

1. FLAG SALUTE & CERTIFICATION OF COMPLIANCE

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

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

2. ROLL CALL

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

3. SWEARING IN OF PROFESSIONALS

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

4. 2017 DRAFT MASTER PLAN REVIEW

Two maps were handed out to the board, the Proposed Land Use map (LU-4) showing a change in the southwest corner of town per some discussion at the last meeting. It is also reflected on the second map, Proposed Land Use Changes (B-2).

Mr. Herzl asked if the proposed land use map covers all of the proposed zones to be changed in the Master Plan.

Mr. Truscott confirmed.

Mrs. Morris said there are copies of Mr. Flannery's rezone requests as well as a few others for the board and public.

Mr. Herzl asked if any of these new requests are on the maps.

Mr. Truscott said no. There is a third map showing the areas Mr. Flannery is going to testify to.

Mr. Flannery said these are requests the Master Plan Committee reviewed but were not incorporated into the plan. He thinks perhaps some of the requests were not completely understood or the requests were not flexible enough.

1. Rezone the Esti Circle area from A-1 to another residential zone district.

Description: This area is fully developed with single family residences on two-acre lots and road improvements. The tract has a deed restriction which restricts lot sizes to a two-acre minimum. The area was not addressed in the 2007 Reexamination Report and is outside the Smart Growth Plan.

Housing Density Subcommittee Recommendation: Deny

Mr. Flannery said this property was owned and subdivided by Lakewood Township and at that time, surrounding properties were 2 acres and they said they didn't want a developer coming in asking for smaller lots and variances so they put a deed restriction on the property. The residents went to a judge and asked him to release the deed restriction and basically it was due to some of those longer lots, they thought could be chopped in half and have an acre lot for the house and build a shul. This restricts inherently beneficial uses, restricts use of the property and the

intention of the deed restriction isn't there anymore. If the board just dismisses it based on the deed restriction which a judge will at some point in the future remove but at that time they it hasn't been long enough. The Township went and presented testimony, at that time the adjoining property was R-40. You can see from the proposed land use map that the adjoining property is now indicated to be rezoned to an R-10 so there will be no agricultural area or R-40 around and it really is inconsistent from a land use standpoint. His explanation is the deed restriction, in his opinion, is something that in the future when it is appropriate a judge will remove it. The request was to make it consistent with the area next to it but it doesn't necessarily have to be that if the board thinks an R-12 or an R-15 is a good zone for it, the A-1 zone doesn't make sense for Lakewood anymore.

Mr. Herzl asked if Franklin Avenue is vacated or a paper street.

Mr. Flannery said that is the area off of Newport. You can see on the proposed land use map, it is suggested to be an R-10 and out in front of it is the property on the corner of Faraday and Cross which is scheduled for an R-20A. Something compatible with those two zones is what he would be requesting for this property on behalf of some of the neighbors in Esti Court and who previously in years past has asked for the deed restriction to be lifted.

Mr. Herzl asked if these properties are developed.

Mr. Flannery said yes, there are houses on 2 acres.

5. Rezone area along Twelfth Street from R-10 to R-7.5.

Description: The rezoning is neutral from Smart Growth Plan standpoint. The area located within Downtown Regional Center. Township information may incorrectly show part of this area as R-10.

Housing Density Subcommittee Recommendation: No change because none is needed. Deny.

Mr. Flannery said this is an area along 12th Street and in this particular area, his client, owns a lot which adjoins, according to the tax records and zone maps, an R-7.5. The proposed map has that whole area as an R-10 so that R-7.5 area which covers 133 lots, which as of today has been treated as an R-7.5, if this proposal goes through that now becomes an R-10 and the duplexes which have been approved by the Planning Board now become undersized non-conforming lots. Therefore, they would need use variances for anything whether it is an addition or a shed. He thinks it is a mistake and they know there has been mistakes on the zoning maps. If you look between Squankum and that R-7.5, there is a strip of R-10 which doesn't make sense. The other side is B-1 with townhouses. You don't do a transition where you put along the major roads something with larger lots and then transition to smaller lots. The area highlighted in yellow should remain as an R-7.5 per the tax records and the zoning officer's maps. The pink area in that lot, the area in between Squankum and R-7.5, should also be an R-7.5

7. Rezone area from R-12 to HD-7 as correction to zoning map

Description: Location: Block 1051 Lot 30 and 56 Route 9 (River Rd). This request is for a correction in zoning map, however the basis of the request needs clarification. Neutral from Smart Growth Plan standpoint.

Housing Density Subcommittee Recommendation: Lot 30 is in the HD zone and lot 56 is a single-family residence. Deny.

Mr. Flannery said tax records show both lots 30 and 56 in block 1051 as HD-7. If you look at the proposed zoning map, the R-12 bounces up just to go around this one lot and it is developed with a residential house. He understands why somebody would think to keep the residential house in the R-12 zone but it is in that HD-7 corridor. The Township passed an ordinance prohibiting residential within 200 ft clearly indicating an intent that the Route 9 corridor should be commercial. The owner of the property wants to develop it as commercial which he thinks is a more appropriate use than the house that's there. It's not like it is surrounded by any other houses or in

a neighborhood, it is right in that HD-7 corridor and he thinks it is in everybody's best interest to fix what he thinks was a mix up on the tax map.

Mr. Herzl asked what lot 53 is zoned as.

Mr. Flannery said lot 53 is residential.

Mr. Herzl said 29 is a commercial property.

Mr. Flannery confirmed. Lot 30 across the street is commercial, the lot on the other side is also commercial.

Mr. Herzl said lot 30 basically encompasses 29 and 56 as it is the same width.

15. Rezone area along Burnside Avenue from R-15 to R-10 (north of Ocean County Park)

Description: The area is located near a stream corridor and may be impacted by C-1 riparian corridor buffer requirements. Most of the subject area is within the sewer service area. (only Block 190, Lots 130, 132, 134, and 135 are completely or partially out of the sewer service area.) Smart Growth and 2007 Reexamination Report.

Housing Density Subcommittee Recommendation: Deny

Mr. Flannery said the intent of the request was that there would be something to encourage public sewer rather than septic development. R-15 is very easy to develop on septic and the property owners asked for R-10 and he thinks the problem is the R-10 also allows duplexes but the applicant wants to build single families. In this case, he thinks the R-10 was turned down because it included duplexes and there are none in the area. An R-12 is going to accomplish the same thing. The lots would be developed on sewer rather than septic system because a 15,000 sf lot develops easily on septic, an R-12 would make it worthwhile to bring sewer into that area.

Mr. Herzl asked if there is any R-12 in the area.

Mr. Flannery said the area is north of Gefen Drive and that area is in between Ridge Avenue and County Line Road and in that whole area in Ridge Avenue, there is a stream corridor 300 ft C-1 buffer and that area is not within the sewer service area. He thinks the advisory committee also got hung up on this property as it isn't in the sewer service area. This property is out of the stream corridor buffer and developable property in an area that has a lot of residential development. That whole area bounded by County Line Road and Ridge Avenue is predominately developed with lots of less than R-15. There are a lot of R-15 lots but the new lots approved by this board on County Line Road were approved on 12,000 sf lots. The lots, Red Oak and White Oak, on Ridge were approved with a clustering type provision where a minimum lot size was 12,750 sf. So 12,000 sf lots in here on public sewer would certainly fit in the area and would be better than 15,000 sf lots on septic especially due to it being a critical environmental area.

Mr. Flannery said the next recommendation is off of Locust Street. The property owner is asking that the area adjoining the B-5A highway corridor along New Hampshire Avenue be extended to cover the Pine Acres area. Looking at the tax map, the property along Locust Street is all undeveloped. It's going to be on the opposite side of Locust Street from a B-5A development. As the board is aware, the Pine Acres Estates area is in need of redevelopment and extending that highway corridor would enable that to be developed where it would provide some smart growth in that you could have some retail type uses along New Hampshire Avenue which would make sense so the people in the area would have somewhere to walk rather than have to drive. It would also provide some employment opportunities. It could be offices and a mix up redeveloped houses.

17. Rezone area from R-40/R-20 to R-7.5

Description: located along the east and west sides of Washington Avenue between Spruce Street and the Affordable Housing Site. The area is not in the Smart Growth Plan

Housing Density Subcommittee Recommendation: No change. Not consistent with surrounding area for lot area. Deny.

Mr. Flannery said this is where the affordable housing site is located. All the traffic from the affordable housing comes out Washington Avenue and it has impacted those lots which are in an R-40/20 zone. The owner of that property did not try to fight it but it has adversely impacted his property. He had asked for an R-10 which would allow duplexes and again he thinks the request was aggressive in that it allowed duplexes which would not be compatible and is now asking for single family detached only.

Mr. Herzl said he was asking for R-7.5.

Mr. Flannery said he would like to see on block 837 an R-10 which is single family only and on block 836 would be an R-12 transitioning to an existing residential neighborhood on Spruce Street. Spruce Street is not fully developed as there are 25 lots on Spruce and there are 6 lots ranging from 30,000 to 38,000 sf developed for single family houses. The rest of the neighborhood is certainly going to develop and the R-12 in his opinion can be a beautiful estate zone. Other than the Clearstream area which is developed with all 40,000 sf lots and is adjoining Jackson that has larger lots so it all transitions and makes sense. In this area, you have Pine River Village to the north and the affordable housing to the south so the R-40 is probably overstating what makes sense for a good development of this neighborhood. The owner of lot 1 in block 835 is also for the proposed changed.

Mr. Truscott handed out a map to the board, Proposed Land Use (Alternate). This map is to highlight Mr. Flannery's requests for the board's information. They are not making recommendations but are only trying to show the geographic area being requested so the board can see how it fits in.

1. Rezone the Esti Circle area from A-1 to another residential zone district.

Mr. Truscott said this a developed area with single family homes on 2 acre lots. He believes it would be difficult to reconfigure the whole area to a different zoning scheme so he is not in favor of that change at this point.

5. Rezone area along Twelfth Street from R-10 to R-7.5.

Mr. Truscott said this is in the northern/central part of the Township, east of Route 9. The research he has done and in discussions with the Township is some tax maps show that area as R-7.5 and that is what he believes he is basing this request on. Although the proposed zoning map which is under consideration by the Township Committee does show that area as R-10. If the area was to be changed, he thinks there should be a more intense study performed.

7. Rezone area from R-12 to HD-7 as correction to zoning map.

Mr. Truscott said this area consists of two very small parcels which you cannot see on the map. They are just outside the HD-7 zone and that is the reason for the request. In terms of the Start Growth plan, they would be outside the corridor. In terms of the commercial property, it would be a minor change but on the vacant property it would further encroaching the residential area along Yale.

15. Rezone area along Burnside Avenue from R-15 to R-10 (north of Ocean County Park)

Mr. Truscott said the original request was to change this to an R-10 but now they are asking for R-12. This is from the Smart Growth plan. It's neutral, outside the stream corridor, sewer service area and it adjoins an R-12 area. The real question is what the development approvals are in the area for R-12 lots.

17. Rezone area from R-40/R-20 to R-7.5.

Mr. Truscott questioned what zones were requested.

Mr. Flannery said block 837 would be 10,000 sf minimum lot sizes for single family detached with no duplexes. Lot 836 which gets towards more those existing developed homes on 30,000 to 38,000 sf would be an R-12 to transition. Another request included in that R-12 would be block 835 lot 1.

Mr. Truscott said that area is in a residential designation within the Smart Growth plan and Oak Street Core. It is quite a jump in terms of the designation from R-40.

Mr. Herzl said it blends in with the affordable housing.

Mr. Truscott said it would be a singular area within that. Some years ago there were zoning requests in that area to go with smaller lots which was turned down at the time. He is not inclined at this point to allow such small lots.

Mr. Truscott said the last one is along Locust Street which is outside of the highway node but it does adjoin it. It is an existing developed area with single families so it would change the zoning quite a bit.

Mrs. Morris said there is also a recommendation from Mr. Perlow regarding rezoning another area.

Mr. Truscott said that has been addressed already as part of the land use plan.

Mr. Herzl asked if any tax maps were submitted for request #5.

Mr. Flannery said he submitted all of the tax maps from the zoning officer's office that, based off tax records with the County, show which lots are R-7.5 and it's 133 lots. He knows there has been applications from the Planning Board. Right across the street there was an application that was treated like an R-7.5 and a duplex was approved on a 10,000 sf lot. That area has been treated like an R-7.5 for many years and there will be 133 property owners which will be surprised when they see the new zoning map changing it. He agrees with Mr. Truscott that the zoning map was incorrect.

Mr. Herzl asked if most of the houses in the area of request #15 are R-12.

Mr. Flannery said the approvals done on County Line Road in the past 5 to 10 years, there was development that was done on 12,000 sf lots and that was based on the fact that there's lot area in the stream corridor which wasn't built on so density wasn't a problem. Also, the development done by Tashbar which is being built a little further to the east also was approved on 12,000 sf minimum lots. The Red Oak and White Oak Estates was reduced lot sizes for recreational purposes and they had some area which was also in the stream corridor.

Mr. Herzl opened to the public.

Ms. Cathy Stillwell, Brook Road, was sworn. Concerning the request on Burnside/County Line Road, Mr. Flannery talks about R-12 being there now recently, all of the R-12 approvals, she has been actively apart of and they only became R-12 because there was adequate lot size for R-15 so the density is for R-15 based on them setting aside

areas along stream corridors and having passive recreation. To consider something based on R-12 allowance would be inappropriate in that area. All zones in Lakewood allow two family which would be on septic in this area.

Mr. Herzl thought there was testimony that there is sewer in that area.

Mr. Flannery said Red Oak and White Oak have public sewer. His testimony and for his client who requested it, was for the purpose of extending sewer.

Ms. Stillwell said the main factors everyone is objecting to is congestion, traffic and density. Once again they are considering a plan which the board has looked at carefully and designated it R-15 and now Mr. Flannery is asking for the board to make it denser. She requested that this area stay R-15 as that is how it was intended to be. She had a question regarding a comment relative to the transportation subcommittee. One of the comments is on page 266 #1 'Reducing traffic congestion on local roads due to student loading and unloading at the numerous school sites. Loading and unloading of students from vehicles in the roadway restricts the free flow of traffic. Setbacks for schools should be increased to allow for on-site drop off/pick up areas and on-site student loading areas should be required. The comparison of the buffer requirement of the HD-7 zone district on the highway was offered to require increased setbacks. Consider re-zoning emerging artery roads (e.g. County Line Road, E. Kennedy Blvd.) with the HD-6/7 designation to protect future widening opportunities.' She read that as they are not changing any of the zones in that area to HD-6/7, they are just recommending that the setbacks in those areas be considered to be the same requirement as what you would have in an HD-6/7 zone.

Mr. Truscott said that is correct. The zoning is not being changed, they are only using that as an example so if you require a little more setback then it gives you more area to provide off-street loading/unloading.

Mr. Stillwell said they are basically saying that in this residential, should you have schools or synagogues that they have loading/unloading or parking requirements that those setbacks should be the same as what you have in an HD-6/7 zone.

Mr. Slachetka said that is correct. He said they would clarify it so it is clear they are talking about just the setbacks and not the zoning.

Ms. Carol Suckno, 51 Foxwood Road, was sworn. She said some time ago, Mayor Coles asked the seniors what they thought was an appropriate use for 1536 Massachusetts Avenue. Over 900 residents from the Fairways came out and signed a petition asking for a public safety annex. She herself recently needed an ambulance and unfortunately it took 40 minutes because it had to come from Brick Township. They all know as people get older, they suffer heart health issues. Time is of the essence and they don't have 40 minutes to wait. The Fairways has over 2,000 residents, the Enclave has approximately 600. There are numerous schools on Cross Street which in the summer are used as daycares. Certainly a public safety annex would be good for everyone in the area. The need for fire, ambulance and police nearby increases. They are an active vibrant community but they still have issues which need to be addressed. She asked that they do the right thing.

Mr. Truscott said the draft Master Plan does include, on page 227, a recommendation to consider a possible location for the safety annex at 1536 Massachusetts Avenue.

Mr. Herzl said they spoke about it and all agreed with the recommendation.

Mr. Moshe Lambert, 34 Sheri Court, was sworn. He wants to address request #17 on Spruce Street. He is trying to figure out if that from all of the developed streets in the entire Township, there are only two streets that are zoned R-40 including Spruce Street and Clearstream Road. Clearstream he understands is already developed and is on the

border of Jackson which requires 2 acre lots and all of the houses built conform with the setbacks. For some reason, Spruce Street is still remaining an R-40 zone. All of the houses developed on that block are non-conforming. To either direction, there is affordable housing and Pine River Village. He doesn't think anyone is requesting duplex lots or R-7.5 but he doesn't understand why this block should not be R-12 zoning. He asked what the basis is of that street being R-40.

Ms. Jennifer Bendkowski, 6 High Street, was sworn. She said there are many rentals available in Lakewood. She is a homeowner but struggles with the mortgage unless she rents out the basement but it is very difficult to find tenants with so many rentals available and new developments going up. She complained about traffic congestion which is due to a lack of planning. Schools are taking up much needed on-street parking spaces. She strongly urged the board that a moratorium should be put in place until proper planning is done.

Mr. Fred Huege, 24 Morning Glory Lane, was sworn. He passed out a graph of the population growth of Lakewood over the last 60 years to the board. The graph shows an increase from under 20,000 to over 100,000 residents. He said it is entirely possible that over the next 10 years, Lakewood will grow by 20% to 40%. He further compared Lakewood to other cities in the state. Currently there are 4,000 people per square mile in Lakewood and with an increase of 20% that goes up to almost 5,000 people and if it goes to 40%, it will be almost 6,000 people. He said there is sufficient room in surrounding towns for people who wants to live near their families. He doesn't believe it is necessary for Lakewood to exceed an untamable growth to accommodate everybody that may want to move into Lakewood.

Ms. Noreen Gill, 192 Coventry Drive, was sworn. She was a member of the Density Subcommittee but was unable to attend all of the meetings. Listening to the testimony has been very frustrating. She lives in Coventry Square which has a community pool and tennis courts. She has begged the board in the past to require the developers to give children an area to play. The board is catering to the developers allowing them to put families on top of families. Children are playing in their driveways because they have no front or back yards. There are other people in this town besides the developers that must be considered including youths and the elderly. She questioned why more density is needed as close to 600 homes are up for sale.

Ms. Chaya Kahn, 99 Elmhurst Boulevard, was sworn. She said two buses cannot pass on her street. Her neighbors have to put up cones so cars don't park on the road so buses can pass safely. She was aware of Route 9 traffic when purchasing the home but she figured she could get around it using Cross Street, New Hampshire Avenue or Yale but all of those arteries are clogged as well. She urged the board to not increase density.

Mr. Dovid Bender, 160 Colonial Drive, was sworn. He understands people have the right to build and make money but the developers are trying to build as much as they can in Lakewood. You don't see them going to other towns because they can't get away with the shenanigans like they do in this town. He is concerned about fire and emergency vehicle response times due to traffic and congestion.

Mr. Avrohom Schubert, 18 Gefen Drive, was sworn. He said he lives in a conforming R-15 development and the development is also on conforming R-15 lots. On 7th Street and Brook Road they are also R-15 but there is a farm in between the two R-15 zones on Ridge Avenue that is zone R-12. His neighborhood is concerned as to what will be developed on that farm. He is referring specifically to block 190.04 and asked that it be changed to R-15 to conform to the entire neighborhood. He asked if anything has been addressed between the north and south traffic of town.

Mr. Slachetka said the circulation plan talks about the need for north and south connections.

Mr. Truscott said on page 180 of the Master Plan, it states 'Seek opportunities to promote north-south linkages throughout the township in order to reduce traffic volume on US Route 9.'

Mr. Slahetka said there is also a map within the Master Plan that identifies some of those places where those gaps are proposed to be completed.

Mr. Schubert said there doesn't seem to be anything concrete to satisfy traffic and congestion. If there were, he thinks people would be more open to higher density.

Mr. Bob Lavine, 77 Rosewood Drive, was sworn. He said they need bi-partisan thinking. The issues are not about politics but it is about what is right and what is wrong in Lakewood. What is wrong is unsustainable growth. Lakewood cannot handle the proposed more than 125,000 additional people scheduled to live here over the next 10 years. He asked that the board vote with their heart and head and to do the right thing.

Mr. James Campbell, 6 Rosewood Court, was sworn. He said 100,000 people doesn't fit now and not only is the population getting larger but it is getting younger. He wonders how many schools and children the Township can afford. There are over 130 schools right now. He thought there was Ran -40B in Fairways and neighboring Fairways but apparently it was thrown out by a judge because it wasn't noticed. He asked that it be done correctly. He also said schools should be looked at as a conditional use, not a permitted use so when someone asks for exceptions, the board could possibly deny or negotiate. He questioned how the golf course could turn residential as it is a beautiful open space with trees and wetlands.

Mr. Jim Keaby, 1120A Third Avenue, Spring Lake, was sworn. He is a former councilman in Asbury Park. When he was on council they had five active redevelopment areas so he is fairly well versed in planning and zoning and the execution of the policies that get set by planning and zoning board. He is currently running for congress and in the past few months going out into his district and listening to the concerns of the people that live in Lakewood and around Lakewood, one of the most significant concerns which has been raised is the concerns about the density and the impact it is having on the quality of life in Lakewood and surrounding communities. He said what they are doing and what they have done is unsustainable. If they go forward with this plan, it will have grave implications for the entire district. He understands the pressure that developers can put on the board but he asked them to remember to represent the people of Lakewood, not the developers.

Mr. Isaac Goldsmith, 87 Finchley Boulevard, was sworn. One of the areas spoken about is a recommendation from the 2007 Master Plan Reexamination report, the forest around Hearthstone Park right where he lives. It was zoned as R-7.5 before the Oak Street Corridor was developed and maybe at that time it made sense but right now it does not make sense. They already have 400 additional people living across the street and all of that traffic will flow into Route 9. Hearthstone is very simple single family housing and duplexes will not fit in the neighborhood. On the corner of Cross and Massachusetts Avenue, one piece there they are also making R-7.5 and it is already a very populated area. Right now it is R-20 and perhaps it could go down to R-12 or R-10 as long as it is single family housing. He knows Maser did a traffic study which was very costly and he asked that they sit down with them to discuss. He suggested that the zoning be approved in phases across town to allow for infrastructure to be put in place.

Mr. Ed McCarthy, 173 Skyline Drive, was sworn. He hopes the board can understand the beauty of the Eagle Ridge golf course. He sat on a zoning board for six years so he understands the pressure the board is under. He knows it is their desire to try and do the right thing but the question is what that is. He asked them to apply common sense and to trust their instincts.

Mr. Howard Suckno, 59 Foxwood Road, was sworn. He expressed his disgust as to the way the senior community has been treated. A major factor in moving to the Fairways was the rural surroundings and his fond recollections of the Lakewood of his youth. He has been actively fighting proposed projects which he believes are out of place and will affect his community and quality of life.

Mr. Yehoshua Birnhick, 18 Esti Circle, was sworn. His neighborhood is zoned A-1 which is the only agricultural zone in Lakewood. They all know the character of their neighborhood is not agricultural. Ten years ago, the neighborhood approached the town to increase density. At that point, the neighboring properties were R-40 and they had to conform and that is why they were hesitate to change the zoning. He requested the board to consider keeping it residential and not agricultural.

Mr. Eliezer Paskes, 4 Sheman Street, was sworn. He said they cannot treat Lakewood as one category. There are certain areas which have low quality of life because the area has more rentals and different elements. If those areas were redeveloped then there would be a better quality of life and people wouldn't be scared to walk there at night.

Ms. Idina Kaufman was sworn. She lives in a development with no backyards. The kids have no place to play so they are playing in the street which is unsafe. She asked that the developers try to provide private backyards so the future of Lakewood will have happy and healthy children instead of them being squashed together.

Ms. Zoldan, 10 Blue Jay Way, was sworn. She said it is common sense that if you keep building denser housing, there is going to more and more traffic.

Ms. Patty Robison, 79 Eagle Ridge Circle, was sworn. They all know Lakewood is overcrowded. Eagle Ridge golf course has been sold and they are talking about building over 900 duplexes and triplexes with basement apartments in a 55+ community. She doesn't know anyone who is over 55 wanting to live in a basement apartment. They are figuring they are going to have the 55+ living in the house and their children and grandchildren living in the basements. They cannot sustain this kind of growth and something has to be done. She asked the board not to allow additional denser housing in that area.

Mr. Frederick Robison, 79 Eagle Ridge Circle, was sworn. He submitted various documents concerning the Fairways and Eagle Ridge golf course. There is a recommendation for a public safety annex at 1536 Massachusetts Avenue, further supporting this is the fact that Mayor Coles asked that a survey be done. There was some confusion about the history of the R-40B ordinance so he provided documentation for that as well. A tremendous amount of work has been done to get to an accurate zoning map. At the last hearing, there were a number of comments made that the property should be reflected on the zoning map. If they are going to do that across a number of properties, based upon a site plan that led to construction of properties, there is an approved site plan application for the golf course it should be open space. A similar argument could be made for the R-40B zone. There are some which have been corrected based upon requests. He made mention about the importance of including the landfill in the documentation that is part of a Master Plan. He reiterated the need to establish schools as a conditional use for the safety of the children.

Mr. Martin Shapiro, 611 Spruce Street, was sworn. He would like his neighborhood to remain an R-40.

Ms. Moshe Shemtov, 134 East County Line Road, was sworn. He said the majority of the community is pro-growth. Density brings in more businesses, easier access to shops, shuls, schools, friends for his children and it makes life much more convenient.

Mr. Bob Miller, 117 Skyline Drive, was sworn. He is concerned about the life and welfare of the people of Lakewood. He asked the board to do the right thing, protect the residents, stop building and get a better understanding of what is happening and then they can see about building and growing if it makes sense.

Mr. Shlomo Sorotzkin, 100 Stratford Place, was sworn. He said they did not hear one person who rents in town come up and complain. He is a student of BMG and wants to live here in Lakewood where it is walking distance. He said the town needs more housing.

Ms. Linda Dewey, 22 Oakmont Road, was sworn. She is concerned about the safety of children and expressed the need for more supervision.

Mr. Shlomo Klein was sworn. He said the majority of the higher density is being proposed next to the seniors. He believes the developers are trying to push the seniors out. He thinks this board is pushing to approve higher density. He doesn't understand how having higher density is going to solve the traffic problem. He said the impact fees go in a general fund and there is no guarantee the money will be used for infrastructure.

Zev Lann was sworn. He is concerned about the development of 350 units on the corner of Cross and Massachusetts. He doesn't believe it will be good for the neighborhood. He lives off of Route 88 and he is concerned that it will turn into Route 9.

Ms. Monica Berger was sworn. She doesn't oppose growth but she is against changing something that is dense to more dense, Pine Boulevard in particular. She said it is not the building and density hurting Lakewood but the lack of planning. There is a property located behind Pine Boulevard and Massachusetts Avenue which is currently zoned R-12. In 2007, they voted not to recognize that area and a few months ago there was a proposed variance which was not approved. Now in the Master Plan, the area is proposed to be changed to an R-7.5. She asked the board not to approve the change as it would allow duplexes and it would create more traffic in the area.

Ms. Gitty Kaufman, 9 Kedma Drive, was sworn. She currently attends high school and loves living in Lakewood but it is hard growing up in a development as there is no breathing room. There is no front or back yard and there are people everywhere. She is concerned about the density and said kids need space to move and breathe.

Mr. Naftalie Spiegel, 24 5th Street, was sworn. He said there is a property on Massachusetts next to his children's school currently zoned as R-20 and it is proposed to be changed to an R-7.5. He is very concerned about the density and traffic it will bring.

Mr. Elazer Wachs, 31 Aspen Court, was sworn. He asked the board to consider the quality of life for people in Lakewood and to make the right decision.

Mr. Joseph Goldberg, 20 Taylor Street, was sworn. He said the Oak Street Corridor improvements were all paid for by private land owners or investors. He had to personally pay for this street to be improved so he could build his home. He understands there is traffic but people need to be more responsible and account for that.

Mr. Mayer Salzer, 17 Oasis Court, was sworn. He understands there is a lot to be done in order to improve the infrastructure and even if they stop building now it is going to take years until traffic is back to normal. He urged the board they cannot continue to grow this way and this is the board's opportunity to do what is right.

Mr. Yisroel Reis, 1008 Waldorf Terrace, was sworn. He moved to the Hearthstone area about 7 years ago and it seems every couple of months his commute is getting longer and longer. He said there is not proper infrastructure to accommodate the traffic so they should slow down on the building until they can come up with a proper plan.

Aaron Hirsch, 146 Mountain View Drive, was sworn. He said the impact fees are not going to work as the developers will get around paying them. He questioned if the Master Plan will increase or decrease taxes. There has been a lack of planning as the infrastructure is not there and he doesn't see a solution with impact fees and increasing density. People who want higher density should move to a city who has a grid. Chestnut Street is a disaster and he has a letter from the OC engineer stating they are at least two years out before a traffic light will be put up on New Hampshire and Chestnut but there is more and more development going on.

Mr. Morris Winter, 424 East 5th Street, was sworn. He said there is an intersection near East 4th, East 5th, Ridge and Park that it is a catastrophe waiting to happen. He said something has to be done about it.

Mr. Herzl closed to the public.

Mr. Flancbaum said the one thing the Master Plan Advisory board specifically said was they are not going to impose new development patterns in existing established residential neighborhoods. One of the reasons for the subcommittee not recommending a change proposed, for example in the Pine Acres area, is because you have an established residential neighborhood, lots that are 20,000 sf and that was one of the reasons they denied the B-5A change because that would be imposing commercial and multi-family uses in an established residential neighborhood which they didn't think was proper. There were certain recommendations in the 2007 Master Plan which were not considered by the Master Plan board but that did make it into the draft report, rightfully so because they were in the 2007 plan, but the advisory board did also understand that things have changed in 10 years. Certain areas in 2007, the Township thought would be developed with higher density residential housing was not, such as the Albert Avenue area. The area that was proposed in 2007 behind Hearthstone for R-7.5 which would allow for duplexes is probably not appropriate today. That was not specifically discussed at the advisory board even though it was in the 2007 Master Plan so that is something which is not appropriate today as the Hearthstone neighborhood has really blossomed into a well established residential neighborhood. That is probably something the board should consider taking out and perhaps recommending something along the lines of single family detached area, whether it is 10,000 or 12,000 sf. There was a rezoning request brought before the advisory board along 12th Street from R-10 to R-7.5 There is something here indicating that there was an error which incorrectly showed it as R-7.5 but there was no evidence at that point was an error so the advisory board decided not to change it.

Mr. Herzl said, in the past, the Planning Board had always taken the position that it is R-7.5 as they have granted variances. If it is an R-7.5 then they should designate it as such and not give any further variances.

Mr. Flancbaum said he doesn't think the advisory board was aware of those types of acts. If that is the case, then perhaps the R-7.5 is appropriate. There have been a lot of comments and specifics about establishing new development patterns. There are 1,400 houses in the Fairways which you can't see from the street. It is a beautiful development and there is no reason why other developments can't mirror that type of development pattern. There are strong recommendations in the Master Plan in areas where there are larger undeveloped tracts of different types of development. Strong recommendations for setbacks where perhaps you can have large scale development. He knows sometimes landscaping is a dirty word but if you have landscape buffers, berms, wider interior streets then it will work better. Those types of recommendations are in the Master Plan report and those are types of the things they have been reviewing the last few nights. There was a comment made that the board is using old maps but he wants to put on the record they do have the most updated maps available.

Mr. Herzl said #17 on Washington Avenue and Spruce Street next to the affordable housing is recommended to be changed to an R-7.5 Being that it is right next to affordable housing, he would feel comfortable changing to R-12 with single family homes.

Mr. Flancbaum said the advisory board was looking at changing something from an R-40 to an R-7.5 for duplexes in an area where you have established either one or close to one acre lots and then you do have the affordable housing component nearby and they felt that transition from one acre lot to duplexes was not a good one.

Mr. Herzl said something in between the R-40 and the affordable housing would work. #15 Burnside Avenue was originally requested from R-15 to R-10.

Mr. Flancbaum said the R-10 zone does allow for duplexes and that was something the advisory board said that area is not appropriate for duplexes. That was the reason for the denial.

Mr. Herzl thinks R-12 single family houses fits into that area.

Mr. Flancbaum said part of this request states that if it is a developed R-15 on septic then you can develop 44 single family residential lots with no variances. If you have sewer in an R-10, that would allow another 14 single family lots. Now you can't build 10,000 sf lots unless you have water and sewer. If the board is favorable to this, then it would allow for the extension of sanitary sewer in the area. If the board chooses to develop 10,000 sf lots on septic then it can't work because of the distances you have to have by law between wells and septic.

Mr. Slachetka said it is currently R-15 and the request was to change to R-10 which the committee recommended against. He asked if it is recommended by the board that it be R-12.

Mr. Herzl believes there should be no duplexes in that area. He would be amendable to R-12 single family only. Next is #7 which is off River Avenue, lot 56 where it is recommended to change to R-12 from HD-7.

Mr. Flancbaum said it is outside of the Smart Growth area and it doesn't front Route 9. The advisory board didn't feel it was appropriate to have a retail use on a side residential street.

Mr. Herzl said if lot 56 was consolidated with lot 29 then it should be an HD-7 as it would be off Route 9. Next is to rezone Esti Circle from A-1 to another residential zone district.

Mr. Flancbaum said this is a tough one because they all know there are essentially no A-1 zones in town. He knows the subcommittee had a hard time with this one because there are existing deed restrictions on the properties. They do have 14 or 15 single family houses which were developed approximately 15 years ago on 2 acres. The property was purchased from the town with deed restrictions. He thinks the subcommittee and advisory board felt that an A-1 is probably not appropriate anymore but the deed restriction issue really muddied the waters.

Mr. Franklin said 50 years ago, the A-1 zone was a holding zone. Now that it is developed, they have changed the A-1 zone to fit the different patterns of the growth. That is all the A-1 zone was.

Mr. Herzl asked what is surrounding the A-1 property.

Mr. Flancbaum said there is a recommendation in the plan now for 10,000 to 20,000 sf single family lots in that surrounding area. No duplexes would be permitted.

Mr. Franklin said it should fit in with the surrounding areas.

Mr. Herzl doesn't want to agree to R-10 and then duplexes are built.

Mr. Flancbaum said there would have to be a new district proposed in the plan which doesn't permit duplexes. He thinks the direct adjacent area is proposed for 10,000 sf lots and a little bit further is 20,000 sf with no duplexes. If they want it to fit in with surrounding areas then it would be 10,000 sf single family lots. There are also deed restrictions here so nobody can subdivide the property until it is lifted by the court.

Ms. Zografos doesn't understand why they are considering a change when the property is fully developed. She hasn't heard any compelling argument as to why there should be a change.

Mr. Herzl said there is really no A-1 areas left in Lakewood and they should blend it in with the surrounding areas.

Ms. Zografos disagrees.

Mr. Herzl said they also discussed on Spruce Street, block 835 which he thinks should be the same as 836 and 837 as an R-12.

Mr. Flancbaum said a letter was sent by the Industrial Commission to the Master Plan Committee and certain aspects were included in the report of the Housing Density Subcommittee. This letter was a result of several months of meetings between businesses owners and school owners within the industrial park. They did hear testimony about the ABC zone and he thinks the board understands the reason for expanding that zone. Essentially what that zone does is promote business and industrial uses in and around the airport and excludes schools. There was discussion about how schools should be developed in the future in the industrial park in the areas where they were not excluded and there was a letter sent from the Industrial Commission. The details included a minimum lot size of 3 acres, maximum building coverage would be 40%, minimum on-site parking requirements would be more hefty than what they see in other areas in town, 3 spaces per classroom and other uses have to conform to the standards of 1 space per 300 sf similar to what you have with office type uses. Again, this to discourage parking on the street in the industrial parking.

Mr. Herzl thinks they should be more stringent for schools to be in the industrial park. They are looking for more parking and larger lots. Right now there is no limit on schools.

Mr. Flancbaum continued reading 'loading and unloading and bus stacking has to be designed to occur on site, there are more stringent buffer requirements between neighboring properties, alternatives of plantings would be fences which would be 6 feet high, all recreation play areas must be fully fenced and must be exclusive of the parking areas'. There was also something about noise control but there was no definitive conclusion what was meant by noise control. 'The purpose of these requirements is to facilitate a mode of operation for schools in this zone that will minimize negative impact on local business neighbors and will allow each to operate in safety'. He thinks this should be included as a reference in the Master Plan.

Mr. Franklin doesn't think there should be any schools in the industrial park. They built the industrial park to increase rateables to cut down the total tax rate for all people in town.

Mr. Klein commented that if they are permitting schools within the industrial park, then the board should look at requiring sidewalks.

Ms. Zografos said she works in the industrial park and the speed limit on Airport Road is 50 mph. No one should be walking on Airport Road when the speed limit is 50 mph, there is no slow down curve or lights for the crosswalk.

Mr. Flancbaum said when you have larger schools, you don't see kids running around in the street because they are on the school property and that is the idea of these requirements. They are trying to facilitate larger schools on larger properties and to keep kids away from the street.

Mr. Flannery said a clarification on the 2007 Hearthstone recommendation that the subcommittee put in was for no duplexes and in the report it didn't come in as no duplexes. Everybody who spoke doesn't want duplexes and that was the recommendation in 2007. Almost 75% of the lots in that area are less than 10,000 sf.

Mrs. Morris said they did have a concept plan in that area recently and they were looking at lot sizes of about 10,000 to 12,000 sf. Her recollection is that the testimony provided is that if the Planning Board were to grant

variances from R-12 to R-10 then they would be willing to do some additional roadway improvements but if the board rezones it to R-10 then you are not granting variances and the subdivision is fully conforming.

Mr. Flannery said the Township has to vacate the roads so the property owner is committed to opening up the roads and giving something and he can't do that if the town doesn't vacate the roads.

Mr. Sheman Hemfeld was sworn. He is concerned about the area south of Route 9 in the Hearthstone area where they want to convert it from R-20/R-12 to R-7.5. Mr. Flannery is saying there aren't going to be duplexes but once it is R-7.5 how to do you prevent that.

Mr. Herzl said the board would recommend that duplexes not be permitted.

Mr. Flancbaum said they weren't looking at R-10 for that area.

Mr. Truscott said they haven't discussed the R-40B. That was where there was a notice issue and that would be a decision of the board if they want to bring it back. That zone would not allow schools.

Mr. Robison said it would also reestablish a buffer that was destroyed when a sewer line had to be built after a school failed on its agreements to pay for its fair share.

Mr. Truscott said also the M-1 zone being included in the R-40C zone near Fairways along Cross Street.

Mr. Robison said it is completely built out and it would be as built as is zoning.

Mr. Truscott supports both of those recommendations. The other recommendation was carving out the landfill. He is not persuaded that is the appropriate way to approach it and thinks it is fine the way it is. They would add a definition for non-family households. Concerning schools being a conditional use, the draft Master Plan has its own recommendation so that stands on its own. The table contained on page 14 would be updated.

Mr. Robison said it is a state law to have a zoning map which reflects established requirements and established uses. It is the state of New Jersey that required the closure plan on the landfill. It would be completely appropriate to identify the landfill as a unique zone, particular since there is toxic material that exits the soils. If they are going to be consistent and change the zones based upon actual developments, the landfill should be a unique zone and the golf course should be open space.

Mr. Truscott said he met with Laurie Leeds today to go over different properties. There is a property she owns in the northeast corner of the Cedarbridge Redevelopment area zoned DA-1. There will be no change in that and is outside any park and is inside the sewer service area.

Mr. Garfield asked if Mr. Flannery has any monetary interest in the golf course or restaurant area.

Mr. Flannery said yes, he is a principal. At the last meeting, Mr. Robison gave his opinion on what the golf course and landfill should be zoned and the R-40B. The R-40B was put in for that particular property and making an R-40B would be contrary to other recommendations in the Master Plan. Schools are an inherently beneficial use, the Township needs them to restrict the use of schools in certain areas would be contrary to other recommendations and also because there are already two schools in that area.

Mr. ?? asked if there will be any new duplex areas in the Prospect/Cross/Mass area or were they referring to one particular tract.

Mrs. Morris thinks there was confusion. She believes the Hearthstone area is where the board had decided they weren't going to be recommending R-7.5 but as far as she knows, the Cross/Prospect triangle still does show portions of R-7.5.

Mr. _____ said they should restrict that to single family as well.

Mr. Truscott thinks that recommendation specifically said R-7.5 density with different kinds of use.

Mr. _____ asked how makes the final decision in adopting the Master Plan.

Mr. Slachetka said the Planning Board adopts the Master Plan and the Township Committee would adopt the ordinances.

Mr. Flancbaum said whatever draft document the board votes on has to be publicly advertised and on record for a minimum of 10 days.

Mr. Slachetka said his understanding is that once the board is ready to adopt the Master Plan, the hearing date should be announced publicly. The document itself has to be on file 10 days prior to adoption.

Mr. Robison asked what the consensus of the board is to rezone 1536 Massachusetts to public property.

Mr. Herzl said as far as he knows, the board is in agreement they want it to be public property.

5. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted,
Sarah L. Forsyth
Planning Board Recording Secretary