

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

3. SWEARING IN OF PROFESSIONALS

Mr. Vogt was sworn in.

4. MEMORIALIZATION OF RESOLUTIONS

1. Master Plan Reexamination Report and the 2013 Smart Growth Plan

Mr. Schmuckler made a motion to approve with the stipulation that the revised map received will have both R-10's listed should be R-10A.

Mrs. Morris explained that that was an exhibit that wasn't particularly referenced by the resolution but was provided by Mr. Slachetka to the Board for visualization purposes.

The motion was seconded by Mr. Franklin.

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

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

Mr. Neiman thanked the Board members and Stan Slachetka for working hard and putting together an excellent plan for Lakewood.

1. **SP 2019** (Variance Requested)
Applicant: Bais Torah Utefillah Inc
Location: Fifth Street
Block 70 Lot 3
Minor Site Plan for building addition to existing synagogue

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

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

2. **SP 2020** (Variance Requested)
Applicant: Miriam Rose
Location: East Eighth Street
Block 230 Lot 11
Minor Site Plan for residence on undersized lot

A motion was made by Mr. Schmuckler, seconded by Mr. Follman to approve.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman
Abstained: Mr. Rennert

3. **SD 1586C**
Applicant: Serenity Estates
Location: East Eighth Street
Block 251.01 Lot 32 & 88
Request to remove condition requiring a Homeowner's Association
By request of the applicant, this resolution will be carried to the next available meeting.

A motion was made by Mr. Schmuckler, seconded by Mr. Herzl to approve.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman
Abstained: Mr. Rennert

5. PLAN REVIEW ITEMS

1. **SD 1897** (Variance Requested)
Applicant: David Rothenberg and Associates Inc
Location: Third Street
Block 70 Lot 2
Minor Subdivision to create four fee-simple duplex units

Project Description

The applicant seeks minor subdivision approval to subdivide an existing rectangular 124.25' X 150' lot totaling 18,637.50 square feet (0.43 acres) in area known as Lot 2 in Block 70 into four (4) new residential lots. The subdivision proposes removal of two (2) existing multi-family structures of six (6) units and two (2) units, and to provide two (2) duplex buildings on two (2) zero lot line properties. The proposed rectangular lots are designated as Lots 2.01 through 2.04 on the subdivision plan. Public water and sewer is available. The existing site is used for multi-family residential housing. Though developed, there are many existing trees on the tract. The property currently slopes to the rear, away from the existing street. The site is situated in the northern portion of the Township on the south side of Fifth Street, between Forest Avenue and US Highway 9 (Madison Avenue). The surrounding area is predominately developed. Fifth Street is an improved municipal road in fair condition with a fifty foot (50') right-of-way. Curb and sidewalk exist along the property frontage and is generally in fair condition, but is quite old. Potable water, sanitary sewer, gas, and electric all exist within the Fifth Street right-of-way. Existing overhead electric and utility poles are generally located on the north side of the street with overhead services. The existing property which would be subdivided falls within the ROP

Residential Office Park Zone. Proposed Lot 2.01 would be a rectangular 31.25' X 150', 4,687.50 square foot tract. Proposed Lots 2.02 through 2.04 would all be rectangular 31' X 150', 4,650 square foot zero lot line sites. Variances will be required to create this subdivision. We have the following comments and recommendations: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. B1 - Topography of the site. 2. B3 - Contours on the site. We can support the granting of the requested B-Site Features waivers for completeness purposes provided topography with contours and an Improvement Plan are submitted prior to the notification deadline for the Public Hearing. II. Zoning 1. The parcel is located in the ROP, Residential Office Park Zone District. Per Section 18-903I.1.e., Multi-family housing in accordance with the R-M District design regulations as specified in Section 18-902H.4., is permitted. Section 18-902H.4.d., Duplex Regulations requires a minimum lot size of ten thousand square feet (10,000 SF) and a minimum lot width of sixty feet (60') for newly created lots. Zero lot line subdivisions for duplexes are permitted in the R-M Zone. 2. Per review of the Subdivision Map and the zone requirements, the following variances are required for the proposed duplexes on Lots 2.01 through 2.04: • Minimum Lot Area – 9,337.50 square feet proposed for the combination of new Lots 2.01/2.02 and nine thousand three hundred square feet (9,300 SF) proposed for the combination of new Lots 2.03/2.04, ten thousand square feet (10,000 SF) required – proposed condition. • Minimum Side Yard (One Side) – 6.25 feet proposed for new Lot 2.01 and six feet (6') proposed for new Lots 2.02 through 2.04, seven feet (7') required for all – proposed condition. • Minimum Side Yard (Both Sides) – 12.25 feet proposed for the combination of new Lots 2.01/2.02 and twelve feet (12') proposed for the combination of new Lots 2.03/2.04, fifteen feet (15') required – proposed condition. • Maximum Building Coverage – 36.2% proposed for the combination of new Lots 2.01/2.02 and 36.4% proposed for the combination of new Lots 2.03/2.04, thirty percent (30%) allowed – proposed condition. 3. The proposed building coverage does not account for any covered front access ways. The applicant's professionals should consider modifying the maximum building coverage percentages for the variances being requested. 4. The applicant must address the positive and negative criteria in support of the required variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. III. Review Comments 1. The General Notes reference a Survey dated 2-18-2013. Submission of signed and sealed copies of the Survey is required. 2. The horizontal datum, vertical datum, and bench mark should be referenced on the Minor Subdivision Plan. 3. General Note #9 indicates that solid waste and recycling to be collected curbside by the Township. Enclosures shall be added to the sides of the buildings in accordance with the General Note. 4. General Note #11 shall be corrected since the adjacent lots are not all residential uses. 5. General Note #12 states that any existing sidewalk and curb damaged during construction shall be replaced at the direction of the Township Engineer. Virtually all of the existing curb and sidewalk will be disturbed during construction for the new driveways. Since all of the curb and sidewalk is old, we recommend replacement across the entire project frontage. 6. The following corrections shall be made to Schedule of Bulk Requirements: • Proposed lot areas for new Lots 2.01 and 2.02. • Minimum side yard dimension of 6.25 feet for proposed Lot 2.01. • Minimum side yard (both sides) of 12.25 feet for the combination of proposed Lots 2.01/2.02. • Minimum side yard (both sides) of twelve feet (12') for the combination of proposed Lots 2.03/2.04. 7. The zoning schedule indicates that four (4) off-street parking spaces will be required and provided for the proposed future dwellings. Parking should be provided to the satisfaction of the Board and comply with the UDO. 8. Testimony should be provided whether basements are proposed for the future dwellings on Lots 2.01

through 2.04. If basements are proposed, seasonal high water table information will be required. 9. The twenty-five foot (25') front setback line is incorrectly labeled. 10. The seven foot (7') side setback line is incorrectly labeled. 11. The 6.3 foot side yard dimension on proposed Lot 2.01 shall be corrected to 6.25 feet. 12. Coordinates are required on at least three (3) outbound corners. 13. The orientation of the North Arrow is incorrect. 14. The shading for the duplex units should be lightened since it obscures the proposed building dimensions. 15. A six foot (6') wide shade tree and utility easement is shown on the subdivision plan. The proposed easement shall be dedicated to the Township, and the easement areas shall be shown on an individual lot basis. 16. Unless waived by the Board, street trees are required along the property frontage of proposed Lots 2.01 through 2.04. 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 on 6/26/13 indicates there are many large existing trees located on the property. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review for proposed Lots 2.01 through 2.04. 17. The date needs to be corrected in the Surveyor's Certification. 18. The Surveyor's Certification has not been signed since the monuments have not been set. We recommend that either the Legend be revised to "Monument to be Set", or a signature block added for bonding of the monuments. 19. The incorrect owner is listed in the Notary Public signature block. 20. 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. 21. The project will be serviced by New Jersey American Water Company since it is located within their franchise area. 22. Storm water management from development of proposed Lots 2.01 through 2.04 must be addressed. The property slopes southward toward other developed land. 23. Testimony should be provided on proposed site grading. We recommend proposed grading be included on the Improvement Plan to be submitted, which will provide guidance during any future plot plan reviews. 24. Due to no construction proposed at this time, the Board may wish to require the cost of improvements to be bonded or placed in escrow to avoid replacing them in the future. 25. Compliance with the Map Filing Law is required. 26. An Improvement Plan must be provided to include grading and construction details as required. IV. 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; and d. All other required outside agency approvals. New Jersey American Water Company will be responsible for water and sewer service. A revised submission should be provided addressing the above-referenced comments, including a point-by-point summary letter of revisions.

Mr. Vogt stated that variances are required for minimum lot area, side yard, aggregate side yard as well as maximum building coverage.

Mr. Stephen Pfeffer said they are going down from a density of eight units to a density of four units. He asked that they be scheduled for the next available public hearing.

Mr. Glenn Lines, P.E. said they will be providing the contours on the grading plan which they would have to submit to the Township engineer when they go for construction.

Mr. Vogt is fine with the waivers requested.

Mr. Banas is concerned about the building coverage being 36%. He asked what they could do to get closer to the 30%.

Mr. Lines said he will present testimony at the next meeting. Some of it is based on what's is existing.

Mr. Banas said he is problems with the density.

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

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

A motion was made by Mr. Follman, seconded by Mr. Herzl to advance the application to the August 20, 2013 meeting.

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

6. PUBLIC HEARING ITEMS

- 1. SD 1888** (Variance Requested)
Applicant: Cushman Holdings II, LLC
Location: Warren Avenue & West Street
Block 768 Lot 59
Major Subdivision to create 6 lots

Project Description

The applicant is seeking a Preliminary and Final Major Subdivision approval. The applicant proposes the subdivision of an existing lot to create six (6) proposed lots for three (3) duplex structures that would be developed as zero lot line properties. The existing lot known as Lot 59 in Block 768 is proposed to be subdivided into proposed Lots 59.01 – 59.06 on the Major Subdivision Plan. The 150' X 200', thirty thousand square foot (30,000 SF) property contains two (2) existing one-story frame dwellings and a couple of sheds. The plans state that all existing structures are to be removed. The land generally slopes from south to north. The site is situated in the central portion of the Township on the northeast corner of Warren Avenue and West Street, both of which are paved municipal roads without curb and sidewalk in front of the site. The existing right-of-way width of West Street is fifty feet (50'). The existing right-of-way width of Warren Avenue is sixty feet (60'). The proposed duplex unit on new Lots 59.01 and 59.02 would front Warren Avenue. The proposed duplex units on the combinations of new Lots 59.03/59.04 and 59.05/59.06 would front West Street. Both roadways abutting the site would be widened to provide fifteen foot (15') half pavement widths. Curb and sidewalk are also proposed as part of the road widening improvements. The plans indicate the new lots are to be serviced by public water and sewer. There are existing water and sewer lines located in Warren Avenue. Gas is available to the site since an existing gas main runs under the east side of Warren Avenue. Overhead electric is available from the west side of Warren Avenue. The development proposes four (4) off-street parking spaces for each unit. The number of bedrooms for the units is not specified on the subdivision plans. The subject site is located within the R-7.5 Single-Family Residential Zone District. Therefore, zero lot line duplex housing is a permitted use in the zone district with ten thousand square foot (10,000 SF) minimum lot areas for duplex structures. The site is situated within a predominantly residential area. We

have the following comments and recommendations per testimony provided at the 5/7/13 Planning Board Plan Review Meeting and comments from our initial review letter dated April 29, 2013: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1.B2 - Topography within 200 feet thereof. 2.B4 - Contours of the area within 200 feet of the site boundaries. 3.B10 - Man-made features within 200 feet thereof. 4.C13 Environmental Impact Statement. 5.C14 - Tree Protection Management Plan. 6.C16 - Soil Erosion and Sediment Control Plan. 7.C17 - Design calculations showing proposed drainage facilities. We have reviewed the requested waivers from the Land Development Checklist and offer the following comments for the Board's consideration: We can support the granting of the requested B-Site Features waivers, provided additional topographic features, contours, and man-made features are added on the site and all adjoining roads. Road widening designs are required for Warren Avenue and West Street. Utility connections and possibly extensions will be needed. The current plans do not provide enough information to support the necessary designs. The revised plans provide an incomplete design because of the lack of necessary topographic information. The Board may grant a partial waiver for the Site Features and must decide whether the required information can be deferred until resolution compliance submission, should subdivision approval be granted. The Environmental Impact Statement waiver request is reasonable given the developed nature of the site. The Board shall take action on the Environmental Impact Statement waiver request. The Tree Protection Management Plan waiver may be granted for completeness purposes only. A Tree Protection Management Plan should be required as a condition of approval. The Board shall take action on whether to defer the submission of a Tree Protection Management Plan until prior to construction, should subdivision approval be granted. The proposed project will disturb more than five thousand square feet (5,000 SF). Therefore, a Soil Erosion and Sediment Control certification will be required. The Board shall take action on whether to defer the submission of a Soil Erosion and Sediment Control Plan until prior to construction, should subdivision approval be granted. The proposed project will significantly increase impervious surface. Therefore, calculations and proposed storm water management facilities will be required. The Board shall take action on whether to defer the submission of calculations and proposed storm water management facilities until resolution compliance, should subdivision approval be granted. II. Zoning 1. The site is situated within the R-7.5 Single-Family Residential Zone District. As stated previously, Two-Family Housing, with a minimum lot area of ten thousand square feet (10,000 SF) for two-family structures is listed as a permitted use. Zero lot line subdivisions for duplexes are permitted in the Zone. Statements of fact. 2. A variance is requested for Minimum Front Yard Setback on proposed Lot 59.03. An eighteen foot (18') front yard setback is proposed, where a twenty-five foot (25') front yard setback is required. The proposed duplex unit on the combination of new Lots 59.03/59.04, faces West Street with a forty foot (40') front yard setback. The proposed configuration creates a corner property for new Lot 59.03. Therefore, proposed Lot 59.03 also has frontage on Warren Avenue, from which the setback variance is requested. The proposed design minimizes the side yard setback of new Lot 59.04 and leaves the eighteen foot (18') front yard setback (new Lot 59.03) on the opposite side of the duplex unit. The Board shall take action on the requested front yard setback variance. 3. A variance has been requested from Maximum Building Coverage. Building coverage of 33.8% is proposed for the combination of new Lots 59.01/59.02, 59.03/59.04, and 59.05/59.06. The allowable building coverage is thirty percent (30%). It should be noted the building coverage is being exceeded by inclusion of the rear decks proposed for the duplex units. Without the proposed decks, the units would be complying. The Board shall take action on the requested building coverage variances. 4. The applicant must address the positive and negative criteria in support of the requested variances.

At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area.

III. Review Comments

A. General

1. The survey and base map must be updated to show all man-made features and topography within the adjoining right-of-ways in order to complete the design of proposed improvements.
2. Off-street parking: According to the plans provided, the applicant is proposing four (4) off-street parking spaces per unit which is enough to be in compliance with the RSIS standards of three (3) off-street parking spaces for unspecified number of bedroom units. Up to six (6) bedrooms per unit with an unfinished basement will be permitted for this project to also comply with parking ordinance 2010-62. Off-street parking shall be provided to the satisfaction of the Board.
3. The applicant shall confirm that 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. Statements of fact.
4. The applicant's professionals indicate the proposed lot numbers have been assigned by the Tax Assessor. The Final Plat shall be signed by the Lakewood Tax Assessor. The Final Plat must be signed prior to Map Filing, should subdivision approval be granted.
5. Per Subsection 18-911 F (2 (a-g)) of the zero lot line ordinance, a written agreement signed by the owner of the property is required, including provisions to address items associated with the use, maintenance, and repair of common areas and facilities associated with the overall property. Said agreement must be filed as part of this application to obtain the zero lot line subdivision approval from Lakewood Township. Statements of fact.

B. Plan Review

1. The General Notes indicate that seasonal high water table and all proposed site improvements to be provided at time of plot plan submittal. Unless waived by the Board this information is required for a Major Subdivision.
2. The General Notes should reference the Survey submitted. This information can be added for resolution compliance submission should subdivision approval be granted.
3. The General Notes indicate horizontal and vertical datum has been assumed. The bench mark shown on the construction plan should be referenced. This information can be added for resolution compliance submission should subdivision approval be granted.
4. A proposed Sight Triangle Easement at the intersection of Warren Avenue with West Street shall be corrected to 25' X 25'. The proposed legs of the sight triangle easement must be indicated. The proposed Sight Triangle Easement size has been corrected. The proposed bearing along the West Street leg of the easement shall be corrected to "N - 77 degrees - 00 minutes - 00 seconds - W". The correction can be provided with resolution compliance submission should subdivision approval be granted.
5. Building setback lines shall be added to the proposed lots. The twenty-five foot (25') setback shown for the proposed lots fronting West Street shall be corrected from "rear" to "front" setback. The correction can be provided with resolution compliance submission should subdivision approval be granted.
6. The deck dimensions should be added to the plans and the proposed rear yard setback dimensions revised to the edge of the decks as opposed to the rear unit walls. The proposed deck dimensions and offsets have been added to the plan view. However, the 21.30 foot dimension shown on proposed Lot 59.03 should be corrected to 21.33 feet. The proposed rear yard setbacks should all be reduced by twelve feet (12') in the Zoning Data. The corrections can be provided with resolution compliance submission should subdivision approval be granted.
7. A proposed curb ramp is required at the intersection of West Street and Warren Avenue. A proposed curb ramp has been added. The design shall be in accordance with the latest standards.

C. Grading

1. Road widening designs are required for Warren Avenue and West Street. Proposed site grading cannot be evaluated without these designs. Additional topography is required to properly complete and evaluate the road widening designs. At a minimum, existing half cross sections of Warren Avenue and West Street shall be provided at

fifty foot (50') intervals across the site frontages. This information can be provided for resolution compliance submission, should subdivision approval be granted. 2. Profiles are required for West Street and Warren Avenue with the road widening design. Proposed curb and gutter elevations must be included on the profiles. The profiles must be completed. Stationing shall be added to the road centerlines. The completion of the design can be provided for resolution compliance submission, should subdivision approval be granted. 3. Basements are proposed for all units. Seasonal high water table information must be provided to substantiate a minimum two foot (2') separation to the proposed basement floors. The seasonal high water table information can be provided with resolution compliance submission, should subdivision 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. Our review of the project indicates significant impervious surface will be added. As a result, storm water management must be addressed. Storm water management must be addressed with resolution compliance submission, should subdivision approval be granted. 2. Should recharge be designed for storm water management, soils information must be provided within the proposed project to confirm the seasonal high water table. In addition, permeability testing would be required for use in the recharge calculations. Any soils information and permeability testing can be provided with resolution compliance submission, should subdivision approval be granted. 3. A Storm Water Management Report and Design can be reviewed in detail with a revised submission of the project. A Storm Water Management Report and Design must be provided with resolution compliance submission, should subdivision approval be granted. E. Landscaping 1. Ten (10) Willow Oak shade trees have been proposed within the shade tree and utility easement. The proposed locations must be added to the revised plans. This can be provided with resolution compliance submission, should subdivision approval be granted. 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 landscape design recommendations, if any. 3. Per our site inspection of the property, there is a large existing tree near the intersection. This tree must be removed since it will be located within the proposed sight triangle easement. Other existing trees are growing on the eastern side of the site. A Tree Protection Management Plan which has not yet been submitted would be required as a condition of approval. 4. Landscaping shall be reviewed in detail after compliance submission should subdivision approval be granted. Statement of fact. F. Lighting 1. Proposed street lighting has not been provided since no new roads are proposed. The project fronts existing streets which will be widened. Statements of fact. G. Utilities 1. Public potable water and sanitary sewer service will be provided by the New Jersey American Water Company. The project is within the franchise area of the New Jersey American Water Company. Statements of fact. 2. Proposed sanitary sewer connections must be added. It may be necessary to extend a sanitary sewer main onto West Street to service the proposed duplex units facing West Street. A sanitary sewer main extension is proposed to service the future duplex units facing West Street. Based on the proposed inverts, the pipe slopes are incorrect. 3. Proposed potable water connections must be added. It may be necessary to extend a potable water main onto West Street to service the proposed duplex units facing West Street. A potable water main extension is proposed to service the future duplex units facing West Street. 4. There is an existing well on the site. The plans should address the abandonment of this well. Approval would be required from the Ocean County Board of Health. The well abandonment can be addressed with resolution compliance submission, should subdivision approval be granted. H. Signage 1. The existing regulatory signage shown on the survey must be added the plans. This regulatory signage shall be shown to be relocated as part

of the road widening design. The regulatory signage relocations can be provided with resolution compliance submission, should subdivision approval be granted. 2. An existing street sign is mounted above the existing stop sign. A new street sign shall be proposed. The proposed street sign can be provided with resolution compliance submission, should subdivision approval be granted. 3. All signage proposed that is not reviewed and approved as part of this application, if any, shall comply with Township ordinance. Statement of fact. I. Environmental 1. Tree Management As a condition of approval, a Tree Protection Management Plan in accordance with the current ordinance shall be submitted. Providing a Tree Protection Management Plan shall be a condition of any approvals. J. Construction Details 1. Final review of construction details will take place after compliance submission, if/when this project is approved by the Board. Statement of fact. K. Final Plat (Major Subdivision) 1. The Final Plat shall be corrected in accordance with the previous applicable plan review comments. In addition, the following corrections are required: a. Final Plat shall be added to the title block. b. The North Arrow layer has inadvertently been turned off. c. The proposed minimum side yards (both sides) in the Zoning Data shall be revised to 16.67 feet for the combination of new Lots 59.01/59.02, not applicable for the combination of new Lots 59.03/59.04, and fifteen feet (15') for the combination of new Lots 59.05/59.06. Final plat revisions can be provided with resolution compliance submission, should subdivision approval be granted. 2. The Surveyor's Certification has not been signed since the monuments have not been set. In addition, the Certification lists the date of a Land Survey that has not been submitted. 3. The language for the Notary Public should be changed since a party has not been clearly designated. Either an individual or a blank for an individuals name must be added. 4. Compliance with the Map Filing Law is required. Statement of fact. 5. The Final Plat will be reviewed in detail after design revisions are undertaken for the project. Statement of fact. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Developers Agreement at the discretion of the Township; b. Township Tree Ordinance; c. Ocean County Planning Board; d. Ocean County Board of Health (well abandonment); e. Ocean County Soil Conservation District; and f. All other required outside agency approvals. New Jersey American Water Company will be responsible for constructing potable water and sanitary sewer facilities.

Mr. Vogt stated that variances are requested for minimum front yard setback as well as maximum building coverage.

Mr. Glenn Lines, P.E., was sworn in. He said they could reconfigure the units and the lot lines to meet the front yard setback on the Warren Avenue side of the project. The variance is requested because it is the side of the unit. There is a 40 FT front setback on the front of the duplex towards West Street but they are requesting the front yard setback variance which is on the side of the one duplex unit. With regard to the building coverage variance, the units themselves do meet the 30% coverage but because of the decks they are at 33.8%. Several submission are requested including topography, contours, man-made features, EIS, tree protection plan, soil erosion and design calculations for storm drainage. He explained that because they have one extra unit this application becomes a major subdivision. If it were a a minor, those items would not be required. The EIS, tree protection plan and soil erosion plan would be submitted during resolution compliance.

Mr. Vogt confirmed that the engineer would provide the required waivers during compliance.

Mr. Lines said yes. He also said that they can meet all the other comments in the review letter.

Mr. Banas thinks the density is too high.

Mr. Pfeffer explained that it is for the decks.

Mr. Jackson said with regard to the decks a lot of Boards would view that as less of an impact than if an entire bulk was taking up by a building.

Mr. Schmuckler said that if the deck is less than 3 FT then it wouldn't count as part of the building coverage.

Mr. Banas said they should lower the decks then.

Mr. Schmuckler asked for a Percal map.

Mr. Lines said they do not. A Percal map is usually just shown for lot area.

Mr. Schmuckler said he would like to see something showing the variances for the front yard setback.

Mr. Lines said it is on the side towards the street. It's not the front where the cars would be parking.

Mr. Saul Mizrahi, 21 Cornelius Street, was sworn in. He is the applicant for this project. He explained that he could easily get three duplexes with the same square footage. The lots would be odd shaped without any variances. He said Warren Avenue is not a busy street and it has a 60 FT ROW. It would not look out of place to have a 7 FT variance. He said variances were given in this area for other applications.

Mr. Lines explained that Warren Avenue is a 60 FT right-of-way so there is 5 FT of additional right-of-way.

Mr. Mizrahi said another builder built 10 units across the street and they had a 15 FT setback.

Mr. Neiman said they would normally like to see a map of these types of variances.

Mr. Pinchas Gootblatt, was sworn in. He stated that he built along Warren, Emmanuel and Martin Luther King. He built 10 houses along Warren Avenue. He said, to the best of his recollection, two of the ten units had a 15 FT side yard setback.

Mr. Banas is concerned about this project. The Board has no architectural plans and Mr. Lines has not presented any valid reasons or hardships for the requested variances. They have also heard from the builder that it is possible to build without any variances.

Mr. Jackson read onto record the statute for a C variance.

Mr. Mizrahi explained again that if they don't request the side yard variance these would be odd shaped lots with a 10 FT strip behind the units on Warren Avenue. He also said that Warren Avenue is a 60 FT right-of-way so they have the extra 5 FT.

Mr. Lines said there is a basement apartment in each unit and 4 spaces per unit.

Mr. Neiman opened to the public.

Ms. Noreen Gill, 192 Coventry Drive, was sworn in. She is concerned about the density and variances requested.

Mr. Neiman closed to the public. He confirmed that the applicant agreed to lower the decks to 36" so there would be no lot coverage variance.

Mr. Banas still maintains that there wasn't any evidence presented to the Board showing hardship. He does not feel the variance should be granted.

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

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

No: Mr. Banas

2. **SP 2021AA** (No Variance Requested)
Applicant: Congregation Noam Hatalmud
Location: Lanes Mill Road
Block 187 Lot 6

Change of Use/Site Plan Exemption to convert existing house into a synagogue

Project Description

The applicant is seeking Site Plan Exemption/Change of Use approval for conversion of an existing one-story single-family residential dwelling into a synagogue. As depicted on the survey plan, Lot 1 is a trapezoidal-shaped property with frontage on Lanes Mill Road. The lot is situated on the north side of the roadway, opposite of the intersection of Lanes Mill Road and Long Beach Avenue. As depicted on the survey, a one-car garage and 30 lf driveway exists, providing two (2) off-street parking spaces. Curbing and sidewalk exist along the property frontage, with sidewalk terminating near the southwesterly property corner. The property is surrounded by single-family residential development. The property is situated within the R-15 Single Family Residential Zone. No site improvements are proposed with the conversion. As noted on the architectural floor plan (copy enclosed), approximately 505 sf of sanctuary space are proposed with the conversion. Additionally, three (3) offices, a study, a dining room and kitchen are also proposed as part of the conversion. I. Zoning 1. The property is located in the R-15 (Single Family Residential) Zone. Places of worship are a permitted use in the zone, subject to the requirements of Section 18-905 of the UDO. 2. Per review of the Change of Use Site Plan, no new bulk variances are necessary for the change of use request. A (de minimus) pre-existing variance for lot width exists. 3. Per review of the Change of Use Site Plan, the following design waivers are required for proposed project: • Providing site lighting. • Providing landscaping. • Providing a 20 foot perimeter buffer per Section 18-905B-1 of the UDO. II. Review Comments 1. Testimony should be provided by the applicant for the Board to support

the proposed change in use, including but not limited to the following issues: a. How many congregants (maximum) are anticipated for the sanctuary use? b. Are any other ancillary uses (i.e., school, residential, other) proposed with this change of use? c. What is the anticipated parking demand for the sanctuary use? d. Is catering proposed at this facility? e. Is future expansion of the existing building (dwelling) proposed? 2. As indicated on the enclosed architectural floor plan, no building expansion is proposed with the current change of use application. Information and testimony should be provided to the Board's satisfaction at the forthcoming public hearing (i.e., if any façade or other improvements are proposed). 3. Per Section 18-905A of the UDO, off-street parking for places of worship is not required where main sanctuaries are less than 800 sf, exclusive of secondary sanctuary space, kitchen, support rooms and other facilities. Based on the proposed 505 sf of sanctuary space as identified in the application, no off-street parking is required per the UDO. 4. As indicated previously, a one-car 11'x15' garage and 30-foot long single car driveway exist on the property, providing the equivalent of two (2) off-street parking spaces. Parking should be provided to the satisfaction of the Board. 5. Testimony should be provided regarding proposed trash and recyclables pickup (i.e., curbside for DPW pick-up, other). 6. No new landscaping is proposed. As indicated above, a waiver of the perimeter buffer requirement is necessary. 7. Testimony should be provided regarding proposed lighting (if any). Lighting shall be provided to the satisfaction of the Board. 8. Information and/or testimony should be provided that existing utilities serving the building are adequate for the proposed synagogue use. 9. The site plan waiver (if approved) does not relieve the applicant's obligation to obtain necessary outside agency approvals, building permits and construction code reviews.

Mr. Vogt said no variances are being requested but there is a de minimus pre-existing variance for lot width. Design waivers are required for lighting, landscaping and a 20 FT perimeter buffer.

Mr. Schmuckler asked if there is a site plan.

Mr. Vogt said there is a survey of the existing dwelling.

Mr. Flannery said the survey shows the setbacks to the existing building and the proposal is to use the existing building as is.

Mr. Schmuckler has an issue with the plans.

Mr. Flannery said there was a floor plan submitted with the application.

Mrs. Miriam Weinstein, Esq. said the applicant is seeking a change of use approval to convert an existing residence into a synagogue. They are not making any changes to the building. No new variances are being requested. This will be a neighborhood synagogue where the congregants live locally where they will either walk or get dropped off. The property will be used for prayer services three times daily and will also be utilized as a study hall for adult students as most synagogues are used during daytime hours. There will not be any catering facility.

Mr. Brian Flannery, P.E., P.P., was sworn in. he said the sanctuary will be 505 SF which would not require parking. It will be neighborhood congregants. An existing driveway and garage will remain. It is his testimony that that will be sufficient for the use proposed. A waiver is being requested for the 20 FT perimeter buffer.

Mr. Schmuckler is confused about the use of this dwelling.

Mr. Flannery said it will be neighborhood congregants for prayer and study.

Mr. Schmuckler asked about the parking.

Mr. Flannery said there are two parking spots. For a house of worship, the ordinance specifically says that if the sanctuary space is less than 800 SF, no parking is required.

Mr. Schmuckler said that this is on Lanes Mill Road where there is no parking.

Mr. Flannery said the congregants are walking.

Mr. Neiman had a problem with that because if the weather is bad the congregants are not going to walk. There is no off-street or on-street parking available here.

Mr. Flannery said there are a few side streets nearby.

Mr. Schmuckler said they don't want that. Their goal is to take the cars off the streets.

Mrs. Weinstein said it is going to be used for a study hall.

Mr. Schmuckler doesn't understand.

Mrs. Weinstein said it will be used as a study hall for about 6 or 7 post high school boys who do not drive and are being dropped off.

Mr. Schmuckler is concerned about the drop off point and the parking.

Mr. Flannery said there is room in the front to pave a parking lot. They could provide 15 parking spaces on site.

Mrs. Weinstein said this is not a dormitory.

Mr. Neiman opened to the public.

Mr. Larry Simons, 7 Schoolhouse Court, was sworn in. He has an issue that the application says this is a change of use to a synagogue and not a yeshiva.

Ms. Noreen Gill, 192 Coventry Drive, was sworn in. She asked if there are any homes in back of this application. She is concerned about the students walking around the neighborhood at night.

Mr. Abraham Alemany, 1508 Carol Court, was sworn in. He said his house is behind this property. He is concerned about the notice he received and the testimony heard tonight as they do not correlate. He said there is no way they can pave and fit that many parking spaces on that property. He said if this application is approved, he would ask the applicant to provide a fence along the property lines.

Mr. Yochy Miller, 1522 Long Beach Avenue, was sworn in. He said this application is misleading as it is a yeshiva but it's being labeled as a synagogue. He is also concerned about the parking, lighting and the students roaming around the area. He heard that there will be 15-20 students at this yeshiva. He is not against this application but he would like to know exactly what is being approved.

Mr. Neiman said there was testimony that there will be 6 boys so maybe they will restrict it to such.

Mr. Miller again stated he heard there will be at least 15 boys.

Mr. Neiman closed to the public.

Mr. Schmuckler would like to hear exactly what this application is for.

Mrs. Weinstein said this is not an existing congregation. They currently have 6 boys that are enrolled. She said the applicant is willing to put up a fence but she wanted to check with Mr. Flannery to see if 15 spots are possible.

Mr. Flannery said it is possible but all of the trees would have to come down in order to pave and a neighbor would be adversely affected by this.

Mr. Jackson also brought up the point that the notice says synagogue. A nearby property owner may have looked at the notice and not had a problem with that but they could have a problem with a school. It is two different entities.

A motion was made by Mr. Franklin, seconded by Mr. Banas to deny the exemption.

Affirmative: Mr. Franklin, Mr. Banas

No: Mr. Herzl

Abstained: Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert

- 3. SP 2022AA** (No Variance Requested)
Applicant: Congregation Toldos Yaakov Yosef
Location: Squankum Road
Block 104 Lots 54 & 59

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

Project Description

The applicant is seeking Site Plan Exemption/Change of Use approval for conversion of an existing one-story single-family residential dwelling at 670 Squankum Road into a school. The site plan indicates a proposed circular gravel drive and interior parking area consisting of eight (8) parking spaces. Access to the site is proposed from Squankum Road, a County Road with a variable width right-of-way. As depicted on the site plan, Lots 54 and 59 form an irregular-shaped 1.99 acre property with frontage on Squankum Road. The lots are situated in the northern portion of the Township on the northwest side of the roadway, northeast of the

intersection with Apollo Road near the Howell Township border. Existing Lot 59 of the site contains an existing one-story dwelling and an existing shed. Existing Lot 54 is vacant and contains transition area from freshwater wetlands on neighboring Lot 13 associated with the Metedeconk River floodplain. Curbing and sidewalk do not exist along the property frontage and none is proposed. Vacant land borders the site to the north and west. An existing residential subdivision exists to the south of the site. Squankum Road borders the entire east side of the tract. The property is situated within the R-12 Single Family Residential Zone. 1. Zoning 1. The property is located in the R-12 Single-Family Residential Zone. Private Schools are a permitted use in the zone, subject to the requirements of Section 18-906 of the UDO. 2. Per review of the Change of Use Site Plan, no bulk variances are necessary for the change of use request. 3. Per review of the Change of Use Site Plan, the following design waivers are required for proposed project: • In accordance with Section 18-906A.2., of the UDO, a twenty foot (20') buffer is required from a residential use or district. No buffer is proposed, and only an 11.3' buffer may be provided from the existing dwelling which is proposed to be converted into a school. • In accordance with Section 18-906A.3., of the UDO, landscaping shall be provided for the required buffer. No new landscaping is proposed for the twenty foot (20') wide buffer area. • Providing landscaping. • Providing paved access/off-street parking. • Providing curbing. • Providing sidewalk. • Providing shade trees and utility easements. II. Review Comments 1. Testimony should be provided by the applicant for the Board summarizing the proposed use of the school, including but not limited to the following: a. How many students are proposed at the school. b. Will any students (or parents) drive and park at the school. c. How many buses (if any) are proposed d. Will any students will be dropped off and picked up (by car). 2. An eight (8) space gravel parking lot with no handicap spaces is being provided for the proposed school. 3. A proposed twenty-five foot (25') wide circular gravel drive, which gives access to the parking area, is proposed from Squankum Road. 4. Testimony should be provided on refuse collection and deliveries (i.e., curbside pickup, other). 5. The General Notes indicate proposed water and sewer service will be provided by the New Jersey American Water Company. 6. The status of the existing shed on Lot 59 has not been indicated. Should the shed remain and the lots not be consolidated, an accessory structure setback variance would be required. 7. Per communications with the applicant's professionals, final design of the proposed access drive and parking area will be provided during compliance, if/when Board approval is granted. 8. Testimony should be provided regarding proposed lighting (if any). Lighting shall be provided to the satisfaction of the Board. 9. Information and/or testimony should be provided that existing utilities serving the building are adequate for the proposed school use. 10. Construction details will be required for proposed site improvements as approved by the Board. Per communications with the applicant's professionals, this information will be provided during compliance, if/when Board approval is granted. 11. The site plan waiver (if approved) does not relieve the applicant's obligation to obtain necessary outside agency approvals, building permits and construction code reviews.

Mr. Rennert and Mr. Herzl stepped down.

Mr. Abraham Penzer, Esq. on behalf of the applicant stated that they would like to take an existing building and convert into a school. There will be a maximum of 4 classrooms and 100 students. If there are going to be more then they would have to come back to the Board. No students will be parking at the school. There will be one bus and no drop offs. There is currently gravel on the site and they don't have time to pave at this time in order to get the school open in time.

Mr. Brian Flannery, P.E. was sworn in. There will be 8 parking spaces with 4 teachers. He feels the 8 spots are more than sufficient as there will be no students driving or being dropped off. Ultimately there will be a new building on this site which was already approved. If the plans change they will come back to this Board. Most items in the engineer's review letter can be met during compliance. The existing utilities for the house will be sufficient.

Mr. Schmuckler would like to see some sort of time line for the new school to be built.

Mr. Penzer said maximum of 3 years.

Mr. Neiman opened to the public.

Ms. Noreen Gill, 192 Coventry Drive, was sworn in. She asked what the total SF of the home is.

Mr. Penzer said the State allows 7 ½ square feet per desk for private schools.

Mr. Flannery said it is 1,713 SF building.

Ms. Gill is also concerned about busing.

Mr. Schmuckler said there is a turn around.

Mr. Flannery said the applicant did agree to put a fence along the southern property line.

Mr. Penzer said they would like to put up an 8 FT fence.

Mr. Voorhand, was sworn in. He has a house nearby and would like to see a fence put up for privacy purposes.

Mr. Penzer said when they start building the new school they will have no problem putting up a fence but right now there is about 7 acres between.

Mr. Naftali Ausch, 603 Apollo Road, was sworn in. He would like to see a fence put up as well. He also wants trees.

Mr. Penzer said they can provide trees when they come back for the new building. He said it could be put in the resolution if the neighbors are not happy with just the fence they will plant trees.

Mr. Neiman asked that the applicant put a row of Arborvitaes.

Mr. Penzer agreed.

Ms. Gill asked about offices.

Mr. Penzer said there are no offices.

Mr. Flannery said after totaling the SF for the desks there is over 1,000 SF left over.

Mr. Neiman closed to the public.

A motion made by Mr. Follman, seconded by Mr. Schmuckler to approve the application.
Affirmative: Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman

- 4. SD 1898** (Variance Requested)
Applicant: R.K. Bennett II, Inc.
Location: Bennett Boulevard & Airport Road
Block 1160.01 Lots 271 & 271.01
Minor Subdivision to adjust lot lines

Project Description

This application is for the re-alignment of property lines to remove an existing building encroachment. Existing Lots 271 and 271.01 in Block 1160.01 would be reconfigured as designated on the subdivision plan. Existing Lot 271 contains 336,318 square feet (7.72 acres) and has two (2) existing one-story masonry warehouse buildings. Existing Lot 271.01 is a 100' X 100' square property which contains ten thousand square feet (10,000 SF) or 0.22 acres and has existing utility facilities. Lot 271 is owned by R.K. Bennett II, Inc., and Lot 271.01 is owned by Lakewood Cogeneration LP. The proposed property line re-alignment would not change the lot areas. It is proposed to shift the lot lines of Lot 271.01 three feet (3') southward to remove an existing building encroachment from Lot 271 onto Lot 271.01. It is also proposed to create easements between the new lots. No new improvements are being proposed. The site is situated in the southeastern portion of the Township on the southeast corner of Bennett Boulevard and Airport Road in the Lakewood Industrial Park. Bennett Boulevard is an improved Municipal Road with a sixty foot (60') right-of-way. Airport Road is an improved County Road with a sixty foot (60') right-of way. Curb exists along these improved streets, but sidewalk does not. The site is located within the M-1, Industrial Zone. The surrounding lands are all improved with large commercial and industrial land uses. We have the following comments and recommendations: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. B1 - Topography of the site. 2. B3 - Contours on the site. The submission waivers are proposed since the Minor Subdivision only involves a boundary line adjustment and no new improvements. We can support the "B-Site Features" requested waivers. II. Zoning 1. The site is situated within the M-1, Industrial Zone. Per Section 18-903M.1.c., of the UDO, warehouses are an allowed permitted use. According to Section 18-903M.1.h., of the UDO, utilities are an allowed permitted use. 2. Existing Lot 271.01 is nonconforming with respect to Minimum Lot Area. The existing lot area of 0.22 acres will be unchanged with the proposed subdivision, whereas a minimum lot area of three (3) acres is required. 3. Existing Lot 271.01 is nonconforming with respect to Minimum Lot Width. The existing lot width of one hundred feet (100') will be unchanged with the proposed subdivision, whereas a minimum lot width of three hundred feet (300') is required. 4. A Minimum Side Yard Setback is required for proposed Lot 271. A portion of a warehouse building on existing Lot 271 encroaches into existing Lot 271.01 by 2.54 feet. The proposed shifting of the lot lines by three feet (3') to the south will create a side yard setback of 0.46 feet, whereas thirty feet (30') is required. 5. A Minimum Aggregate Side Yard Setback is required for proposed Lot 271. Existing Lot 271 is nonconforming with respect to Minimum Aggregate Side Yard Setback. The proposed shifting of the lot lines by three feet (3') to the south will increase the aggregate side

yard setback from 32.03 feet to 35.03 feet, whereas seventy feet (70') is required. 6. Per review of the plan, the following design waivers are required: • Providing sidewalk along the project frontage. It should be noted that there is no existing sidewalk along the project frontage in the vicinity of this site which is in the Industrial Park. • Providing shade trees along the project frontage. • Providing a shade tree and utility easement along the project frontage. 7. We recommend approval of the requested variances because of the inherent benefits of eliminating the existing building encroachment at virtually no detriment. III. Review Comments 1. General Note #2 references a Survey by Control Layouts, Inc., dated 5/14/13. Signed and sealed copies of the Survey are required. 2. Based on the coordinates provided, horizontal datum must be assumed. 3. Vertical datum and a bench mark shall be provided. 4. The Minor Subdivision plan shows a gravel area encroaching onto neighboring Lot 228 owned by the Lakewood Industrial Commission. A concrete pad from adjoining Lot 270 encroaches onto the applicant's Lot 271. These encroachments must be addressed. 5. General Note #3 shall be corrected. 6. Off-street parking is not affected by this application. 7. No new lot numbers are proposed by the re-alignment. Approval will be required by the Tax Assessor. The map shall be signed by the Tax Assessor should approval be granted. 8. Our site investigation indicates there are discrepancies with the existing curb location shown on the New Lot Detail. The existing curb location should be corrected on the New Lot Detail which should also be drawn to scale. 9. Testimony should be provided clarifying the dedications and uses of the proposed easements. 10. Survey information must be corrected for the proposed easements. 11. The Surveyor's Certification has not been signed since the concrete monuments for the new lot corners along Airport Road have not been set. 12. A Legend should be provided. 13. Compliance with the Map Filing Law is required. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Lakewood Industrial Commission; b. Ocean County Planning Board; and c. All other required outside agency approvals.

Mr. Follman left the meeting.

Mr. Vogt said because this is only a lot line adjustment and they are not building anything this will only be heard at one meeting. There are submission waivers requested including topography and contours.

A motion was made by Mr. Schmuckler and seconded to approve the waivers.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Schmuckler

Mr. Penzer said this is right next to the co-generation plan. When the co-generation plant was sold, a 100 FT buffer was given next door where they had pipes. The applicant is now selling the building to a new industrial park client. When a survey was done, it was discovered that 2 ½ FT of the building was put on the co-generation property. In order to solve the matter, a lot adjustment was agreed upon.

Mr. William Stevens, P.E., was sworn in. He reiterated that a piece of the building is encroaching on the neighboring lot so they are looking to slide the lot line a few feet to the south. In addition, there is a small part of a loading dock and some curb that exists as part of that building addition which is also on the co-generation property. The co-generation would give an easement back to lot 271 to allow that to continue to function. The applicant would then give

an easement back to the co-generation property so they would have the ability to utilize the same amount of land that they had before.

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

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

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

Mr. Penzer asked because of the time restraints that Mr. Jackson prepare a resolution ahead of time. He asked that the Board vote on it.

A motion was made by Mr. Schmuckler, seconded by Mr. Banas to approve the resolution.

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

5. **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 associated site improvements.

Mrs. Morris stated that the applicant has requested this project be adjourned until further notice.

7. CORRESPONDENCE

- **SP 2016AA** Mesivta Ohr Chaim Meir
Request to modify approval to include bus turn-around on neighboring Lot 55

Project Description

The applicant is proposing to amend the Site Plan Exemption/Change of Use approval for conversion of an existing storage building in the rear of the site into a proposed school building. The proposed school would house three (3) classrooms with an office, rather than the approved two (2) classrooms and an office. An existing two-story dwelling would remain in the front of the site. Also, a new Circulation Plan of Lots 54 and 55 in Block 494 has been submitted. Instead of widening an existing paved access driveway with a bus turnaround loop shown in the front of the site on Lot 54, the applicant proposes a new one-way circulation pattern. Access into the site will be provided from the existing paved driveway on Lot 54 intersecting with West Cross Street. Egress from the project will be provided by an existing paved driveway on Lot 55 which intersects with West Cross Street. The above mentioned paved driveways sections are connected by an existing stone drive crossing the side lot line between Lots 54 and 55. West Cross Street is a County Highway with no curb and sidewalk. The reason for the proposed circulation revision is to negate the need for County approval which would have been required to widen the existing driveway on Lot 54 that intersects with West Cross Street. I. Zoning 1. The requested amendments would not affect the previously approved waivers. However, based on the Lakewood Shade Tree Commission comments, the Board may wish to revisit providing buffer plantings. II. Review Comments Per our review of the amended application and

communications with the applicant's professionals and Board Solicitor, we recommend approval of the amended request subject to the following conditions: 1. Adjustments to the stone driveway configuration may be necessary for the bus circulation. 2. Existing and/or proposed easements have not been indicated for the driveway which crosses the side lot line between Lots 54 and 55. 3. A General Note states that solid waste and recycling is to be collected from an onsite dumpster by the Township. No trash enclosure has been indicated on the Site Plan. Onsite collection from the Township must be approved by the Department of Public Works. 4. Off-street parking shall be corrected in the Zoning Requirements. Per UDO requirements (18-906) an off-street parking space shall be provided for each classroom and office. Therefore, a total of four (4) off-street parking spaces shall be shown as required for the school. 5. The areas for off-street parking are large enough to accommodate minimum parking space sizes of 9'x18'. The handicap accessible parking must be properly delineated and paved, with a hard surface access provided to the building. 6. The General Notes indicate water supply by individual well and sewer disposal by individual septic. An existing well is shown on the plan near the dwelling to remain. 7. As required per the existing approval, this change of use approval does not relieve the applicant from obtaining any and all building code and outside agency approvals necessary for completion of this project. 8. Any additional conditions deemed warranted by the Planning Board at the forthcoming public meeting.

Mrs. Weinstein, Esq. on behalf of the applicant. She said the Board approved this application previously to convert an existing residence to a school on lot 54. The applicant is under contract to purchase both lots 54 and 55. Initially, lot 55 was not part of this application. The applicant is buying both lots with the intent to come back in the future and do a full site plan. At this point, the applicant would like to include Lot 55 so the cars will enter the site on lot 54 and exit through lot 55. The reason they would like to do this is they would have had to receive OC Planning Board approval for widening the access drive.

Mr. Neiman opened to the public.

Mr. Greg Stafford Smith, 1200 West Cross Street, was sworn in. He wanted to clarify this application. He is concerned that with the acquisition of lot 55 this site is going from 2 acres to 6 acres. He would like to see the Board take a closer look at the Cross Street area.

Mrs. Weinstein confirmed that nothing else is being proposed on lot 55 at this point. The applicant will be coming back to the Board for a full site plan in the future.

A motion was made by Mr. Schmuckler, seconded by Mr. Rennert to approve.
Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Rennert

8. PUBLIC PORTION

9. APPROVAL OF MINUTES

10. APPROVAL OF BILLS

11. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Sarah L. Forsyth
Planning Board Recording Secretary