

## 1. CERTIFICATION OF COMPLIANCE

Acting Chairman Stan Banas 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. Herzl, Mr. Banas, Mr. Flancbaum, Mr. Follman, Mr. Rennert

## 3. SWEARING IN OF PROFESSIONALS

Mr. Vogt was sworn in.

## 4. MEMORIALIZATION OF RESOLUTIONS

### 1. Court Room Recording Procedure

Mrs. Morris stated that John Jackson and Steven Secare are discussing how far the Board's rights extend as to limiting this and how it is enforceable.

- 2. SD 2008** (No Variance Requested)  
Applicant: Berkshire Investment Holdings, LLC  
Location: Elmhurst Boulevard  
Block 431 Lot 15  
Preliminary and Final Major Subdivision to create 20 fee-simple duplex lots

A motion was made by Mr. Rennert, seconded by Mr. Banas to approve.  
Affirmative: Mr. Banas, Mr. Rennert

- 3. SP 2109** (Variance Requested)  
Applicant: RD Lakewood LLC  
Location: Boulevard of the Americas  
Block 961.01 Lots 2.02 & 2.03  
Preliminary & Final Major Site Plan for a bank and a hotel

A motion was made by Mr. Rennert, seconded by Mr. Banas to approve.  
Affirmative: Mr. Banas, Mr. Follman, Mr. Rennert

- 4. SP 2118** (No Variance Requested)  
Applicant: Lakewood Cheder School  
Location: 725 Vassar  
Block 1601 Lot 4  
Preliminary & Final Major Site Plan for a parking lot addition

A motion was made by Mr. Franklin, seconded by Mr. Banas to approve.  
Affirmative: Mr. Banas, Mr. Franklin

5. **SP 2119** (No Variance Requested)  
Applicant: Yeshiva Ohr Hatorah  
Location: 780 Vassar Avenue  
Block 1602 Lot 3  
Preliminary and Final Major Site Plan for an addition to the existing school

A motion was made by Mr. Follman, seconded by Mr. Banas to approve.  
Affirmative: Mr. Banas, Mr. Follman

6. **SD 2025** (Variance Requested)  
Applicant: 319 Cedarbridge, LLC  
Location: Cedarbridge Avenue  
Block 548 Lot 170.47  
Preliminary & Final Major Subdivision to create 8 fee simple duplex lots, 2 open space lots, and 1 commercial lot

Mrs. Morris stated the applicant's attorney had some revisions they would like incorporated and asked that this be carried.

7. **SD 2033** (Variance Requested)  
Applicant: 319 Cedarbridge LLC  
Location: Boulevard of the Americas  
Block 548 Lot 170.49 & 170.32  
Preliminary & Final Major Subdivision to create 8 lots

Mrs. Morris stated the applicant's attorney had some revisions they would like incorporated and asked that this be carried.

8. **SD 2042** (No Variance Requested)  
Applicant: Joshua Goldstein  
Location: Thorndike Avenue  
Block 266 Lot 6  
Minor Subdivision to create two lots

A motion was made by Mr. Follman, seconded by Mr. Rennert to approve.  
Affirmative: Mr. Banas, Mr. Follman, Mr. Rennert

9. **SD 1982A** (Variance Requested)  
Applicant: 1260 ECL, LLC  
Location: East County Line Road  
Block 187 Lots 7, 44, & 100  
Amended Preliminary & Final Major Subdivision to create seven lots

A motion was made by Mr. Follman, seconded by Mr. Banas to approve.  
Affirmative: Mr. Banas, Mr. Follman, Mr. Rennert

- 10. SP 2115** (No Variance Requested)  
Applicant: Congregation Ateres Avrohom  
Location: East County Line Road  
Block 174 Lot 50.06  
Preliminary & Final Major Site Plan for a synagogue

A motion was made by Mr. Banas, seconded by Mr. Follman to approve.  
Affirmative: Mr. Banas, Mr. Flancbaum, Mr. Follman, Mr. Rennert

- 11. SD 2034** (Variance Requested)  
Applicant: Rivka Herskovits  
Location: Read Place  
Block 855.02 Lot 33  
Minor Subdivision to create two lots

A motion was made by Mr. Banas, seconded by Mr. Follman to approve.  
Affirmative: Mr. Banas, Mr. Flancbaum, Mr. Follman, Mr. Rennert

- 12. SP 2114** (Variance Requested)  
Applicant: Chateau Holdings LLC  
Location: River Avenue  
Block 1040 (Future Block 1021) Lot 1.01 (Future Lot 4.23)  
Preliminary & Final Major Site Plan for a commercial building

A motion was made by Mr. Follman, seconded by Mr. Flancbaum to approve.  
Affirmative: Mr. Banas, Mr. Flancbaum, Mr. Follman, Mr. Rennert

- 13. SD 2037** (Variance Requested)  
Applicant: Yehuda Gelbfish  
Location: Monmouth Avenue  
Block 139 Lots 3 & 5  
Minor Subdivision to create four fee-simple duplex lots

A motion was made by Mr. Flancbaum, seconded by Mr. Banas to approve.  
Affirmative: Mr. Banas, Mr. Flancbaum

Mr. Follman voted no on app, can he vote yes on the reso?

- 14. SD 2040** (Variance Requested)  
Applicant: Yehoshua Frenkel  
Location: Cross Street  
Block 439 Lot 7  
Preliminary & Final Major Subdivision to create eight fee-simple duplex lots

A motion was made by Mr. Flancbaum, seconded by Mr. Follman to approve.  
Affirmative: Mr. Banas, Mr. Flancbaum, Mr. Follman, Mr. Rennert

- 15. SD 1692B** (Variance Requested)  
Applicant: Mordechai Taub

Location: Leonard Street  
Block 228 Lot 2  
Amended Minor Subdivision to create two lots

A motion was made by Mr. Follman, seconded by Mr. Flancbaum to approve.  
Affirmative: Mr. Flancbaum, Mr. Follman, Mr. Rennert

- 16. SD 1752** (Variance Requested)  
Applicant: 1275 River Avenue LLC  
Location: Rive Avenue  
Block 1077 Lot 39.02  
Amended Preliminary & Final Major Subdivision to change from a combination of triplexes and duplexes to duplexes only

A motion was made by Mr. Flancbaum, seconded by Mr. Rennert to approve  
Affirmative: Mr. Banas, Mr. Flancbaum, Mr. Follman, Mr. Rennert

## 5. Franklin Street Study Area – Preliminary Investigation

- Review/Determination to the Township Committee whether to recommend that the Franklin Street Study Area should be classified as a Condemnation Area in Need of Redevelopment

Mrs. Morris stated that they do not have a quorum as a number of the Board members feel they cannot sit on this. A request was made to carry this to the July 7, 2015 at which point they will advise as to how this matter would be settled. No further notices.

## 6. PUBLIC HEARING

- 1. SD 2045** (No Variance Requested)  
Applicant: 902 Ocean Ave, LLC  
Location: Ocean Ave & Dr. Szold Way  
Block 548.01 Lot 288  
Minor Subdivision to create three lots

Applicant has requested to carry this project to the July 7, 2015, meeting. No further notice.

- 2. SD 2005** (Variance Requested)  
Applicant: River Avenue Holding LLC  
Location: River Ave & Edgecomb Ave  
Block 1020 Lot 1  
Preliminary and Final Major Subdivision to create 20 fee-simple duplex lots

Applicant has requested to carry this project to the July 7, 2014 meeting. No further notice.

- 3. SP 2117** (No Variance Requested)  
Applicant: Congregation Bnai Torah  
Location: Kennedy Boulevard East  
Block 174.04 Lot 30.01  
Preliminary & Final Major Site Plan for a synagogue

A review letter prepared by Remington, Vernick & Vena Engineers dated June 15, 2015 was entered as an exhibit.

Mr. Charles Surmonte, P.E. was sworn in.

Mr. Vogt stated that there were submission waivers that were granted at the tech meeting. There are no variances requested, however, partial relief is requested with respect to the perimeter buffer.

Mr. Banas said there is an issue with the western buffer.

Mr. Vogt said yes, there was an issue with the survey. He believes the applicant can address that during compliance if the Board were to approve.

Mr. Sam Brown, Esq. said this is an application for the approval of a 4,458 sf two-story synagogue. The sanctuary will be about 1,900 sf. There are few tweaks which they have made to the plans including the location for the trash enclosure. The building has more than ample parking and they will address the screening. They agree to all comments in the engineer's review letter.

Mr. Rennert said he believes there is an error on the plans concerning the number of parking spaces required.

Mr. Vogt said yes, there is a mistake on the front page. It should state 13 parking spaces "provided" as opposed to "required".

Mr. Vogt asked if there will be onsite catering.

Mr. Brown said there are no plans for onsite catering.

Mr. Rennert asked that the basement should not be rented out for any functions.

Mr. Brown said the basement will not be used for anyone outside of the congregation. They have no problem making that a condition of approval.

Mr. Rennert said it should not be rented out during the week.

Mr. Brown said the congregation may charge its congregants for the use of the basement for whatever reason, he does not want that to be prohibited in the resolution. He would like to limit the use of the basement to the congregation only.

Mr. Rennert said when a congregant has a party there, he is going to invite people whom are not a part of the congregation. Thirteen on-site parking spaces will not be sufficient.

Mr. Brown said this congregation is not on a major highway or thoroughfare, it is on the back part of Kennedy Boulevard East which is a quiet street. There is sufficient overflow parking should the need arise and he believes that this can support any sort of use. He is willing to stipulate that the use of the basement will not be rented out to individuals outside of the congregation.

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

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

Affirmative: Mr. Herzl, Mr. Banas, Mr. Flancbaum, Mr. Follman, Mr. Rennert

- 4. SP 1929B** (Variance Requested)  
Applicant: Bais Rivka Rochel  
Location: 4<sup>th</sup> Street and Monmouth Ave  
Block 160 Lot 1.01  
Amended Preliminary & Final Major Site Plan for retail and office buildings

A review letter prepared by Remington, Vernick & Vena Engineers dated June 16, 2015 was entered as an exhibit.

Mr. Follman left the meeting.

Mr. Vogt stated that variances are required, however, after reviewing the items, most if not all, appear to be pre-existing conditions. Testimony should be provided as to the adequacy of parking and also the applicant is seeking a design waiver for shade tree and utility easements.

Mr. Adam Pfeffer, Esq. represented the applicant.

Mr. Mike Dipple, P.E. was sworn in. The site plan for the prior application was entered as exhibit A-1. This plan depicts the original proposal which included the parking lot, the office/retail building and an additional retail/supermarket with second story office to the south. This application removes that supermarket portion of the building and replaces it with nearly an identical building to the building that is existing. This proposed building would also be retail/office use.

Mr. Dipple said under the original proposal, the site required 221 parking spaces where 48 were provided. A parking lot on Steckler Street is being utilized to help work out the parking. Under this revised application, the requirement would be 216 spaces.

Mr. Pfeffer said all of the variances required are either existing or have been minimized based upon the prior approval.

Mr. Dipple said that is correct.

Mr. Herzl asked why the parking requirements are less.

Mr. Dipple said it is due to the amount of office compared to ground floor retail. This plan provides for more office than retail use.

Mr. Banas asked him to outline the parking requirements.

Mr. Dipple said the retail use requires 129 spaces. For the office use, the requirement would be 86 additional spaces for a total of 215 where 48 are provided. This has already been approved by the Board, it is basically a reconfiguration of the building.

Mr. Banas said they are treating this as a brand new application.

Mr. Flancbaum asked how many parking spaces are in the Steckler Street parking lot.

Mr. Pfeffer said 100.

Mr. Rennert asked if there are any other businesses in the area utilizing that parking lot.

Mr. Abe Auerbach was sworn in. He said there are no other businesses in the area and this was a joint venture to enhance the downtown area. This revised application is to accommodate a neighbor who has requested that they not build a supermarket. He reiterated that the parking requirements is being decreased from the original approval.

Mr. Rennert believes part of the original approval was that there would not be any medical offices.

Mr. Auerbach said that is correct and they would still comply with that.

Mr. Rennert asked if any additionally parking is being provided with this revised plan.

Mr. Auerbach said not currently.

Mr. Vogt believes there was testimony for the original application concerning the parking circulation and a traffic analysis was provided. The outcome of that testimony was that the Board acted favorably. With this revised plan, the parking requirement is actually 6 spaces less. Since the loading docks are being removed, no large trucks would be delivering to this site which would also be another decrease due to the changes.

Mr. Banas is still concerned about the parking.

Mr. Auerbach said this is directly across from the B-2 zone where no parking is required. This is a downtown area where most people are walking. No one will be parking on Clifton to get to this site.

Mr. Lankry said he had heard that a neighbor had asked to remove the supermarket portion though what is currently there does not work. It is a beautiful building but the parking is very tight. There is additional land adjacent to this property they could use for parking.

Mr. Auerbach said that land is owned by the Township. They have every intention to have adequate parking. If there is not enough parking, people won't come and the stores would suffer.

Mr. Banas believes more discussion needs to be made with the Township and he suggested to hold off on this application.

Mr. Auerbach said there is an additional parking lot on Monmouth Avenue. They have had discussions with the Township to maybe reconfigure the parking lot.

Mr. Vogt said if this is being carried to another meeting, the original parking study should be provided to the Board with supporting testimony.

Mr. Flancbaum said perhaps they should see a revised traffic study.

Mr. Pfeffer asked that this be carried to a later date.

A motion was made by Mr. Herzl, seconded by Mr. Flancbaum to carry this application to the July 21, 2015 meeting. No further notices.

Affirmative: Mr. Herzl, Mr. Lankry, Mr. Banas, Mr. Flancbaum, Mr. Rennert

5. **SP 2123** (Variance Requested)  
Applicant: Special Children's Center  
Location: Prospect Street  
Block 490 Lot 13.01  
Block 486 Lots 3197-3199, 3215 & 3216  
Preliminary & Final Major Site Plan for a 50,432 sf addition, 3,150 sf group home and a 15,000 sf adult vocational school for future development

A review letter prepared by Remington, Vernick & Vena Engineers dated June 4, 2015 was entered as an exhibit.

Mr. Rennert stepped down.

Mrs. Morris said Mr. Lankry from the Zoning Board will sit on this application as there would not be a quorum.

Mr. Vogt stated that submission waivers had been approved at the tech meeting. There are no variances, however, possible waiver relief is required with respect to providing sidewalk along the projects entire frontage.

Mr. Abraham Penzer, Esq. said this is a very unique application. They are creating a village entirely for the children with special needs.

Mr. Brian Flannery, P.E., P.P., was sworn in, he said this is an expansion of the Special Children's Center. He provided two renderings to the Board. Exhibit A-1 shows the existing building in the front as well as the additional buildings. This project will be phased which exhibit A-2 displays. The yellow area will be phase 1 which includes the existing building, a building in the rear as well as the stormwater management facility and traffic flow. The red area shows phase 2 which will be an addition to a building that is being constructed in phase 1. The blue area is phase 3 which is for an additional building to the east. The orange area is phase 4 which is for a

two-story building in the back. The green area is phase 5 which will be a smaller two-story building in the front. As Mr. Penzer said, this is designed to look like a village with a lot of different facets that are coming together to provide all the services needed for these children.

Mr. Flannery said there will be 125 students which would require 6 buses. There are some comments concerning the circulation pattern which will be addressed. There will be parents picking up or dropping off their children but you can see that phase 1 would have ample parking and as they build the other phases, they will provide ample parking as well.

Mr. Flannery said the only relief required is for the existing building. The side yard setback of 14.6 ft is provided where 15 ft is required.

Mr. Vogt asked about proposed sidewalk along Lowden Avenue.

Mr. Flannery said they are not proposing sidewalk along Lowden because it does not go anywhere. Sidewalk is provided along the frontage and interior of the site.

Mr. Banas asked if that is an improved street.

Mr. Flannery said yes.

Mr. Banas said then sidewalk should be provided.

Mr. Penzer said the problem is they do not want to encourage people walking there because of the special need's children. They would like to keep as much privacy as possible.

Mr. Flannery said this is a unique situation and would appreciate the Board granting that waiver. All other comments in the engineer's review letter are minor in nature and shall be addressed.

Mr. Banas asked for more detail concerning the parking.

Mr. Flannery said per the Lakewood ordinance, one parking space is required per classroom. The project proposes 198 parking spaces which is in excess of the requirement.

Mr. Penzer said there is no intentions for excessive traffic flow here. The only time they may use extra parking is during an event.

Mr. Banas still feels very strongly that sidewalk should be provided along Lowden Avenue.

Mr. Flannery asked if there are any developments to the East of Lowden Avenue.

Mr. Flannery said there is currently no development. This would be just for access and it would look like a driveway.

Mr. Flannery asked if it is a paper street.

Mr. Flannery said yes and most of the property on the other side is owned by the Township.

Mr. Banas said that Mr. Flannery indicated earlier that it is an improved street.

Mr. Flannery said a portion of it will be improved but it is currently a paper street. They would pave all the way down to the building that would be constructed in phase 5.

Mr. Lankry said the current use is for an after school program. He asked if this is going to be a school.

Mr. Flannery said yes.

Mr. Penzer asked if they could provide the sidewalks along Lowden Avenue during phase 5.

Mr. Banas said the sidewalks should be installed when the road is improved.

Mr. Flannery said they are only providing a one way driveway out in phase 1. A portion of the road would be improved during phase 3 and the remainder during phase 5. Sidewalks shall be provided as the road gets improved during the different phases.

Mr. Banas said that is acceptable.

Mr. Jacob Mermelstein, 30 Whispering Pines Lane, was sworn in. He said the purpose here was not to develop the street. The portion that is being improved is to provide access to the building. The building would be facing Prospect Street and that would be the main entrance/exit. Partially developing this paper street was to get a path for the buses to come out even if it only has to be a one way that would be sufficient. They are a not for profit organization and they are not here to develop the area but to provide access to their site.

Mr. Lankry asked about the use.

Mr. Mermelstein said they are currently an after school program and do hold a license for a school. They do not see enrollment growing drastically. Special children's classrooms make out at about 8 children per room. They are here to service the community.

Mr. Banas opened to the public.

Mr. Bill Hobday, 30 Schoolhouse Lane, was sworn in. He asked if any other street besides Prospect are improved adjacent to this project.

Mr. Flannery said no and they would be developing to the east and the south.

Mr. Banas closed to the public.

A motion was made by Mr. Follman, seconded by Mr. Flancbaum to approve.  
Affirmative: Mr. Herzl, Mr. Lankry, Mr. Banas, Mr. Flancbaum

## 7. CORRESPONDENCE

- Courtesy Review of subdivision of Township Property – SD 2060  
Block 961.01, Lots 2.02, 2.03, 2.05, 2.06

Mr. Brian Flannery, P.E., P.P. was sworn in. He said this was a minor subdivision that was approved years ago. At that point, the detention was going to go on the corner of New Hampshire Avenue and Vine Street and there

were 3 additional lots that were going to be developed with commercial buildings. The basin is now on lot 2.03 instead of 2.02. This application is just to eradicate the easements that didn't make any sense and add the easements that are required for that development.

Mr. John Doyle, Esq. said the new easements are consistent and in conformance with the approvals that were already granted by the Board.

Mrs. Morris said the Township Engineer did review the map and found it acceptable. This is really a procedural issue. They may not even need a formal approval as this is a courtesy review.

Mr. Vogt said he believes the net impact of what the application is requesting is for a vacation of easements.

Mr. Doyle said that is correct. He would like the Board to vote so the record is clear.

Mr. Rennert asked when the first basin be installed to make sure it is shielded.

Mrs. Morris said this is a minor subdivision and a bond is not required prior to filing the map so she sees no way to enforce that.

A motion was made by Mr. Flancbaum, seconded by Mr. Herzl to approve.  
Affirmative: Mr. Herzl, Mr. Lankry, Mr. Banas, Mr. Flancbaum, Mr. Rennert

- Seymour Investments vs The Enclave and Lakewood Township Planning Board

Mr. Pfeffer asked that this be carried to the July 7, 2015 meeting.

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