

1. CERTIFICATION OF COMPLIANCE

Chairman Michael 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 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. Franklin, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert

3. SWEARING IN OF PROFESSIONALS

Mr. Terry Vogt was sworn in.

4. DISCUSSION

- Submission Procedures and Requirements – PDF plans

5. MEMORIALIZATION OF RESOLUTIONS

1. **SP 2113** (Variance Requested)
Applicant: Yeshiva Shaar Hatalmud of Lakewood
Location: 120 Edgecomb Avenue, off Argyle Avenue
Blocks 1009, 1019, 1022, 1023 Lots 1.06, 2.01, 3, 1
Preliminary and Final Major Site Plan for a school

A motion was made and seconded to approve.

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

6. PLAN REVIEW ITEMS

1. **SP 2108** (Variance Requested)
Applicant: Toras Imecha Inc
Location: East County Line Road
Block 208.01 Lot 18
Preliminary & Final Major Site Plan for a girls' school and Minor Subdivision to convey land to a neighboring parcel

Applicant has requested to carry this application to the April 28, 2015 meeting. This project will not be heard.

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

Project Description

The applicant seeks minor subdivision approval to subdivide an existing property known as Lot 33 in Block 855.02, which would create two (2) single family residential lots, designated as proposed Lots 33.01 and 33.02 on the subdivision plan. Existing Lot 33 is a rectangular 150' X 300' tract containing forty-five thousand square feet (45,000 SF) or 1.033 acres with an existing dwelling and appurtenances. The proposed subdivision would create two (2) new single family residential lots. Proposed Lot 33.01 would become a rectangular seventy-five feet (75') wide by approximately two hundred and sixty-seven feet (266,67') deep property. Proposed Lot 33.02 would become an "L" shaped parcel with about thirty-three feet (33') of depth behind new Lot 33.01. Proposed Lot 33.01 would contain twenty thousand square feet (20,000 SF) or 0.459 acres. Proposed Lot 33.02 would contain twenty-five thousand square feet (25,000 SF) or 0.574 acres. Public water and sewer is not available. As noted on the subdivision plans, service will be provided by private wells and septic systems. The site contains an existing one-story dwelling and a shed. It appears all existing improvements, except the shed which would be located on proposed Lot 33.02, are to be removed. Two (2) two-story single-family dwellings are proposed for new Lots 33.01 and 33.02. The site is situated in the central portion of the Township on the northeast side of Read Place, northwest of its intersection with New Hampshire Avenue. Read Place is a paved municipal road in fair condition without existing sidewalk in front of the site. Some granite block curbing exists in the front of the site. The existing right-of-way width is fifty feet (50') with a variable pavement width. Construction of curb and sidewalk is proposed with the revised plans. The existing granite block curbing is located substantially away from the edge of pavement and will be removed. Existing utility poles with overhead electric are located on the north side of Read Place. The Survey and Improvement Plan shows the location of some large individual trees on the site. The rear portion of the site behind the existing chain link fence is wooded. The topography indicates the property to be sloping northeastwards. In addition to the dwelling and shed, a well and driveways have been located. The proposed lots are situated within the R-20 Single Family Residential Zone. The surrounding uses are entirely residential. Lot width variances are being requested for proposed Lots 33.01 and 33.02. 2. Per review of the Minor Subdivision Map, the application, and the zone requirements, the following variances are required: • Minimum Lot Width - Seventy-five feet (75') for proposed Lots 33.01 and 33.02, whereas one hundred feet (100') is required — proposed condition. Testimony should be provided on the proposed lot configurations. It should be noted numerous projects have been approved in this neighborhood with lot width variances, in which the proposed properties have identical 75' X 300' dimensions. The Board shall take action on the required variances. 3. Curb is not proposed; therefore a design waiver is required. It should be noted that others projects in this neighborhood are being constructed with curb. The revised plan proposes curb, therefore a design waiver is no longer required. 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.

This application was advanced to the May 26, 2015 public meeting.

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

3. **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

Project Description

This Major Site Plan Application is contingent upon the filing of the Final Plat for Major Subdivision Application #SD-2006, which would create the lot for this project. The applicant is seeking Preliminary and Final Major Site Plan approval. This site plan is for future Lot 4.23, and consists of the construction of an approximately twenty-seven thousand square foot (27,000 SF) commercial building. Off-street parking is proposed for one hundred thirty-two (132) spaces including five (5) ADA parking spaces. The subject property is located on the east side of Route 9, across from Cushman Street, in the southern portion of the Township. Route 9 is an improved State Highway with a sixty-six foot (66') wide right-of-way in front of the site. Curb and sidewalk are proposed along the property frontage. The site is currently vacant and contains old asphalt parking areas and curb infrastructure, as well as a detention basin on the northern side of the site along with some undeveloped light woods. There are some large trees within these light woods and they have been located on the survey. The future 3.3 acre area of the site generally slopes toward the north. Access to the site will be afforded by a twenty-four foot (24') wide two-way entrance from Route 9 and a connection to the commercial project under construction to the south. Sanitary sewer and potable water are available in Route 9. The subject site is located within the HD-7 Highway Development Zone District. The site is situated adjacent other commercial and residential developments. A Minimum Front Yard Parking Setback variance is requested for future Lot 4.23. A front yard parking setback of 59.4 feet is proposed from the centerline of Route 9, whereas a front yard parking setback of sixty-five feet (65') from the centerline of a State Highway is required. We recommend the NJ DOT Desired Typical Section line be added to the plans to assist the Board in reviewing this variance request. 3. A Maximum Sign Area variance is being requested. The proposed site identification sign for future Lot 423 would an area of 187.45 square feet, whereas the maximum allowed sign square footage is seventy-five square feet (75 SF). The sign may also be regulated by the NJDOT Desired Typical Section and any Sight Triangle Easements required by the State. 4 Landscaping and Buffering shall be provided in accordance with the requirements of Section 18-803. Landscaping and buffering must be addressed. At a minimum, it appears waivers will be required. 5. The Site Plan proposes a parking lot connection in the southwest corner of the lot to the neighboring property. This property is currently under construction and was approved under Application #8P1916A. It appears the ownership of these two (2) commercial properties would be the same entity. Therefore, a consolidation should be a condition of any approvals. However, if the parcels will be owned by separate entities, cross access agreements would be required. Regardless, creating this parking lot connection would cause a loss of four (4) off-street parking spaces to the neighboring property to the south. Therefore, additional off-street parking must be proposed on this site to compensate unless a variance for the number of spaces is requested and granted. 6. 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.

This application was advanced to the May 26, 2015 public meeting.

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

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

Project Description

The applicant seeks minor subdivision approval for the subdivision of two (2) existing residential lots into four (4) zero lot line residential properties for two (2) duplex buildings. The project involves an existing 25,956 square foot (0.596 acre) property comprised of two (2) tracts known as Lots 3 and 5 in Block 139. The proposed properties are designated as new Lots 5.01 through 5.04 on the subdivision plan. The overall tract is a rectangular shaped 92.70' X 280' parcel containing two (2) existing dwellings, a shed, two (2) detached garages, and appurtenances. The plans indicate the existing structures will be removed. Public water and sewer is available. The site is situated in the northern portion of the Township, on the north side of Courtney Road, between Washington Place and Monmouth Avenue. The tract has two hundred and eighty feet (280') of frontages on the east side of Washington Place and the west side of Monmouth Avenue. The site has almost ninety-three feet (92.70') of frontage on the north side of Courtney Road. Monmouth Avenue is an improved Township Road with pavement in fair condition. Curb and sidewalk, in fair condition, exist along the Monmouth Avenue frontage. Monmouth Avenue has an eighty foot (80') wide right-of-way with about a forty foot (40') pavement width. Courtney Road is a recently improved Township Road with new pavement and curb in good condition. The existing sidewalk is in fair condition, but new curb ramps were constructed at the intersections. Courtney Road has a sixty foot (60') wide right-of-way with about a thirty foot (30') pavement width. Washington Place is an improved Township Road with pavement and curbing in good condition. Sidewalk does not exist along Washington Place. Washington Place has a fifty foot (50') wide right-of-way with about a thirty-two foot (32') pavement width. Proposed Lots 5.01 through 5.04 would become rectangular shaped 70' X 92.70' zero lot line properties of 6,489 square feet, with frontages on Washington Place and Monmouth Avenue. Proposed Lot 5.01 would also have frontage on Courtney Road. The two (2) pairs of zero lot line properties would have a combined area exceeding twelve thousand square feet (12,000 SF). The site is raised above the surrounding roadways. The center of the tract is a small ridge sloping toward the three (3) streets. There are some large trees on the land which have not been located on the survey. Sanitary sewer, potable water, overhead electric, and gas are all available to the site. The surrounding lots are mainly residential. The tract is situated within the R-10 Single Family Residential Zone. Front Yard Setback variances are required for this proposed subdivision. The parcel is located in the R-10 Single-Family Residential Zone District. Zero Lot Line Duplex Housing with a minimum combined lot area of twelve thousand square feet (12,000 SF) is a permitted use in the zone. A minimum combined lot width of seventy-five feet (75') is also required. 2. Minimum Front Yard Setback variances to Washington Place are required for proposed Lots 5.01 through 5.04. Front Yard Setbacks of twenty feet (20') are proposed. Thirty foot (30') Front Yard Setbacks are required. 3. A Minimum Front Yard Setback variance to Courtney Road is required for proposed Lot 5.01. A Front Yard Setback of twenty feet (20') is proposed. Thirty foot (30') Front Yard Setbacks are required. 4. Minimum Front Yard Setback variances to Monmouth Avenue are required for proposed Lots 5.01 through 5.04. Front Yard Setbacks of 15.7 feet are proposed. Thirty foot (30') Front Yard Setbacks are required. 5. A design waiver is required because no sidewalk is proposed along the property frontage of Washington Place. 6. The applicant must address the positive and negative criteria in support of any required variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area.

This application was advanced to the May 26, 2015 public meeting.

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

5. **SD 2038** (Variance Requested)
Applicant: Irving Heilbrun
Location: 7th Street
Block 46 Lot 9
Minor Subdivision to create two lots

Project Description

The applicant seeks approval to subdivide one (1) existing lot into two (2) proposed residential lots. The site, consisting of existing Lot 9 in Block 46 would be subdivided into proposed Lots 9.01 and 9.02 as designated on the subdivision plan. The existing tract is rectangular with dimensions of 100' X 150', totaling fifteen thousand square feet (15,000 SF). Existing Lot 9 contains a one-story brick dwelling that would be removed. Two (2) single family 50' X 150' seven thousand five hundred square foot (7,500 SF) residential properties are proposed for new Lots 9.01 and 9.02. Sanitary sewer and potable water are readily available. The project is located in the northern portion of the Township on the north side of Seventh Street between Lakewood Avenue and Private Way. Seventh Street is an improved municipal road in poor condition with a sixty foot (60') wide right-of-way and about a thirty foot (30') pavement width. Seventh Street has existing curbing and sidewalks. The sidewalk in front of the site is in poor condition. The curb in front of the site is slate and out of alignment. The site generally slopes downward in the southwest direction. The survey indicates the locations of the large existing trees on the property. Overhead electric is located on the north side of Seventh Street. A proposed sanitary sewer line would be extended beneath the southern side of Seventh Street. An existing potable water main is beneath the northern side of Seventh Street. Public sewer and water services are to be installed with this subdivision application. The proposed lots are situated within the R-12 Single-Family Residential Zone. The surrounding land uses are generally residential. Variances are required for this proposed subdivision. The following waivers have been requested from the Land Development Checklist: C8 - Location, names, and widths of all existing and proposed streets on the property and within 200 feet of tract. We can support this waiver for completeness purposes. The required information must be provided for the Public Hearing submission along with the property owners within two hundred feet (2009 included on the Minor Subdivision Map. Variances are requested for Minimum Lot Area on proposed Lots 9.01 and 9.02. Seven thousand five hundred square feet (7,500 SF) is proposed, whereas twelve thousand square feet (12,000 SF) is required. 3. Variances are requested for Minimum Lot Width on proposed Lots 9.01 and 9.02. Fifty feet (50') is proposed, whereas ninety feet (90') is required. 4. Variances are required for Combined Side Yard Setback on proposed Lots 9.01 and 9.02. Combined side yard setbacks of twenty feet (20') are proposed, whereas combined side yard setbacks of twenty-five feet (25') are required. 5. Based on the Development Plan, a variance would be required for the number of off-street parking spaces. Our scaling of the dimensions for the proposed driveways indicate that only one (1) off-street parking space per dwelling would be provided. Testimony on proposed off-street parking must be provided. 6. 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.

This application was advanced to the May 26, 2015 public meeting.

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

6. **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

Project Description

The applicant is seeking a Preliminary and Final Major Subdivision approval. The applicant proposes the subdivision of one (1) existing lot to create seven (7) proposed lots and a cul-de-sac road. Six (6) of the proposed lots would be developed as zero lot line properties with three (3) duplex structures. The seventh proposed lot would contain a two-family dwelling. The existing lot known as Lot 7 in Block 439 is proposed to be subdivided into new Lots 7.01 through 7.07 on the Major Subdivision Plan. The subject property is located on the northeast side of Cross Street in the southwest portion of the Township to the west of Route 9, a State Highway. Cross Street is improved County Highway without curb and sidewalk in front of the site. The proposed subdivision for the project would create a cul-de-sac for the project upon which all lots would front. The existing right-of-way width of Cross Street is sixty-six feet (66') at this location. Pavement widening to a twenty-five foot (25') half width is proposed along with curb. The existing property has almost two hundred feet (200') of frontage on Cross Street. All existing structures on the site will be removed. The lot contains approximately an acre of area. The property generally slopes downwards to the northwest. Only some of the large trees have been located in the front of the property. While most of the site has been cleared, there are other large trees and sections of vegetation which have not been located. Site access would be afforded by the proposed cul-de-sac. The proposed cul-de-sac right-of-way would have a variable width and abuts the adjoining tract to the west. Only a twenty-four foot (24') pavement width is proposed for the stem of the cul-de-sac. Furthermore, just a seventy-two foot (72') diameter cul-de-sac bulb has been designed. Curbing is proposed for the entire cul-de-sac, as well as along Cross Street. Sidewalk is only proposed along the east side of the cul-de-sac. Proposed storm water management facilities and utilities are associated with this project. The proposed drainage system consists of a conventional storm sewer collection system consisting of various sized high density polyethylene (HDPE) pipes that collects and directs runoff into subsurface infiltration basin located beneath the west side of the cul-de-sac right-of-way. Proposed potable water would be extended from an existing main shown on the northeast side of Cross Street. Sanitary sewer for the proposed subdivision would connect to a sanitary sewer system to be constructed by others in Cross Street. Gas is available from a four inch (4") main beneath the northeast side of Cross Street. Overhead electric is available to the project from the southwest side of Cross Street. A minimum of four (4) off-street parking spaces are proposed for each unit. The subject site is located within the HD-7 Highway Development Zone District. Therefore, two-family and duplex housing are conditional uses in the zone district. The lands surrounding the site are a mix of uses. The following waivers are required 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. C17 - Design calculations showing proposed drainage facilities. We can support granting the Site Features waivers since enough topography has been provided for design. A Limited Environmental Impact Statement has been submitted. We can support waiving a complete Environmental Impact Statement provided the Limited Environmental Impact Statement is accurately revised and corrected to be site specific prior to scheduling the Public Hearing. Design calculations have not been submitted even though proposed drainage facilities are shown. We can support waiving design calculations for completeness purposes only, provided design calculations are submitted prior to scheduling the Public Hearing. The project must be redesigned to meet Residential Site Improvement Standards. Right-of-ways for cul-de-sac stems shall extend a minimum of eight feet (8') beyond the edge of pavement. Cul-de-sacs shall provide for a turning radius of forty feet (40') and a right-of-way line eight feet (8') beyond the edge of pavement. Furthermore, it should be noted the proposed curb locations would be close enough to adjoining Lot 8 to necessitate right-of-way dedication from the

neighboring property. 3. According to our review of the Major Subdivision Plan and the zone requirements, the following variances are required for the subdivision approval: •Minimum Lot Width — The combination of proposed Lots 7.03/7.04 would have a lot width of 55.41 feet. Proposed Lot 7.07 would have a lot width of 59.94 feet. Sixty feet (60') is the required minimum lot width. •Minimum Rear Yard Setback — Proposed Lot 7.04 would have a 7.5 foot rear yard setback; where fifteen feet (15') is required, 4. A design waiver is requested for proposed lot lines which are not perpendicular or radial to the right-of-way. These proposed lot lines shall be identified on the final plat in order for the Board to take action. 5. A partial design waiver is required from the construction of sidewalk along the west side of the cul-de-sac and along the Cross Street frontage. Curb is proposed for the cul-de-sac and Cross Street. 6. The applicant must address the positive and negative criteria in support of any required variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area.

This application was advanced to the May 26, 2015 public meeting.

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

7. **SD 2041** (Variance Requested)
Applicant: Yehoshua Frenkel
Location: Gudz Road
Block 11.10 Lot 72.01, 72.02, & 76
Preliminary & Final Major Subdivision to create six lots

Project Description

The applicant is seeking a Preliminary and Final Major Subdivision approval in accordance with Section 18-902E., of the UDO. The applicant proposes the subdivision of three (3) existing lots to create six (6) proposed lots with single-family detached housing and a cul-de-sac road. The existing three (3) lots of approximately 2.06 acres known as Lots 72.01, 72.02, and 76 in Block 11.10 are proposed to be subdivided into proposed Lots 72.03 through 72.07 and 76.01, on the Major Subdivision Plan. The subject property is located on the northwesterly side of Gudz Road in the northwest portion of the Township, north of the New Central Avenue intersection. Gudz Road is an improved municipal road in fair condition with a fifty foot (50') right-of-way width and an approximately thirty-two foot (32') pavement width. There is existing curb in fair condition, but no sidewalk along this portion of Gudz Road. The proposed subdivision would create a cul-de-sac for the project, upon which most of the residential lots would front. The existing property has almost three hundred feet (300') of frontage on Gudz Road. The site is currently occupied by two (2) existing one and a half-story single-family homes, a two and a half-story single-family home, garages, and an above ground pool. A one and a half-story home would remain on proposed Lot 76.01. The two and a half-story home will remain on proposed Lot 72.03. The remaining improvements will be removed to make way for the proposed residential subdivision. The land generally slopes from southeast to northwest with existing elevations dropping almost twenty feet (20'). While most of the site has been cleared, there are some large trees which have not been located. The proposed cul-de-sac stem has been designed with a twenty-four foot (24') pavement width and a forty foot (40') right-of-way width. The proposed cul-de-sac bulb has been designed with a forty foot (40') pavement radius and a forty-eight foot (48') right-of-way radius. Proposed storm water management facilities and utilities are associated with this project. Storm water collection and underground recharge systems are proposed throughout various sections of the project. There is no existing sewer or water lines within Gudz Road. The existing dwellings are currently being serviced potable wells and individual septic systems. Proposed sanitary sewer is being extended from a manhole of the existing system in New Central Avenue to the southwest of the site. Proposed potable water for the

subdivision is also being extended from an existing main in New Central Avenue to the southwest of the project. Overhead electric is available to the project from the northwest side of Gudz Road. Five (5) off-street parking spaces are proposed for each dwelling. The number of bedrooms for the units is not specified on the subdivision plans. The project is also proposing curb throughout. The project is proposing sidewalk along the property frontage of Gudz Road and most of the cul-de-sac. The subject site is located within the R-12 Single Family Residential Zone District. Single-family detached housing is a permitted use in the zone district. The site is situated within a predominantly residential area. Bulk variances have been requested for this subdivision. The following waivers are required 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. B10 - Man-made features within 200 feet thereof. 4. C13 - Environmental Impact Statement. We can support granting the Site Features waivers since enough topography has been provided for design. A Limited Environmental Impact Statement has been submitted. However, the Report does not address Freshwater Wetlands or Category One Waters potentially present per NJDEP - GIS Mapping. We recommend a revised document be submitted addressing these pertinent matters prior to scheduling the Public Hearing. According to our review of the Major Subdivision Plan and the zone requirements, the following variances are required for the subdivision approval requested: •Minimum Lot Width — Lot widths of 83.77, 57.18, 85.34, and 79.05 feet are proposed for new Lots 72.03, 72.04, 72.05, and 72.07, respectively. Whereas ninety feet (90') is required. •Minimum Side Yard Setback — The proposed side yard setback for new Lot 76.01 is 7.59 feet, whereas ten feet (10') is required. •Minimum Front Yard Setback (New Road) — Proposed front yard setbacks for new Lots 72.03 and 72.07 are 15.72 feet and 24.05 feet from the cul-de-sac right-of-way, whereas thirty feet (30') is required. 3. A partial design waiver is necessary from providing sidewalk throughout the entire cul-de-sac. 4. Testimony shall be provided on the proposed pavement and right-of-way widths for the cul-de-sac to insure design waivers are not required. The project appears to be RSIS compliant as a rural street cul-de-sac, 5. 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.

This application was advanced to the May 26, 2015 public meeting.

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

- 8. 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

Project Description

The applicant is seeking a Preliminary and Final Major Subdivision approval. The applicant proposes the subdivision of three (3) existing lots to create seven (7) proposed lots and a cul-de-sac road. Five (5) of the seven (7) proposed lots would be for future single-family residential dwellings, and the other two (2) lots will contain existing single-family dwellings. The existing lots known as Lots 7, 44, and 100 in Block 187 are proposed to be subdivided into proposed Lots 100.01 through 100.07 on the Major Subdivision Plan. The lots that will contain the existing single-family dwellings are proposed Lots 100.01 and 100.07. It should be noted a previous Major Subdivision approval (SD-1982) was granted for only Lot 100. This project has returned to Board with the inclusion of Lots 7 and 44. The subject property is located in the northeast portion of the Township on the south side of East County Line Road, east of Ann Court. East County Line Road is an improved County Highway with a

variable width right-of-way in front of the site. A dedication is proposed to bring the half width right-of-way to a consistent twenty-five feet (25') along the site frontage. The subdivision would create a cul-de-sac for the project that intersects the south side of East County Line Road. The cul-de-sac is proposed to be called Emerald Court, upon which the residential lots would front. Only a forty foot (40') right-of-way width with sidewalk on both sides is proposed for access. Even though the proposed right-of-way width is substandard, a thirty foot (30') pavement width and an eighty foot (80') diameter cul-de-sac bulb have been designed with sidewalk and curbing. The proposed sidewalk would require easements because of the narrow right-of-way designed. Much of the existing 2.99 acre area of the site is covered by trees and is very flat. Presently, there are three (3) existing single family dwellings, two (2) detached garages, and three (3) sheds on the properties to be subdivided. Most of the structures will be removed in accordance with applicable local and state standards. The two (2) single-family dwellings on existing Lots 7 and 44 will remain on proposed Lots 100.01 and 100.07. Proposed storm water management facilities and utilities are associated with this project. The proposed drainage system consists of a conventional storm sewer collection system that collects and directs runoff to underground infiltration areas. Proposed sanitary sewer and potable water for the subdivision will be extended from existing mains in East County Line Road. Four (4) off-street parking spaces are proposed for each lot. The subject site is located within the R-15 Single-Family Residential Zone District. The lands surrounding the site are exclusively residential. 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. We can support granting the Site Features waivers provided a revised survey is submitted prior to scheduling of the public hearing. Additional topography is required to the property line limits of Lots 7 and 44. The current survey does not provide enough topography for design. We support the granting of the requested Environmental Impact Statement waiver, since the site and surroundings have been previously developed. We support the granting of the requested Tree Protection Management Plan waiver for completeness purposes. A Tree Protection Management Plan should be required prior to any construction. According to our review of the Major Subdivision Plan and the zone requirements, variances are requested for Minimum Lot Width. Proposed Lots 100.03, 100.04, 100.05, and 100.07 would have lot widths of 62.01 feet, 75.06 feet, 85.02 feet, and 96.92 feet respectively, whereas one hundred feet (100') is required. 3. Our review of the Major Subdivision Plan and the zone requirements also indicates a variance is required for Minimum Front Yard Setback on proposed Lot 100.07. Only a 20.1 foot setback is proposed, whereas a thirty foot (30') setback is required. This setback is an existing condition. 4. A waiver is requested for the proposed right-of-way width of the cul-de-sac. A forty foot (40') right-of-way width is proposed, whereas a fifty foot (50') width is required. Our review indicates the project could be designed using the proper right-of-way width without creating additional variances. 5. A waiver is required for a proposed non radial lot line between new Lots 100.05 and 6. 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.

This application was advanced to the May 12, 2015 public meeting.

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

- | | | |
|-----------|-------------------|---|
| 9. | SP 2115 | (No Variance Requested) |
| | <u>Applicant:</u> | Congregation Ateres Avrohom |
| | <u>Location:</u> | East County Line Road
Block 174 Lot 50.06 |

Preliminary & Final Major Site Plan for a synagogue

Project Description

The applicant is seeking a Preliminary and Final Major Site Plan approval for the construction of a three thousand five hundred eighty-eight square foot (3,588 SF) shul with nineteen (19) parking spaces and associated site improvements. This lot was created by a prior major subdivision (SD1883) approved by the Planning Board. The subject property is located in the northerly portion of the Township on County Route 526, County Line Road East, west of Brook Road. County Line Road East at this location has a variable width right-of-way. No sidewalk or cubing exists at this location. Most of the existing 0.425 acre area of the site is open and level. A portion of the northern perimeter of the land is wooded. Presently, there is a one-story single-family dwelling and a shed on the property. These structures located on the site will be removed. The subject site is located within the R-15 Single-Family Residential Zone District. The lands surrounding the site are almost exclusively residential. No submission waivers are requested. We note that the majority of the site is previously disturbed and/or developed. It appears that no variances are being requested. 3. Waivers are required for the proposed lot lines which are not perpendicular to the right-of-way. 4. A waiver is required for the proposed shul property, new Lot 50.06, Section 18-905A.2., of the UDO requires a five foot (5') parking buffer from a residential use. Parking is proposed within 4.3 feet of the westerly property line. 5. A waiver is required for the proposed shul property, new Lot 50.06, Section 18-905B.1., of the UDO requires a twenty foot (20') buffer from a residential use. 6. Perimeter buffer relief is required along both side yard property lines, i.e., adjacent to 20.03 and 51.02. As indicated on the Site Plan (Sheet 2), 6 foot-high board-on-board fence is proposed along both property lines (outside of the front yard setback), as well as along most of the rear lot line. 7. The applicant must address the positive and negative criteria in support of the required relief.

This application was advanced to the May 12, 2015 public meeting.

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

7. PUBLIC HEARING

- 1. **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

Project Description

The applicant is seeking Preliminary and Final Major Site Plan approval to construct a new five-story, (approximately) twenty-two thousand five hundred square foot (22,500 SF), five-story hotel and a new three thousand one hundred and fifty three square foot (3,153 SF) bank on Lot 2.02. The property is a 3.565 acre parcel near the southwest corner of the intersection of New Hampshire Avenue and Pine Street. The proposed basin will be in Lot 2.03 which contains 3.875 acres. The overall tract contains 7.44 acres. To provide storm water management for this property, a basin is proposed on Lot 2.03, located west of the proposed office facility. As referenced on Site Plan, this basin will be built under a separate (Board-approved) application (Erez Holdings, SP2080, proposed on Lot 2.06 immediately east of this site). A wet well, pump station, and generator are also proposed for this site. A total of one hundred and sixty-two (162) off-street parking spaces are proposed for both (hotel, bank) uses. Six (6) handicap parking spaces are proposed, all of which are van accessible. Access to the proposed site will be provided by a driveway entrance on the Boulevard of the Americas. Surrounding

lands are generally improved with large commercial and industrial land uses. The site is located in the DA-1 Cedarbridge Redevelopment Area. Office buildings are permitted in the zone. Checklist: 1. C14 - Tree Management Protection Plan. Compliance with the Tree Protection ordinance will be addressed during compliance (if/when Board approval is granted). Therefore, we support with submission waiver as requested. A variance is requested for the Rear Parking setback. A setback of five feet (5') is proposed for Lot 2.02, whereas the minimum required rear parking setback is twenty feet (20'). 3. A parking variance is requested. One hundred and sixty-two (162) off-street parking spaces are proposed for this project, whereas according to section 18-807 of the UDO, one hundred and sixty-four (164) off-street parking spaces are required. 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.

WHEREAS, the Lakewood Township Planning Board (hereinafter the "Planning Board") has received an application for preliminary and final major site plan approval and variance approval for property known and designated at Block 961.01, Lots 2.01 and 2.03, Lakewood Township, New Jersey (hereinafter the "Property"); and WHEREAS, the Property is located in the DA-1 Cedar Bridge Redevelopment Area; and WHEREAS, the applicant is RD Lakewood LLC (the "applicant") represented by Adam Pfeiffer, Esquire; and WHEREAS, the purpose of the application is to obtain preliminary and final major site plan approval and variance approval to construct a new five story (approximately) 22,500 sq. ft, five story hotel and a new 3,153 sq. ft. bank. The property is a 3.565 acre parcel near the southwest corner of the intersection of New Hampshire Avenue and Pine Street. The proposed basin will be in Lot 2.03 which contains 3.875 acres. The overall track contains 7.44 acres. To provide stormwater management for this property, a basin is proposed on Lot 2.03, located west of the proposed office facility. As referenced on the site plan, this basin will be built under a separate (Board approved) application. A wet well, pump station and generator are also proposed for this site. A total of 162 off street parking spaces are proposed for both the hotel and bank use. Six handicapped parking spaces are proposed, one of which is van accessible. Access to the proposed site will be provided by a driveway entrance on the Boulevard of the Americas. No access is proposed from New Hampshire Avenue. The surrounding lands are generally improved for large commercial and industrial land uses. This is a permitted use in the Zone (the "project"); and WHEREAS, in conjunction with the application, the applicant has requested the following design waivers: 1. C14- Tree management protection plan. Compliance with the tree protection ordinance will be addressed during compliance review. Therefore the Planning Board Engineer supports the design waiver request; and WHEREAS, a variance is requested for the rear yard parking setback, a setback of 5 ft. is proposed for Lot 2.02, whereas the minimum required rear parking setback is 20 ft. A parking variance is also requested. One hundred sixty-two (162) off-street parking spaces are proposed for the project, whereas according to Section 18-807 of the Township UDO, 164 off street parking spaces are required; and WHEREAS, the applicant provided expert testimony from Brian Flannery, PE, PP, to the effect that the applicant will address all of the plat detail requirements set forth in the review letter from the Planning Board Engineer, Terence Vogt, PE, dated February 25, 2015. Mr. Flannery testified that this is a permitted use in the Zone. The rear yard variance adjoins another commercial property. It is not a residential use and therefore the rear yard variance request (5 ft. proposed - 20 ft. required) will not cause any harm to the surround property owners. There will be a shared parking concept on the site. Therefore the variance requested for 2 less parking spaces than is required by the Township UDO is diminimus. The building will be approximately 56 ft. high with a 10 ft. architectural features. Behind the architectural features will be located the HVAC unit. However, the HVAC units will be shielded from public site. There is no dedicated loading area. There will be a small van and delivery area. Mr. Flannery testified that because of the proposed uses on the site, a loading area for large trucks is not necessary. Solid waste will be handled by private pickup; and WHEREAS, after discussions with the Planning Board and Planning Board professionals, the applicant agreed to provide an additional two parking spaces for a total of 164 parking spaces and therefore no variance for the number of parking spaces will be required. The applicant will modify the trash

enclosure site in order to provide for two additional parking spaces; and WHEREAS, Mr. Flannery testified that the combined uses of the property is permitted. This applicant meets the smart-growth criteria and goals of the Township Master Plan and the Township Smart Growth Plan. In addition, the application as modified, meets the goals set forth in the New Jersey Municipal Land Use Law, in particular N.J.S.A. 40:55D-2. Mr. Flannery further testified that all signage will comply with the Township UDO. Mr. Flannery further testified that rear access to the hotel will be through one-way traffic, and therefore if necessary the applicant will provide for a full size loading area. The variance being requested is along the westerly property line, near the basin. The applicant agreed to provide sufficient landscaping to shield Pine Street from the proposed basin. The hotel will have 138 units. The units will be located on the top four floors; and WHEREAS, on cross examination from the attorney representing an interested party, Ronald Gasiorowski, Esquire, much discussion was undertaken as to an access easement which currently exists on a filed map at the Ocean County Clerk's Office. The applicant agreed, as a condition of approval, to vacate the access easement before the approvals are finalized and perfected. The hotel will have a restaurant and banquet hall. It will have three meeting rooms, a reception area, bar and dining room. It will be open to the public. Mr. Flannery testified that Cedar Bridge Development will be the owner of the basin and as the property owner will agree to vacate the access easement. He further testified that in accordance with the provisions of N.J.S.A. 40:55D-70(c)(2) this application meets the requirements in order to qualify for the variance approval. This will be an extremely good ratable for the Township. There is no detriment to the adjoining property owners. It is a permitted use. It will not unduly affect the Zone Plan or the Township UDO; and WHEREAS, the applicant presented testimony from Jack Mueller, developer of Cedar Bridge Campus. He testified that there will be no access from the site to New Hampshire Avenue. The easement in question will be vacated as a condition of the approval; an WHEREAS, Scott Kennel testified on behalf of the applicant concerning the traffic analysis. Mr. Kennel has 30 years of traffic expertise and is acknowledged as an expert in traffic issues. He testified that New Hampshire Avenue and Pine Street intersect. However the intersection will continue to operate safely. The application is subject to Ocean County Planning Board approval inasmuch as New Hampshire Avenue is a county road. There are a total of 150 trips during peak hours, less than 100 of which travel west on Pine Street. The only access to Pine Street will be 30 ft. wide driveway (2 lanes total). After discussions with the Board it was agreed that the access onto/from Pine Street will have two exit lanes and one entrance lane. Therefore, the access will be widened by approximately 6-8 ft. He further testified that in his expert opinion the site meets all standards and conditions of the Township UDO as it pertains to traffic issues; an WHEREAS, at the public hearing held on April 14, 2015, the Planning Board considered the testimony of Gordon Gemma, P.P. on behalf of the objector. Mr. Gemma testified that he had reviewed the 2007 Master Plan, the Township UDO, the 2013 Smart Growth Plan, the Remington & Vernick review letter dated February 25, 2015, and the plans and specifications which were submitted by the applicant. He testified that the detriments would be that there are no legitimate reasons to grant the variances. The applicant has the opportunity to move the lot line so as to provide for a 20 ft rear setback. The application as submitted does not, in his opinion, advance the purpose of zoning; and WHEREAS, other than the aforementioned objector represented by Ron Gasiorowski, Esquire, no other comments were received from the public at the public hearing held on April 14, 2015; WHEREAS, the Applicant has complied with all notification requirements of the Township UDOWHEREAS, all requisite fees and real estate property taxes have been paid in full to date; and NOW, THEREFORE, BE IT RESOLVED be it resolved this 14th day of April, 2014, by the Planning Board of the Township of Lakewood, County of Ocean and State of New Jersey as follows: 1. The preliminary and final major site plan application, variance and design waiver approval, be and hereby are approved. 2. In so approving the aforementioned application as modified herein, the Planning Board conditions the application on the following: a. The applicant will comply with all plat details requirements set forth in the aforementioned review letter from Terence Vogt, P.E. dated February 25, 2015. b. The applicant will provide 2 additional parking spaces so as to avoid the need for a numbered parking lot variance. In doing so the applicant agrees to provide for one way traffic in the rear of the hotel, and to modify the site upon which the proposed solid waste trash facilities were to be located. c. The applicant will provide to the Planning Board Attorney and the Planning Board Engineer the

agreement concerning the proposed construction and maintenance of the basin, as well as the proposed maintenance plan. The Planning Board Engineer and the Planning Board attorney will review same and provide comments. In the event the review of those documents require an additional hearing, the applicant will be required to resubmit the application concerning that particular issue. d. The applicant will cause to have vacated the access easement along Pine Street which has been the subject of discussions, and as shown on the subdivision map filed with the Ocean County Clerk's Office on or about June 6, 2006. In so approving the application the Planning Board has made the following findings of fact: 1. The applicant is the contract purchaser of the property and therefore has a proprietary interest in the application. 2. All requisite fees and real estate property taxes have been paid in full to date 3. The applicant has complied with the notification requirements of the Township UDO 4. The application is therefore a "complete application" as defined by the New Jersey Municipal Land Use Law. 5. The applicant has agreed to resolve one of the variances by providing two additional parking spaces in order to reach the 164 parking space requirements. The applicant will modify the location of the solid waste trash bins in order to provide for the two additional spaces. 6. The applicant will modify the proposed traffic in the rear of the hotel to be one way only. 7. The five-story hotel and bank facilities are permitted uses in the zone. Other than the one variance being requested (setback requirement of 5 ft. provided-20 ft. proposed). No other variances are being applied for or granted. 8. The design waiver requested is diminimus, and will be addressed by the applicant at the time of compliance review. 9. The application calls for 138 hotel units which will include a banquet hall, 3 meeting rooms, a reception area, bar and dining room, open to the public. 10. The applicant has provided sufficient proofs that the access easement which is in question will be vacation as a condition of approval. 11. The applicant has provided sufficient creditable expert testimony that the traffic impact of this project will be diminimus, and will not unduly exacerbate the surrounding properties in terms of access traffic flow. 12. The applicant has agreed to widen the access way onto Pine Street by and additional 8 ft. which will permit two exit lanes and one entrance lane. 13. The Planning Board finds, as modified herein, that the application meets the intent and purpose of the New Jersey Municipal Land Use Law, in particular N.J.S.A. 40:55D-2, as well as the Township UDO. 14. The application as modified herein is in general compliance with the Zone Plan and will not unduly impact upon the neighborhood scheme. 15. The applicant has shown sufficient and credible evidence to grant the one variance which is now requested (setback variance). The common boundary line is with the basin. The violation of the setback will not unduly impact upon the surrounding neighborhood. 16. The applicant has shown sufficient proofs to grant the variance, including but not limited to the fact that the variance will allow for additional parking and ease of traffic flow.

A motion was made and seconded to approve.

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

- 2. SP 2111** (No Variance Requested)
Applicant: Ocean Care Realty LLC
Location: Boulevard of the Americas
Block 961.01 Lots 2.03 & 2.05
Preliminary and Final Major Site Plan for an office building

Project Description

The applicant is seeking Preliminary and Final Major Site Plan approval to construct a new two-story, (approximately) twenty-seven thousand one hundred sixty-four square foot (27,164 SF) office building on Lot 2.05 and a storm water management basin on Lot 2.03. The property on which the office building and off-street parking are proposed is Lot 2.05, a 4.465 acre parcel near the southwest corner of the intersection of New Hampshire Avenue and the Boulevard of the Americas. The proposed storm water management basin will be in Lot 2.03 which contains 3.875 acres. The overall tract contains 8.34 acres. To provide storm water management

for this property, a storm water management basin is proposed on Lot 2.03, located southwest of the proposed office facility. As referenced on Site Plan, this basin will be built under a separate (Board-approved) application (Erez Holdings, SP-2080, proposed on Lot 2.06 immediately east of this site). An interconnecting drive between these developments is also proposed. Furthermore, another proposed site plan (SP-2109) on Lot 2.02 intends to use the same storm water management basin. Off-street parking for the proposed office facility will be provided on the north and south sides of the proposed office building. A total of one hundred ninety (190) off-street parking spaces are proposed. Six (6) handicap parking spaces are proposed, all of which are van accessible. Access to the proposed office building will be provided by a driveway on the Boulevard of the Americas. Surrounding lands are generally improved with large commercial and industrial land uses. The site is located in the DA-1 Cedarbridge Redevelopment Area. Office buildings are permitted in the zone. The following waiver has been requested from the Land Development Checklist: 1. C14 - Tree Management Protection Plan. Compliance with the Tree Protection ordinance will be addressed during compliance (if/when Board approval is granted). Therefore, we support the submission waiver as requested. The Board granted this submission waiver for completeness only. The applicant's engineer indicates that a Tree Protection Management Plan will be provided with resolution compliance submission should approval be granted. A variance is requested for the Rear Yard Parking Setback. A setback of fifteen feet (15') is proposed for Lot 2.05, whereas the minimum required rear yard parking setback is twenty feet (20'). The Board shall take action on the requested rear yard parking setback variance. 3. A parking variance is requested. One hundred ninety (190) off-street parking spaces are proposed for this project, whereas according to Section 18-903.L.3.a., of the UDO, two hundred nine (209) off-street parking spaces are required. The parking calculations previously provided were in error. One hundred seventy-four (174) off-street parking spaces are required based on one (1) space per three hundred square feet (300 SF) of floor area. One hundred ninety (190) off-street parking spaces are proposed. A variance is not required. 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. A. The applicant seeks preliminary and final major site plan approval to construct a new two-story, approximately 27,164 square foot office building on Lot 2.05 and a storm water management basin on Lot 2.03. B. The overall tract is 8.34 acres. The office building and off-street parking is proposed on Lot 2.05, a 4.465 acre parcel near the southwest corner of the intersection of New Hampshire Avenue and the Boulevard of the Americas. The proposed storm water management basin will be in Lot 2.03 which contains 3.875 acres and is located southwest of the proposed office facility. Surrounding lands are generally improved with large commercial and industrial land uses. The site is located in the DA-1 Cedarbridge Redevelopment Area where office buildings are a permitted use in the zone. C. The applicant proposes 190 off-street parking spaces to north and south of the proposed office building. Six spaces will be designated as handicap accessible. Access to the proposed office building will be provided by a driveway on the Boulevard of the Americas D. In conjunction with the applicant's request for site plan approval, the applicant also seeks the following variance and waivers: 1. Rear Yard Parking Setback – a setback of fifteen (15) feet is proposed for Lot 2.05, whereas a minimum of twenty (20) feet is proposed. 2. An off-street parking space variance was initially requested, but is no longer needed as they required amount of spaces is 174 and the applicant is proposing 190, well over the minimum requirement. Submission Waivers: 1. C14: From the provision of a Tree management Protection Plan. Granted E. Terence Vogt, P.E., P.P., CME of Remington, Vernick & Vena Engineers, prepared an engineering and planning review letter to the board dated April 1, 2015 which is attached hereto as Exhibit A. The board hereby adopts the findings in that letter and incorporates the same by reference. All conditions in that letter not expressly waived are hereby made conditions of approval. F. The applicant provided to the board certain maps and other materials in support of this application as specifically outlined in Mr. Vogt's review letter. G. At the public hearing, the applicant was represented by Miriam Weinstein, Esquire who presented the testimony of Brian Flannery, P.E., project engineer. Mr. Flannery was recognized as an expert in fields of engineering and planning and his testimony was credited by the board as accurate. Based upon the representations and testimony

provided by the applicant and/or the applicant's professionals, the board made the following findings of fact: 1. The site is situated within a DA-1 Cedarbridge Redevelopment Area where office buildings are a permitted use. 2. The applicant is seeking a variance for rear yard parking setback. 3. The applicant is proposing 190 off-street parking spaces with six spaces being designates as handicap accessible. 4. A boulevard-style entrance is proposed from the Boulevard of Americas. A one lane 16 foot wide one-way entrance and a 24 foot wide two-way exit are proposed. An interconnecting drive is also proposed between this development and the adjacent (SP 2080) office building development on Lot 2.06. 5. There are submission waivers which have been granted 6. The storm water management is on proposed Lot 2.03 and will be built under a separate Board approved application (Erez Holdings, SP 2080, proposed on Lot 2.06 immediately east of this site). H. Members of the public were provided an opportunity to ask questions and comment upon the application however; no one appeared to offer either comment or objections.

A motion was made and seconded to approve.

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

- 3. 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 application to the April 28, 2015 meeting. This project will not be heard.

- 4. SD 2006** (Variance Requested)
Applicant: Chateau Holdings LLC
Location: River Ave & Edgecomb Ave
Blocks 1021; 1040 Lots 4; 1.02
Preliminary and Final Major Subdivision to create 22 fee-simple duplex lots and 1 commercial lot

Project Description

The applicant is seeking a Preliminary and Final Major Subdivision approval. The applicant proposes the subdivision of two (2) existing lots to create twenty-three (23) proposed lots. Twenty-two (22) of the proposed lots would be developed as zero lot line properties with eleven (11) duplex structures. The last proposed lot would be left for development as a future commercial lot. The existing lots are known as Lot 1.02 in Block 1040 and Lot 4 in Block 1021. The lots are proposed to be subdivided into new Lots 4.01 through 4.23 on the Major Subdivision Plan. The proposed subdivision for the project would include most of Blocks 1040 and 1021. The tract is bordered by the unimproved fifty foot (50') right-of-ways of Edgecomb Avenue and Parkview Avenue. The west side of Blocks 1040 and 1021 front on River Avenue, also known as New Jersey State Highway Route 9, which has a sixty-six foot (66') right-of-way. A commercial site approved under Application SP-1916A is under construction to the south. There is curbing, but no sidewalk for the property frontage along River Avenue. Lot 1.02 contains an old parking area and detention basin from the old Winkelman's site. There is an existing residential dwelling with a detached garage, shed, and pool on Lot 4. The existing appurtenances on Lot 4 will be removed, and the extent of parking area removal on Lot 1.02 has been clarified on the Demolition Plan provided with this revised submission. The subject property bordered by two (2) paper streets is located on the east side of Route 9, in the southern portion of the Township, north of the old Winkelman's building. Site access would be afforded by the improvement of Edgecomb Avenue between River Avenue and Parkview Avenue, and the

improvement of Parkview Avenue. Curb and sidewalk are proposed along the entire frontage of the project, except no sidewalk is proposed in front of the commercial lot along Route 9. Proposed storm water management facilities and utilities are associated with this project. The proposed drainage system consists of a conventional storm sewer collection system that collects and directs runoff to underground recharge systems, as well as an existing on-site detention basin. Proposed sanitary sewer will connect to an existing system in the right-of-way of River Avenue. Proposed potable water will connect to an existing system under the west side of Route 9. A minimum of four (4) off-street parking spaces are proposed for each unit. The subject site is located within the HD-7 Highway Development Zone. Duplex housing is a conditional use in the zone district. The surrounding lands which are not vacant contain a mix of commercial and residential developments. According to our review of the Major Subdivision Plan and the zone requirements, the following variances are requested for the subdivision approval:

- Minimum Lot Area — Proposed Lots 4.03 through 4.08 require variances. The combination of proposed Lots 4.03/4.04 and 4.05/4.06 would have an area of 8,060 square feet. The combination of proposed Lots 4.07/4.08 would have an area of 8,123 square feet. Eight thousand five hundred square feet (8,500 SF) is required. The revised plans no longer require variances for minimum lot area.
- Maximum Building Coverage - Proposed Lots 4.03 through 4.08 require variances. The building coverage on the combination of proposed Lots 4.03/4.04, 4.05/4.06, and 4.07/4.08 would be approximately forty-two (42%). Forty percent (40%) is the maximum allowable building coverage. The revised plans no longer require variances for maximum building coverage.
- Minimum Front Yard Setback from a State Highway - Proposed Lot 4.01 requires a variance. A setback of forty-four feet (44') from Route 9 is proposed for new Lot 4.01; where seventy-five feet (75') is required. The revised plans no longer require a variance for minimum front yard setback from a state highway.

3. A design waiver is required from constructing sidewalk along the proposed future commercial Lot 4.23 along Route 9. The applicant's engineer indicates that sidewalk will be proposed with a future commercial site plan application. Accordingly, we recommend the sidewalk be required as it will be proposed on the future site plan application. In this manner the sidewalk will be constructed regardless of the outcome on the future site plan application.

4. The applicant must address the positive and negative criteria in support of any required variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area.

A. The applicant is seeking preliminary and final major subdivision approval to permit the subdivision of two (2) existing lots to create twenty-three (23) proposed lots. Twenty-two of the proposed lots will be developed as zero lot line properties with eleven (11) duplex structures. The last proposed lot will be left open for future development as a commercial lot. The two existing lots are 1.02 in Block 1040 and Lot 4 in Block 1021. The lots are proposed to be subdivided into new lots 4.01 through 4.23.

B. The site is located on the southern portion of Lakewood Township. Lot 1.02 contains an old parking area and a detention basin from the old Winkelman's site. There is an existing residential dwelling with a detached garage, shed, and pool on Lot 4. The existing appurtenances on Lot 4 along with part of the parking area on Lot 1.02 will be removed. There is curbing, but no sidewalk for the property frontage along River Avenue. The subject site is located within the HD-7 Highway Development Zone wherein duplex housing is a conditional use in the zone district. The surrounding property that is not vacant contains a mix of commercial and residential developments.

C. In addition to the subdivision approval, the applicant is also seeking the following waiver relief: Design Waiver: 1. From constructing a sidewalk along proposed future commercial lot 4.23 along Route 9. The applicant indicates that a sidewalk will be proposed with future commercial site plan application.

D. Terence Vogt, P.E., P.P., CME of Remington, Vernick & Vena Engineers, prepared an engineering and planning review letter to the board dated March 10, 2015 which is attached hereto as Exhibit A. The board hereby adopts the findings in that letter and incorporates the same by reference. All conditions in that letter not expressly waived are hereby made conditions of approval.

E. The board reviewed certain maps and other materials in support of this application as specifically outlined in Mr. Vogt's review letter.

F. At the public hearing, the applicant was represented by Adam Pfeffer, Esq., who presented the testimony of Brian Flannery, P.E., project engineer. Mr. Flannery was recognized as an expert in the field of engineering and his testimony was credited by the board as

accurate. Based upon the representations and testimony provided by the applicant's professionals, the board made the following findings of fact: 1. The applicant seeks subdivision approval to permit the creation of twenty-three lots from two existing lots. 2. Twenty-two lots will have 11 duplex structures. One lot will remain open for future commercial use. 3. There will be four (4) off-street parking spaces proposed for each dwelling unit. 4. All previous variance requests have been eliminated with the revised plans. 5. A design waiver from constructing a curb on the open commercial lot is requested. 6. A temporary turnaround is required on the southerly terminus of Parkview Avenue. G. Members of the public were provided an opportunity to ask questions and comment upon the application, however, no one appeared to offer either comment or objection.

A motion was made and seconded to approve.

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

5. **SD 2007** (Variance Requested)
Applicant: Times Square Holdings, LLC
Location: Basswood Drive
Block 431 Lots 13 & 14
Preliminary and Final Major Subdivision to create 26 fee-simple duplex lots

Applicant has requested to carry this application to the April 28, 2015 meeting. This project will not be heard.

- 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

**The audio recording did not work and the minutes presented herewith were completed to the best of our ability. If more comprehensive minutes are required, a transcript may be purchased from the court stenographer.*