to the north is a County owned detention basin where sidewalks are not provided. The applicant will provide sidewalks all along New Hampshire but they do need the waiver from providing that last 15 ft of sidewalk to a lot that probably won't have sidewalk in the future.

Mr. Vogt said it is certainly up to the board but it sounds like they cannot continue the sidewalk without altering that headwall so even if the future basin was developed, unless they deal with the headwall, they will still have an obstruction.

Mr. Lines said that is correct. If the County wanted to provide curb and sidewalk in the future, they would have to move the headwall. Tax map sheets 111 and 112 was entered as exhibit A-1. There were neighbors concerned

about some sort of drainage problem and they will be putting in recharge on Towers Street as there is a slight low spot to take care of the water that currently ponds in the road.

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

A motion was made and seconded to approve the application.
All were in favor.

5. SP 2300AA Oakandvine LLC

Turin Avenue Block 1043, Lot 5.02

Site Plan Exemption to permit modular buildings for a synagogue

A review letter prepared by Remington & Vernick Engineers dated July 11, 2018 was entered as an exhibit.

Mr. Vogt said submission waivers are requested for landscape, lighting, topography and proposed grading. Design waivers are required from providing sidewalk along the property frontage as well as from providing lighting and landscaping. There are existing non-conformances including lot area, lot width, front yard setback, rear yard setback and proposed building coverage. Per the applicant, those variances were previously granted under application SD 2187. Lastly, perimeter buffer relief is necessary with respect to the residential properties.

Mr. Brian Flannery, P.E., P.P. was sworn. Exhibit A-1 is the site plan submitted showing the proposed modular building which would be used as a shul, A-2 is a copy of the tax map, A-3 is a plan showing additional parking spaces as requested at the tech review, A-4 shows the site plan submitted for lots 6.01 and 6.02 where the actual permanent shul will be constructed. The ordinance allows that when you have an application for a shul then you can put up a temporary shul so people have somewhere to pray until the shul is built.

Mr. Sabel asked if that shul has been approved.

Mr. Flannery said it has been submitted. There are about 50 families living in this area already and another 100 units which are getting close to construction and these people are going to need a place to pray sooner rather than later. The waivers for sidewalks, lighting and landscaping are being requested as this is a temporary situation and those items would be provided for the permanent shul. They have provided as much parking as possible on this property. The existing variances for the previous approval are being requested as well but it is on a temporary basis. It is in an area where no one would be impacted at this time and it is an inherently beneficial use that would be aided by this relief. There will not be any other ancillary uses as it will be a modular structure for people to pray in. The sanctuary area is 830 sf which requires 8 spaces per ordinance which has been provided. The site will be ADA accessible, the trash/recyclable they would envision DPW picking up in the roll out cans similar to other facilities of this type. There will be lighting on the side and the utilities in the street are capable of serving this. Section 18-905 has a provision for temporary facilities for places of worship and the Township zoning official may approve these temporary facilities as of right without even coming to the board if they were on the same lot but since they could not fit the new shul on this lot, they had to come to the board to ask for relief. Per section 18-601 of the ordinance indicates they need a site plan, however, if the applicant can clearly demonstrate that, because peculiar conditions relating to the subject parcel, literal enforcement of this section is impractical or will exact undue hardship, the Planning Board may permit exemptions and waivers as may be reasonable. He referenced sections of the Master Plan and MLUL to support the variances requested.

Mr. Sabel asked how many people would be attending this shul.

Mr. Flannery said 30 to 40 people. It is in a neighborhood where there are 50 units within a block of this shul. The 8 parking spaces comply with the ordinance and it will work in this area whereas the duplex units are in close proximity.

Mr. Sabel said people may park on the street.

Mr. Flannery said there is some street parking available because the streets are 32 ft wide.

Mr. Sabel is concerned about the lack of parking and thinks it is going to be a mess.

Mr. Flannery understands and he hopes the congregants who are present hear his concerns and understand they are going to be ones impacted by it because it is their neighborhood.

Mr. Sabel's biggest concern is the safety of pedestrians crossing the street. There is a limited view due to the curve over there and if people park on both sides of the road, it may be dangerous.

Mr. Flannery said the applicant would be happy to approach the governing body with respect to not allowing parking in certain places.

Mr. Sabel asked if the board can enforce Title 39.

Mr. Jackson said Title 39 is generally for something like a shopping center where there is internal circulation. On public roads, the police can always enforce traffic regulations. Title 39 wouldn't be applicable to this situation.

Mr. Sabel asked if the board can enforce no parking on that street.

Mr. Pfeffer said the applicant would agree to send a letter to the Township Committee requesting that there be parking on only one side of the road.

Mr. Jackson said the governing body has authority over how parking is enforced on roads and they would have to pass an ordinance. There may be people in the neighborhood who don't want that because then they couldn't park there. The board could put a condition in the resolution that congregants are not permitted to park on one side of the street but it is very difficult to enforce.

Mr. Sabel believes sending a letter to the governing body recommending there be no parking on one side of the street would be a good start. He thinks sidewalks should be provided even if it is temporary as it is still going to be 2 to 3 years.

Mr. Jackson asked how temporary.

Mr. Pfeffer said 3 years.

Mr. Jackson said there will be an apron across the entire frontage anyway if they are paving these spots. This subdivision was approved for a single family home with variances so the applicant has to ask for reaffirmation that those dimensional variances can also apply to a house of worship.

Mr. Flannery said he had given testimony earlier as well as justification from the Master Plan and MLUL.

Mr. Sabel asked if the owner of lot 5.01 is present.

Mr. Rabinowitz, South Lake Drive, was sworn.

Mr. Sabel asked if this applicant can use that lot for parking.

Mr. Rabinowitz said he can't give up the lot for parking. He does believe the shul will be used exclusively by the neighborhood and it will be hard to believe people will drive there.

Mr. Sabel has a similar situation in his neighborhood where there is a temporary modular shul and a lot of people come from all over. He doesn't want the same thing happening here.

Mr. Rabinowitz can agree to appease a few cars or so but he can't officially commit to anything.

Ms. Morris is not sure the board can require that given that lot was not part of the original application.

Mr. Sabel understands but it will definitely help with the parking situation. The lot for the future shul could also be used for parking until construction starts.

Mr. Flannery said they can certainly put gravel there for temporarily overflow parking.

Mr. Jackson asked if they agree to allow parking on that lot until construction begins for the new shul.

Mr. Flannery confirmed.

Mr. Jackson said there may be an issue with the neighbors as they may not want cars parking on that lot.

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

A motion was made and seconded to approve the application contingent upon the adjacent lot being used for overflow parking for the temporary shul until construction commences for the new shul. The applicant also agrees to approach the governing body requesting that no parking be allowed on one side of the road along block 1043. Curb and sidewalk will also be provided along the property frontage. All were in favor.

6. SP 2302AA Meir Shimon Kalmanowitz

1464 E Spruce Street Block 855.02, Lot 18

Change of Use/Site Plan Exemption to convert a house to a school

A review letter prepared by Remington & Vernick Engineers dated July 17, 2018 was entered as an exhibit.

Mr. Vogt said no bulk variances are requested, however, waivers are sought including but not limited to curbing and sidewalk along the property frontages, shade tree/utility easements, shade trees, lighting and landscaping.

Mr. Brian Flannery, P.E., P.P. was sworn. Exhibit A-1 is the plan submitted showing the change of use and exhibit A-2 is the tax map showing the subject lot in orange on East Spruce Street. The school has been working on plans for the classrooms and they have plans which are a little bit different than what the board has. As indicated, the application is for a site plan exemption change of use from a house to a shul. There will be a total of 3 classrooms, the school will have 22 students in each of the larger classrooms and 13 students in the smaller classroom for a total of 57 students which would come in 2 buses. Design waivers are requested for curbs and sidewalks. This will be a boy's elementary school so none of the boys would be driving. Occasionally students will be dropped off by their parents. A total of 6 parking spaces is proposed for the 2 offices and 3 classrooms which complies with the

ordinance. The applicant is currently looking to develop a proper school as they are just starting out and will be growing. He referenced sections of the Master Plan and MLUL to support the variances requested. DPW would pick up the trash/recyclables in the roll out cans, if not, they would have to do private pick up.

Mr. Flancbaum is not keen to granting the waivers from providing curb and sidewalk as this is a residential neighborhood.

Mr. Vogt asked if there are any issues with circulation.

Mr. Flannery said the current configuration is similar to a lot of the startup schools where the bus would stop at the curb line and the students would unload.

Ms. Morris asked if they are requesting a waiver from providing a circulation plan as it is now required for schools.

Mr. Flannery confirmed.

Mr. Vogt said the road appears to be depicted as variable width pavement. He asked if he feels it is adequate.

Mr. Flannery feels it is. It is a typically Lakewood roadway of probably 28 to 30 ft which certainly complies with RSIS and it is adequate for the existing school across the street as well as this school.

Mr. Vogt asked if the unfinished basement is not being used at this time.

Mr. Flannery said that is correct, it will stay in its current configuration and will not be used for the school.

Mr. Vogt asked if ADA accessibility is proposed.

Mr. Flannery said they will certainly need to comply when they apply for building permits with ADA accessibility ramps and whatever else is needed which would be done when architectural plans are drawn. Those could be submitted for his review.

Mr. Sabel said then there would only be 5 spaces and 1 ADA accessible spot.

Mr. Flannery said in this particular case the ordinance says they only need 5 spaces because they have 3 classrooms and 2 offices. There will be 1 handicapped space but that is normally counted.

Mr. Franklin asked if the garage will be used as a classroom.

Mr. Flannery said no, it will not be finished.

Mr. Sabel asked if the garage is being counted as one of the spaces.

Mr. Flannery said no but it could be used as an extra parking space if needed. He anticipates the garage will be used for storage.

Mr. Sabel asked how the board can ensure the basement is not used.

Mr. Flancbaum said they would put a condition in the resolution.

Mr. Sabel asked where the parking will be.

Mr. Flannery said there will be stacked parking in the existing driveway.

Mr. Flancbaum asked if the basement is finished.

Mr. Flannery said the applicant indicated it is not finished.

Mr. Sabel asked if there can be some sort of circulation on the property for the school bus as the house is pretty far back.

Mr. Flannery said there is room to provide a pull off for the school bus.

Mr. Flancbaum believes that would work better as it would get the bus off the street.

Mr. Flannery said they are intending to develop the back of the site and the play area would be in the front with some kind of fencing. If they have the bus come all the way in then they would eat up the entire front of the site and he doesn't think it accomplishes anything as far as the impact on the neighbors.

Mr. Flancbaum doesn't think there should be a whole circulation area on the site, they just need to get the bus off the street.

Mr. Franklin opened to the public.

Mr. Shlomo Goldwasser, 1446 East Spruce Street, was sworn. He asked how many classes are anticipated.

Mr. Flannery said 3 classes will be accommodated at this site and there will be an offsite facility for an additional 2 classes. There will be 2 primary and 1 3rd grade class.

Mr. Goldwasser asked how bus pickup is going to work.

Mr. Flannery said there will be 2 buses and a bus can hold about 50 to 52 children and they have testified there will be 57 students.

Mr. Jackson asked what the maximum occupancy of the school will be.

Mr. Flannery is unsure, the number of students would be 57 which will be picked up on 2 buses.

Mr. Goldwasser said there is another school across the street with busing and a lot of students get dropped off and picked up which causes a lot of traffic. He is concerned about having an additional school on the block. He asked how many faculty members there will be.

Mr. Flannery said 3 teachers and a secretary.

Mr. Goldwasser asked if there will be a principal.

Mr. Flannery said he would be back and forth between facilities.

Mr. Goldwasser asked if he will need a parking space.

Mr. Flannery said he has indicated there will be 6 parking spaces with 4 faculty members leaving 2 open spaces.

Mr. Goldwasser said one of the spaces is ADA accessible. He asked how many bathrooms are in the facility.

Mr. Jackson asked if the building meets architectural and building code regulations.

Mr. Flancbaum said the applicant won't get a CO if it doesn't.

Mr. Jackson doesn't think it is the board's concern as to how many bathrooms there are.

Mr. Goldwasser said there is a septic on site.

Mr. Jackson said they would have to get outside agency approval for that.

Mr. Goldwasser questioned if the buses or the kids will be on top of the septic. He is concerned about the safety of the children playing on or near the septic system. He asked if there will be any tutors or special Ed classes.

Mr. Flannery said the applicant indicated there will not be any.

Mr. Goldwasser expressed his concerns about safety for his children and for other children in the area as well as traffic.

Mr. Moshe Katz, 143 Hillside Boulevard, was sworn. His child attends this school and it is run extremely well. There are 2 buses which pick up the children.

Mr. Sabel asked where the school is located now.

Mr. Katz said on Swarthmore Avenue.

Mr. Sabel asked if he ever drops off his kid at the school.

Mr. Katz said very rarely as the bus does a great job.

Mr. Finkel, 1442 East Spruce Street, was sworn. He said most of this street does not have sidewalk and it is already a very busy road. He is concerned about additional traffic this school will bring as well as the safety of children on the block. He doesn't think stacked parking is going to work and people will park on the street. He thinks it will be detrimental to have two schools on the same block. He asked that the application be carried until an adequate site plan and circulation plan is submitted.

Mr. Jackson said the zoning regulations allow for this and there are very minimal requirements. It is the governing body's right and responsibility to make zoning regulations that meets the needs of the people and the Planning Board has limited options and in this case they meet all of the zoning requirements per the review letter of the engineer.

Mr. Finkel understands but he would rather have a full fledged site plan to ensure the safety of his children.

Mr. Shlomo Berlowitz, 100 Waldorf Terrace, was sworn. He has 2 children which attends this school and the school is run extremely well and are very accommodating to the neighborhood.

Mr. Eli Goldring, 17 Rita Lane, was sworn. He is in favor of this application.

Mr. Chaim Klein, East Spruce Street, was sworn. He is concerned about the safety of children on the block. There is already a school across the street as well as an additional school in the back. The lot next door is also a school so the block will be very congested and there will be safety issues.

Mr. Yechiel Leider was sworn. He is in favor of the application as this Rabbi runs the school very well.

Mr. Isaac Simins, 1429 Read Place, was sworn. His not against the application but he did ask that this process be done slowly and the right way in order to make this safe.

Mr. Flannery said the board has mentioned they feel the school bus should be able to pull off of East Spruce Street and the applicant has agreed so they will provide a place for where the bus can pull in, stop and unload/load students and when they do that, they will tie the parking into that turn around so no one has to back out onto East Spruce Street.

Mr. Jackson asked if the board is comfortable having that delegated to the board engineer or does the board want to see a plan before voting on this.

The majority of the board is comfortable with the engineer reviewing the revised plan.

Mr. Jackson said that is a very common thing as the board engineer has a technical expertise and it is something the board engineer can review.

Mr. Simins said his point is that if there is anything they can do to give them a better chance of looking at this and doing this properly then he is asking the board to do that.

Mr. Yier Stern was sworn. He also is concerned about safety and he asked this be done properly.

Mr. Jackson asked if the board would like to see the plan before adopting the resolution.

The board believes that is a good idea.

Mr. Flancbaum understands this is an emotional thing as he has a school next to him. That school takes care of any issues which may arise and they realize they have to be a good neighbor and hopefully this school does as well.

Mr. Chaim Mayerfeld, 1450 East Spruce Street, was sworn. He had tried reaching out to the Rabbi of the school but he refused and that is why they would like to see a full site plan as he is not working with them. He is concerned about the septic field in the front of the school. He would like to see a circulation plan submitted as it is a requirement.

Mr. Franklin closed to the public.

A motion was made and seconded to approve the application. The garage and basement will not be finished, no waivers will be granted and a circulation plan will be submitted prior to the adoption of the resolution.

Affirmative: Mr. Sabel, Mr. Flancbaum, Mr. Franklin, Mr. Isaacson, Ms. Zografos

No: Mr. Meyer

- 7. SD 2318 Congregation Maalos Hatorah**
1544 & 1552 Salem Street and Gates Ave Block 1159, Lots 31, 32, & 46-48
Minor Subdivision to create six lots

Ms. Morris said the applicant failed to provide notice, this application will not be heard tonight.

A motion was made and seconded to carry the application to the August 7, 2018 meeting.
All were in favor.

- 8. SD 2334 David Herzog**
E Kennedy Blvd, 1127 E Co Line Rd Block 183, Lots 1, 2, & 4
Preliminary and Final Major Subdivision to create seven lots

Ms. Morris said the applicant has requested to carry this project to a future meeting date.

A motion was made and seconded to carry the application to the August 21, 2018 meeting.
All were in favor.

- 9. SD 2070B Adil Homes, LLC**
East County Line Block 190, Lots 73.25-73.26, 73.29-73.36, & 73.40
Amended Preliminary and Final Major Subdivision to adjust approved lots

Ms. Morris said the applicant failed to provide notice, this application will not be heard tonight.

- 7. APPROVAL OF MINUTES**
8. APPROVAL OF BILLS
9. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Sarah L. Forsyth
Planning Board Recording Secretary