

1. CERTIFICATION OF COMPLIANCE

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

“The time, date and location of this meeting was published in the *Asbury Park Press* and posted on the bulletin board in the office of the Township of Lakewood. Advance written Notice has been filed with the Township Clerk for purpose of public inspection and, a copy of this Agenda has been mailed, faxed or delivered to the following newspapers: *The Asbury Park Press*, and *The Tri-Town News* at least 48 hours in advance. This meeting meets all the criteria of the Open Public Meetings Act.”

2. ROLL CALL

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

3. SWEARING IN OF PROFESSIONALS

Mr. Vogt was sworn in.

4. MEMORIALIZATION OF RESOLUTIONS

- SD 1873** (Variance Requested)
Applicant: Yehoshua Frenkel
Location: East Spruce Street
Block 855.01 Lots 31 & 34
Minor Subdivision to create three lots

A motion was made by Mr. Follman, seconded by Mr. Herzl to memorialize the resolution.

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

Abstained: Mr. Banas

- SD 1874** (No Variance Requested)
Applicant: Karen Christen
Location: Forest Drive
Block 12.01 Lot 6
Minor Subdivision to create two lots

A motion was made by Mr. Follman, seconded by Mr. Herzl to memorialize the resolution.

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

Abstained: Mr. Banas

3. **SD 1875** (Variance Requested)
Applicant: ARM Developers, LLC
Location: East Fourth Street and Manetta Ave
Block 242 Lot 12, 14, 22, 24
Minor Subdivision to create eight lots

Mrs. Morris stated that the applicant would like to re-align one of the lot lines.

Mr. Jackson stated that if it is a material change then the applicant would have to re-notice and submit revised plans but it may if it is minor in nature than it can be approved by the Board administratively.

Mr. Lines on behalf of the applicant stated that they would like to add 17 ft to the two duplex lots so they could put the decks in. No new variances are being requested.

Mr. Neiman believes it could be done administratively.

Mr. Jackson agrees. The applicant did not have to originally notice because it is a minor subdivision with no variances.

A motion was made by Mr. Follman, seconded by Mr. Herzl to memorialize the resolution and amend the plan administratively.

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

5. PROPOSED ORDINANCE REVIEW

1. **18.903.R. Corporate Campus/Stadium Support Zone B-6, Permitted Uses**
Add: g. facilities for the warehousing, packaging and distribution of food products including administrative offices

Mr. Vogt feels it would be consist with what the campus would allow. The issue would be on the permitted uses. It's not identified at this time as a specific permanent use.

Mr. Franklin asked if it would have all the same design regulations as paragraph 3.

Mr. Vogt said he believes it would be the same. They are not asking for anything different on the bulk standards. There are similar uses but this is a more specific use that is consistent with the other uses.

Mr. Banas feels comfortable recommended to the Township Committee, Mr. Franklin seconded the motion.

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

2.

a. 18.200 Definitions

Add: Mixed-Use Development

b. 18.903.E.2. Highway Development Zone B-5, Conditional Uses

Add: f. Mixed Use Townhouse Development

c. 18-1014 Conditional Use Requirements for Mixed Use Development

Amend and Supplement section

Mr. Franklin had an issue with the part of the ordinance that said “minimum track size: 15 continuous acres including freshwater wetlands and buffers”. He argued that if most of the property is wetlands, then the buildings would be squeezed in. The 15 acres was intended to spread it out.

Mr. Neiman had an issue with 15 dwelling units per acre. That would be less than 2,000 square feet per unit.

The board members were in agreement that there is a problem with density.

Mr. Flannery stated that CAFRA would regulate the density if there are wetlands.

Discussion ensued about properties in Lakewood that may be over 15 acres.

Mr. Flannery stated that CAFRA would limit to 30% of impervious coverage not including wetlands.

Mr. Neiman asked why they can't just take out the wetlands part.

Mr. Neiman opened to the public.

Gerri Balwinz said she believes this is an example of spot zoning. She said it would be too dense. She went through the original UDO and compared it to the proposed ordinance.

Mr. Neiman would like to be able to review the changes further and compare them before the Township Committee votes on this.

Mr. Jackson suggested that the Township Planner review the ordinance as well.

A motion was made by Mr. Franklin, seconded by Mr. Herzl to forward the proposed ordinance to the Township planner for review and recommendation.

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

5. PUBLIC HEARING

1. **SP 1998** (No Variance Requested)
Applicant: Congregation Birchas Chaim
Location: Vine Street
Block 1130 & 1131 Lots 1 & 1
Major Site Plan for a new school

The applicant's attorney requested that this application be carried to the March 5, 2013 meeting. Revised plans will be submitted. The applicant will also re-notice.

Gerri Balwinz stated that Congregation Birchas Chaim is still owned by the Township and she doesn't understand how it could come before the Board.

Mr. Jackson stated that you can raise that issue at the meeting.

2. **SP 1954A** (No Variance Requested)
Applicant: Harley Davidson of Ocean County
Location: Route 70
Block 1086 Lot 16
Amended Preliminary & Final Site Plan for proposed addition to existing motorcycle dealership building with associated site improvements

The applicant's attorney requested that this application be carried to the April 23, 2013 meeting. Notice will be required.

6. CORRESPONDENCE

1. **SD 1378A – Triple Z, LLC:** Request to remove HOA requirement from previous Board approval

Mr. Flannery stated that when this was originally approved both the County and the Township said they didn't want anything to do with ownership of the road. Since then, the county came in and vacated the right-of-way and had given it to the Township. It is now going to be a 50 ft Township right-of-way. A meeting was held with Public Works and they agreed that they will maintain the on-road pipes and the roads. The off-road pipes will be maintained by the individual lot owners.

Mr. Franklin brought up the issues with the homeowners maintaining the individual pipe drains. If the pipes are not regularly cleaned out then the water flows into the street and will block the road pipes.

Mr. Saul Mizrahi would agree to install individual lawn sprinkler systems to entice the homeowner's to maintain the yards much better.

Mr. Flannery stated that could put baskets in the drains in the backyards that have the sediments filter which would collect the sediment.

Mr. Franklin said that would help.

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

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

7. PUBLIC PORTION

8. APPROVAL OF MINUTES

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

9. APPROVAL OF BILLS

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

10. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Sarah L. Forsyth
Planning Board Recording Secretary