

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 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. Banas, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Rennert

3. SWEARING IN OF PROFESSIONALS

Mr. Vogt was sworn in.

4. MEMORIALIZATION OF RESOLUTIONS

- 1. SP 2066** (Variance Requested)
Applicant: Dakos, Inc.
Location: 1303 River Avenue
Block 1077 Lot 39.01
Preliminary & Final Major Site Plan to replace existing diner (Copper Kettle)

A motion was made and seconded to approve.
Affirmative: Mr. Banas, Mr. Sussman, Mr. Neiman
Abstain: Mr. Schmuckler, Mr. Rennert

- 2. SP 2069** (No Variance Requested)
Applicant: Pine Belt Enterprises, LLC
Location: 1400-1480 Ocean Avenue
Block 669 Lots 10, 23, & 91
Preliminary and Final Major Site Plan to replace existing car dealership

A motion was made and seconded to approve.
Affirmative: Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Rennert
Abstain: Mr. Schmuckler

- 3. SD 1953** (No Variance Requested)
Applicant: Lakewood Investments, LLC
Location: Williams Street
Block 420 Lot 23.01
Preliminary & Final Major Subdivision to create 6 fee simple duplex units (3 buildings)

A motion was made and seconded to approve.

**PLANNING BOARD MEETING
SEPTEMBER 23, 2014**

**TOWNSHIP OF LAKEWOOD
PUBLIC HEARING**

Affirmative: Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Rennert
Abstain: Mr. Schmuckler

- 4. SP 2070** (Variance Requested)
Applicant: Lakewood Equities, LLC
Location: America Avenue
Block 549.01 Lot 2
Preliminary & Final Major Site Plan to construct an office building

A motion was made and seconded to approve.
Affirmative: Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Rennert
Abstain: Mr. Schmuckler

- 5. SD 1954** (Variance Requested)
Applicant: Eli Schwab
Location: Grandview Drive
Block 189.03 Lots 171 & 37.10
Preliminary & Final Major Subdivision to create 3 lots

A motion was made and seconded to approve.
Affirmative: Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Rennert
Abstain: Mr. Schmuckler

- 6. SD 1957** (Variance Requested)
Applicant: Mark Moskovitz
Location: Central Avenue & Bradshaw Road
Block 83 Lot 7
Minor Subdivision to create 2 lots

A motion was made and seconded to approve.
Affirmative: Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Rennert
Abstain: Mr. Schmuckler

- 7. SP 2074** (No Variance Requested)
Applicant: HAEI Holdings, LLC
Location: East County Line Road
Block 190 Lot 155
Preliminary and Final Major Site Plan for a three-story commercial office building

A motion was made and seconded to approve.
Affirmative: Mr. Banas, Mr. Sussman, Mr. Neiman
Abstain: Mr. Schmuckler; Mr. Rennert

- 8. SP 2015A** (Variance Requested)
Applicant: Chambers Crescent, LLC
Location: Cedar Bridge Avenue
Block 536 Lot 122
Preliminary and Final Major Site Plan for 63 affordable multi-family units

A motion was made and seconded to approve.

Affirmative: Mr. Banas, Mr. Sussman, Mr. Neiman
Abstain: Mr. Schmuckler, Mr. Rennert

5. PLAN REVIEW

1. **SD 1967** (No Variance Requested)
Applicant: Accurate Builders
Location: Amsterdam Ave, Blanche Street, and Nussbaum Ave
Block 445 Lot 13
Preliminary and Final Major Subdivision to create 8 lots (4 duplex buildings)

Project Description

The applicant is seeking a Preliminary and Final Major Subdivision approval. The applicant proposes the subdivision of an existing lot to create eight (8) proposed lots. The eight (8) proposed lots would be developed as zero lot line properties with four (4) duplex structures. The existing lot is known as Lot 13 in Block 445, and is proposed to be subdivided into proposed Lots 13.01 – 13.08 on the Major Subdivision Plan. Lot 13 is an existing 1.267 acre rectangular tract of land with a "panhandle". The property is surrounded mostly by the unimproved fifty foot (50') right-of-ways of Nussbaum Avenue, Blanchard Street, and Amsterdam Avenue. A townhouse project is situated on the northeast side of the site. The site is vacant, completely wooded, and surrounded by woods on three (3) sides. The three (3) paper streets bordering the property are located south of Prospect Street, an improved County Road with a sixty-six foot (66') wide right-of-way, in the southwest portion of the Township, west from its intersection with Massachusetts Avenue. Site access would be afforded by the improvement of Nussbaum Avenue between Prospect Street and the site. The existing 55,207 square foot property has over six hundred feet (600') of frontage on Nussbaum Avenue which is to the west. However, only about two hundred fifty feet (250') is developable because of the "panhandle". There is two hundred feet (200') of frontage on Blanche Street, which is to the south, and 253.66 feet of frontage on Amsterdam Avenue, which is to the east. All surround streets are unimproved municipal roads with fifty foot (50') wide right-of-ways. The proposed development will improve all surrounding streets. Curb and sidewalk is proposed along the entire frontage of property, including along Nussbaum Avenue until it intersects with Prospect Street. 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. Proposed sanitary sewer will connect to an existing system in the southerly right-of-way of Prospect Street. Proposed potable water for the subdivision will be extended from an existing main on the south side of Prospect Street. A minimum of four (4) off-street parking spaces are proposed for each unit. The subject site is located within the R-M Multi-Family Residential Zone District. Therefore, zero lot line duplex housing is a permitted use in the zone district. Except for the townhouse project, the surrounding lands are currently vacant. We have the following comments and recommendations: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. C13 - Environmental Impact Statement. 2. C14 - Tree Protection Management Plan. We support the granting of the requested Environmental Impact Statement waiver, and the Tree Protection Management Plan waiver for completeness purposes. The site appears to be wooded uplands. An Environmental Impact Statement should be provided prior to scheduling the Public Hearing. A Tree Protection Management Plan should be required prior to any construction. II. Zoning 1. The site is situated within the R-M, Multi-Family Zone District. Duplex Housing is a permitted use. Zero lot line subdivisions for duplexes are permitted in the Zone. 2. It appears no variances or waivers are required. 3. 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. III. Review Comments A. General 1. Off-street parking: According to the plans provided, the applicant is proposing a minimum of four (4) off-street parking spaces per unit which is enough to be in compliance with the RSIS and Township standards of four (4) off-street parking spaces required. Testimony shall be provided on the proposed number of bedrooms per unit and whether the basements will be unfinished. This proposed project should be in compliance with Parking Ordinance 2010-62. We note the distribution of proposed off-street parking is not equivalent. The proposed corner lots incorporate five (5) off-street parking spaces, while the adjoining interior lots show three (3) off-street parking spaces. 2. The applicant shall confirm that trash and recyclable collection is to be provided by the Township of Lakewood. An RSIS compliant turnaround should be considered for the terminus of Amsterdam Avenue. Approval from Lakewood Township and the Department of Public Works will be required. 3. The existing paper streets would be improved with the proposed project. 4. The proposed lot numbers shall be approved by the Tax Assessor. The Final Plat shall be signed by the Lakewood Tax Assessor. 5. In accordance with the requirements in 18-815, a one-time storm water management maintenance fee shall be provided. The fee shall be four thousand dollars (\$4,000.00), based on eight (8) single-family attached dwellings at five hundred dollars (\$500.00) per dwelling. 6. The requirements in 18-821 (Building Uniformity in Residential Developments) are being addressed. A minimum of two (2) basic house designs are being provided for this development consisting of between four (4) and six (6) homes. 7. Per Subsection 18-911 F (2 (a-g)) of the zero lot line ordinance, a written agreement signed by the owner of the property is required, including provisions to address items associated with the use, maintenance, and repair of common areas and facilities associated with the overall property. Said agreement must be filed as part of this application to obtain the zero lot line subdivision approval from Lakewood Township. B. Plan Review 1. The Boundary & Topographic Survey provided contains enough topography for the off-site road design of Nussbaum Avenue between the site and Prospect Street. 2. The Boundary & Topography Survey shows a gore and an overlap associated with the neighboring townhouse project. Accordingly, this proposed project has been designed to relinquish title and interest in the land associated with the overlap. 3. The deed description on the Boundary & Topographic Survey does not include Lot 13 in Block 445, the property for this application. 4. Based on the current design, construction of Nussbaum Avenue will require grading easements from the adjoining property owners in Block 462. 5. The General Notes require some minor editing. The General Notes shall also reference vertical datum and the bench mark. 6. The Schedule of Bulk Requirements needs revisions. 7. All references on the plans to Lakewood Township Zoning Board shall be revised to Lakewood Township Planning Board. 8. The applicant should be responsible for the construction of curb along the east side of Nussbaum Avenue. 9. A right-of-way dedication at the intersection of Nussbaum Avenue and Prospect Street may be dictated by the County. 10. Drainage Easements to Lakewood Township are shown on some of the proposed lots. Approval will be required from the Department of Public Works (if DPW ownership and maintenance is proposed). 11. Consistency in the proposed street design layout among plan sheets shall be provided. 12. Proposed Sight Triangle Easements dedicated to the Township should be provided at the street intersections of the subdivision. Any Sight Triangle Easements at the intersection of Nussbaum Avenue and Prospect Street will be controlled by the County. 13. Four foot (4') wide sidewalk is proposed throughout the development. Unless the proposed sidewalk will be increased to a width of five feet (5'), pedestrian bypass areas shall be designed. 14. Shade Tree and Utility Easements should be labeled and show the dedicated area for each lot. 15. Proposed Lots 13.04 and 13.05 have five (5) off street parking spaces while Lots 13.03 and 13.06 have only three (3) off street parking spaces where four (4) are required. It appears that the driveways with access from Blanche Street will each provide two (2) off street parking spaces to each unit. Clarification should be provided. 16. The proposed side setback offset on new Lot 13.06 should be extended to the boundary. C. Grading 1. Grading is provided on a Grading & Drainage Plan which is Sheet 4 of 13. A storm sewer collection system is proposed to collect runoff and recharge it within two (2) recharge systems. 2. Retaining walls are proposed adjacent the neighboring townhouse project. 3. Road profiles were proposed for Blanche

Street and Amsterdam Avenue, but not for Nussbaum Avenue. 4. A detailed review of the grading can be completed during compliance submission; if/when this subdivision is approved. D. Storm Water Management 1. A proposed storm sewer collection system has been designed to convey storm water runoff into recharge systems. Two (2) proposed recharge systems have been designed, a system under the yard areas of some of the new lots and another under the improved Blanche Street right-of-way. These will be connected to the larger system that will be proposed along with a different application for adjacent properties. 2. Soils information has been provided within the proposed project to confirm the seasonal high water table depth. Permeability testing has been done to justify the infiltration rate used in the recharge calculations. Soil replacement may be necessary in some areas. 3. Storm sewer profiles have been provided for easement areas. 4. The Storm Water Management Report and Design will be reviewed in detail during compliance, if/when approved. E. Landscaping 1. Comprehensive landscaping has been proposed for the project. Shade trees are proposed along the site frontages. Buffer and ornamental trees are proposed between the units. Foundation plantings are shown for the units. 2. All proposed Easements shall be added to the Landscaping Plan. All proposed utilities have already been shown. Revisions should be made to avoid planting conflicts. 3. The callout for "TCC" should be corrected to "TGG" and the call out for "PM" should be corrected to "PA". 4. The overall landscape design is subject to review and approval by the Board and should conform to recommendations from the Shade Tree Commission as practicable. The entire site will be cleared for the construction of the project. Compensatory plantings shall be addressed with a Tree Protection Management Plan. 5. Landscaping shall be reviewed in detail after compliance submission should subdivision approval be granted. F. Lighting 1. Street lighting has been provided for the proposed roads on Sheet 7 of 13. 2. Proposed street lighting should be adjusted such that pole relocations will not be necessary when future development takes place. The Plan indicates that three (3) Cobra Head, one hundred watt (100W) high pressure sodium pole mounted fixtures are proposed. A detail shows the proposed height of the fixtures to be twenty-five feet (25'). 3. A point to point diagram has been provided to verify the adequacy of the proposed lighting. Revisions will be necessary with adjustments to the layout. 4. It is anticipated that all lighting will be owned and maintained by the Township after installation since all fixtures will be within public right-of-ways. Confirming testimony should be provided regarding street lighting ownership. 5. Lighting shall be reviewed in detail after compliance submission should subdivision approval be granted. G. Utilities 1. Potable water and sanitary sewer service will be provided by the New Jersey American Water Company. The project is within the franchise area of the New Jersey American Water Company. 2. The proposed sanitary sewer will connect to an existing system in the southerly right-of-way of Prospect Street. 3. Potable water is proposed to be extended from an existing main on the south side of Prospect Street. 4. The plans state that all other proposed utilities are to be provided underground. H. Signage 1. Some proposed regulatory signage has been shown on the plans. Regulatory sign details have been provided. A "No Outlet" sign should be provided at the intersection of Nussbaum Avenue with Prospect Street. 2. No project identification signs are proposed. 3. All signage proposed that is not reviewed and approved as part of this application, if any, shall comply with Township ordinance. I. Environmental 1. Site Description Per review of the site plans, aerial photography, and a site inspection of the property, the site is wooded and vacant. The existing on-site topography slopes to the southwest. 2. Environmental Impact Statement An Environmental Impact Statement (EIS) shall be submitted prior to scheduling a Public Hearing for the project. 3. Tree Management Prior to construction, a Tree Protection Management Plan in accordance with the current ordinance shall be submitted. J. Construction Details 1. Construction details are provided on Sheets 12 and 13 of 13. 2. All proposed construction details must comply with applicable Township or NJDOT standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete. 3. Final review of construction details will take place after compliance submission, if/when this project is approved by the Board. Final Plat (Major Subdivision) 1. The Schedule of Bulk Requirements should be corrected. 2. The side setback offset on proposed Lot 13.06 should be extended

to the boundary. 3. A detail should be shown for the bearings and distances associated with the intersection of the overlap and gore. 4. Proposed Sight Triangle Easements should be provided on the corners of intersecting streets. 5. Compliance with the Map Filing Law is required. 6. The Final Plat will be reviewed in detail after design revisions are undertaken for the project. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Developers Agreement at the discretion of the Township; b. Township Tree Ordinance; c. Ocean County Planning Board; d. Ocean County Soil Conservation District; and e. All other required outside agency approvals. New Jersey American Water Company will be responsible for constructing potable water and sanitary sewer facilities.

Mr. Vogt stated that there are no variances requested, however, submission waivers have been requested including EIS and Tree Protection Management. The waivers are supported as long as the applicant complies with the tree protection ordinance during resolution compliance.

Mr. Herzl arrived at the meeting.

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

Affirmative: Mr. Banas, Mr. Sussman, Mr. Schmuckler, Mr. Rennert

Abstain: Mr. Neiman

Mr. Brian Flannery, P.E. P.P., stated that he has looked at the engineer's review letter and the only comment he has concerns the distribution of parking spaces. They have done this in the past where they have a duplex and there is 5 parking spaces on one lot and 3 on the other. The neighbors have an agreement between them. This will be the case on just the corner lots. He will address further at the public hearing.

A motion was made by Mr. Herzl, seconded by Mr. Sussman to advance the application to the October 21, 2014 meeting.

Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Schmuckler, Mr. Rennert

Abstain: Mr. Neiman

- 2. SD 1978** (No Variance Requested)
Applicant: Accurate Builders
Location: Prospect Street
Block 473 Lots 2, 3, 8, & 10
Preliminary and Final Major Subdivision to create 20 lots

Project Description

The applicant is seeking a Preliminary and Final Major Subdivision approval. The applicant proposes the subdivision of an existing four (4) lots to create twenty (20) new lots. The twenty (20) proposed lots would be developed as zero lot line properties with ten (10) duplex structures. The existing lots are known as Lots 2, 3, 8, and 10 in Block 473, and are proposed to be subdivided into new Lots 1.01 through 1.20 on the Major Subdivision Plan. The proposed subdivision for the project would include all of Block 473. Block 473 is an existing one hundred six thousand eight hundred fourteen square foot (106,814 SF) irregular tract of land surrounded by the unimproved fifty foot (50') right-of-ways of Lewin and Rachel Avenues, as well as Blanche Street. An improved County Highway, Prospect Street, also borders the property. Prospect Street has a sixty-six foot (66') right-of-way. The site is vacant, completely wooded, and basically surrounded by woods, except for the north side where Prospect Street borders the property. The subject property surrounded by three (3) paper streets, each with an unimproved fifty foot (50') right-of-way, is located south of Prospect Street, in the southwest portion of

the Township, west from its intersection with Massachusetts Avenue. Site access would be afforded by the improvements of Lewin and Rachel Avenues, which intersect Prospect Street, as well as the development of Blanche Street. The existing 2.452 acre property has 511.29 feet of frontage on Lewin Avenue which is to the west, two hundred feet (200') of frontage on Blanche Street, which is to the south, and 556.85 feet of frontage on Rachel Avenue, which is to the east. Finally, the project has 205.12 feet of frontage on Prospect Street, which is to the north. The proposed development will improve the surrounding streets. Except for Prospect Street, curb and sidewalk are proposed along the entire frontage of Block 473. Radial dedications are proposed at all corners of the Block to permit the construction of sidewalk to be within the public right-of-way. 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. Proposed sanitary sewer will connect to an existing system in the southerly right-of-way of Prospect Street. Proposed potable water for the subdivision will be extended from an existing main on the south side of Prospect Street. A minimum of four (4) off-street parking spaces are proposed for each unit. The subject site is located within the R-M Multi-Family Residential Zone District. Therefore, zero lot line duplex housing is a permitted use in the zone district. Except for development on the north side of Prospect Street, the surrounding lands are currently vacant. We have the following comments and recommendations: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. C13 - Environmental Impact Statement. 2. C14 - Tree Protection Management Plan. We support the granting of the requested Environmental Impact Statement waiver, and the Tree Protection Management Plan waiver for completeness purposes. The site appears to be wooded uplands. An Environmental Impact Statement should be provided prior to scheduling the Public Hearing. A Tree Protection Management Plan should be required prior to any construction. II. Zoning 1. The site is situated within the R-M, Multi-Family Zone District. Duplex Housing is a permitted use. Zero lot line subdivisions for duplexes are permitted in the Zone. 2. It appears no variances are required. 3. As currently designed, a waiver would be required from the construction of curb along Prospect Street. 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. III. Review Comments A. General 1. Off-street parking: According to the plans provided, the applicant is proposing a minimum of four (4) off-street parking spaces per unit which is enough to be in compliance with the RSIS and Township standards of four (4) off-street parking spaces required. Testimony shall be provided on the proposed number of bedrooms per unit and whether the basements will be unfinished. This proposed project should be in compliance with Parking Ordinance 2010-62. We note the distribution of proposed off-street parking is not equivalent. The proposed corner lots on Blanche Street incorporate five (5) off-street parking spaces, while the adjoining interior lots show three (3) off-street parking spaces. 2. The applicant shall confirm that trash and recyclable collection is to be provided by the Township of Lakewood. 3. Existing paper streets will be improved for the proposed project. 4. The proposed lot numbers shall be approved by the Tax Assessor. The Final Plat shall be signed by the Lakewood Tax Assessor. 5. In accordance with the requirements in 18-815, it appears a one-time storm water management maintenance fee should be provided. The fee would be ten thousand dollars (\$10,000.00), based on twenty (20) single-family attached dwellings at five hundred dollars (\$500.00) per dwelling. 6. The requirements in 18-821 (Building Uniformity in Residential Developments) shall be addressed. A minimum of four (4) basic house designs shall be provided for this development consisting of between seven (7) and fifteen (15) homes. The proposed layout indicates only two (2) basic designs. 7. Per Subsection 18-911 F (2 (a-g)) of the zero lot line ordinance, a written agreement signed by the owner of the property is required, including provisions to address items associated with the use, maintenance, and repair of common areas and facilities associated with the overall property. Said agreement must be filed as part of this application to obtain the zero lot line subdivision approval from Lakewood Township. B. Plan Review 1.

The Boundary & Topographic Survey provided contains enough topography for the road designs of Lewin and Rachel Avenues, as well as Blanche Street. 2. The Boundary & Topographic Survey provided also contains enough topography for any design and construction work required along Prospect Street. 3. All references on the plans to Lakewood Township Zoning Board shall be corrected to Lakewood Township Planning Board throughout. 4. Horizontal datum is based on the State Plane Coordinate System. Vertical datum is based on North American Vertical Datum 1988. A vertical bench mark shall be referenced. 5. The Schedule of Bulk Requirements requires some revisions. Information for proposed Lots 1.19 and 1.20 should be included. 6. Consistency in the proposed street design layout among plan sheets shall be provided. 7. Rachel Avenue between Prospect and Blanche Streets has been designed to a thirty-two foot (32') pavement width with curb and sidewalk on both sides. The applicant should not be responsible for proposed curb and sidewalk along the east side of Rachel Avenue. The plans should be revised to show this proposed curb and sidewalk on the east side of Rachel Avenue by others. Proposed pavement limits shall be shown at the intersection of Rachel Avenue and Blanche Street. 8. Lewin Avenue and Blanche Street, the other proposed streets surrounding the Subdivision Block, have generally been designed to a pavement width of thirty feet (30'). The proposed pavement half width along the site frontages will be sixteen feet (16'), with a fourteen foot (14') width on the opposite side of the centerline. Curb and sidewalk are proposed along the site frontages, but not on the opposite sides of the street, which is acceptable. 9. The plans propose a curb radius on the southwest corner of Lewin Avenue's intersection with Prospect Street. However, the proposed curb radius encroaches onto land not included as part of this subdivision. 10. Proposed Sight Triangle Easements dedicated to the Township should be provided at the municipal street intersections of the subdivision. The County will dictate any proposed Sight Triangle Easements required at the municipal street intersections with the County Highway. 11. The plans do not differentiate private and public storm water management ownership. Approval will be required from the Department of Public Works (if DPW ownership and maintenance is proposed). 12. The Site Development Plan should have road centerlines and stationing added. 13. Four foot (4') wide sidewalk is proposed throughout the development. Unless the proposed sidewalk will be increased to a width of five feet (5'), pedestrian bypass areas shall be designed. 14. Proposed curb ramps shall be added to the Site Development Plan at the street intersections. 15. Proposed Shade Tree and Utility Easements have been provided. 16. Proposed Lots 1.10 and 1.11 have five (5) off-street parking spaces while Lots 1.09 and 1.12 have only three (3) off-street parking spaces. Four (4) off-street parking spaces per unit are required. The overall total off-street parking count complies. 17. The Sheet Index should be coordinated with the plan set. C. Grading 1. Grading is provided on a Grading & Drainage Plan which is Sheet 4 of 14. A storm sewer collection system is proposed to collect runoff and recharge it within multiple underground recharge systems. 2. The Legend includes information on garages which are not proposed for this project. 3. Road profiles have been designed for all proposed streets. An existing profile for Prospect Street has not been provided. 4. A detailed review of the grading can be completed during compliance submission; if/when this subdivision is approved. D. Storm Water Management 1. A proposed storm sewer collection system has been designed to convey storm water runoff into recharge systems. Proposed recharge systems have been designed under private property and under the improved right-of-ways. 2. Soils information and permeability testing has been provided in Appendix D of the Storm Water Management Report. This data will need to be provided on the plans within the proposed project to confirm the seasonal high water table depth and to justify the infiltration rate used in the recharge calculations. 3. A cursory review of the proposed design indicates the Storm Water Management Report is not specific to this project. 4. Storm sewer profiles have been provided for off road areas on Sheet 12 of 14. 5. The Storm Water Management Report and Design will be reviewed in detail during compliance, if/when approved. E. Landscaping 1. Comprehensive landscaping has been proposed for the project. Shade trees are proposed along the site frontages, buffer trees are proposed along the rear property lines, and foundation plantings will be provided for the units. 2. Proposed off-site street trees are shown on the east side of Rachel Avenue. 3. The Planting Schedule shown does not match the proposed plantings. 4.

General Note # 5 shall be revised to list fourteen (14) as the total number of plan sheets. 5. All proposed easements and utilities shall be added to the Landscaping Plan. Revisions should be made to avoid planting conflicts. 6. The overall landscape design is subject to review and approval by the Board and should conform to recommendations from the Shade Tree Commission as practicable. The entire site will be cleared for the construction of the project. Compensatory plantings shall be addressed with a Tree Protection Management Plan. 7. Landscaping shall be reviewed in detail after compliance submission should subdivision approval be granted. F. Lighting 1. Street lighting has been provided for the proposed roads on Sheets 6 and 7 of 14 2. The plans erroneously show an existing street light on the northwest intersection corner of Rachel Avenue and Blanche Street. 3. Proposed street lighting should be adjusted such that pole relocations will not be necessary when future development takes place. The Plan indicates that seven (7) Cobra Head, one hundred watt (100W) high pressure sodium pole mounted fixtures are proposed. A detail shows the proposed height of the fixtures to be twenty-five feet (25'). 4. A point to point diagram must be provided to verify the adequacy of the proposed lighting. Revisions will be necessary with adjustments to the layout. 5. It is anticipated that all lighting will be owned and maintained by the Township after installation since all fixtures will be within public right-of-ways. Confirming testimony should be provided regarding street lighting ownership. 6. Lighting shall be reviewed in detail after compliance submission should subdivision approval be granted. G. Utilities 1. Potable water and sanitary sewer service will be provided by the New Jersey American Water Company. The project is within the franchise area of the New Jersey American Water Company. 2. The proposed sanitary sewer will connect to an existing system in the southerly right-of-way of Prospect Street. 3. Potable water is proposed to be extended from an existing main on the south side of Prospect Street. 4. The plans state that all other proposed utilities are to be provided underground. H. Signage 1. Proposed regulatory and street signage has not been shown on the plans and should be added. Regulatory and street sign details have been provided. 2. No project identification signs are proposed. 3. All signage proposed that is not reviewed and approved as part of this application, if any, shall comply with Township ordinance. I. Environmental 1. Site Description Per review of the site plans, aerial photography, and a site inspection of the property, the site is wooded and vacant. The existing on-site topography generally slopes away from the center. There is a ridge across the property. 2. Environmental Impact Statement An Environmental Impact Statement (EIS) shall be submitted prior to scheduling a Public Hearing for the project. 3. Tree Management Prior to construction, a Tree Protection Management Plan in accordance with the current ordinance shall be submitted. J. Construction Details 1. Construction details are provided on Sheets 13 and 14 of 14. 2. All proposed construction details must comply with applicable Township or NJDOT standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete. 3. Final review of construction details will take place after compliance submission, if/when this project is approved by the Board. K. Final Plat (Major Subdivision) 1. The Schedule of Bulk Requirements should be corrected. Proposed Lots 1.19 and 1.20 are missing from the Schedule. 2. Some provided area and setback corrections should be made to the Schedule of Bulk Requirements. 3. The minimum lot width for a zero lot line duplex is twenty-five feet (25'). The allowable building coverage is thirty-five percent (35%). 4. Horizontal datum is in State Plane Coordinate System. Vertical datum is based on North American Vertical Datum 1988. A vertical bench mark shall be referenced. 5. The proposed distance along Rachel Avenue shall be revised to 510.52 feet to account for the dedications at the intersections. 6. Certifications shall be in accordance with Section 18-604B.3., of the UDO and all references to Zoning Board shall be revised to Planning Board. 7. Proposed Sight Triangle Easements should be provided on the corners of intersecting streets. 8. Compliance with the Map Filing Law is required. 9. The Final Plat will be reviewed in detail after design revisions are undertaken for the project. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Developers Agreement at the discretion of the Township; b. Township Tree Ordinance; c. Ocean County Planning Board; d. Ocean County Soil

Conservation District; and e. All other required outside agency approvals. New Jersey American Water Company will be responsible for constructing potable water and sanitary sewer facilities.

Mr. Vogt stated that there are no variances requested, however, submission waivers have been requested including EIS and Tree Protection Management. The waivers are supported as long as the applicant complies with the tree protection ordinance during resolution compliance.

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

Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Schmuckler, Mr. Rennert

Abstain: Mr. Neiman

Mr. Brian Flannery, P.E., stated that he has looked at the engineer's review letter and the only comment he has concerns the distribution of parking spaces. They have done this in the past where they have a duplex and there is 5 parking spaces on one lot and 3 on the other. The neighbors have an agreement between them. This will be the case on just the corner lots. He will address further at the public hearing.

Mr. Schmuckler asked if the Board should be looking at these three tech applications as one big application as they are all adjacent to each other.

Mr. Flannery said there are different owners involved.

Mr. Jackson said the Board should take into account the adjoining development and what is going on in the area and its impact when weighing the applications.

Mr. Schmuckler would like to see an overall site map of what the area would look like for the public meeting. When these projects are all built out, it is not going to matter who the applicants/owners are.

A motion was made by Mr. Schmuckler, seconded by Mr. Sussman to advance the application to the October 21, 2014 meeting.

Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Schmuckler, Mr. Rennert

Abstain: Mr. Neiman

- 3. SD 1979** (No Variance Requested)
Applicant: 126 Forest Developers LLC
Location: Prospect Street
Block 462 Lots 1, 4, 5, & 6
Preliminary and Final Major Subdivision to create 22 lots

Project Description

The applicant is seeking a Preliminary and Final Major Subdivision approval. The applicant proposes the subdivision of an existing four (4) lots to create twenty-two (22) proposed lots. The twenty-two (22) proposed lots would be developed as zero lot line properties with eleven (11) duplex structures. The existing lots are known as Lots 1, 4, 5, and 6 in Block 462, and are proposed to be subdivided into new Lots 1.01 through 1.22 on the Major Subdivision Plan. The proposed subdivision for the project would include all of Block 462. Block 462 is an existing one hundred eighteen thousand two hundred three square foot (118,203 SF) irregular tract of land surrounded by the unimproved fifty foot (50') right-of-ways of Rachel and Nussbaum Avenues, as well as Blanche Street. An improved County Highway, Prospect Street, also borders the property. Prospect Street has a sixty-six foot (66') right-of-way. The site is vacant, completely wooded, and mostly surrounded by woods. The subject property surrounded by three (3) paper streets is located south of Prospect Street, an improved County Road. The tract is in

the southwest portion of the Township, west from its intersection with Massachusetts Avenue. Site access would be afforded by the improvement of Rachel and Nussbaum Avenues, which intersect Prospect Street, as well as the development of Blanche Street. The existing 2.714 acre property has 613.79 feet of frontage on Nussbaum Avenue which is to the east, two hundred feet (200') of frontage on Blanche Street, which is to the south, and 568.24 feet of frontage on Rachel Avenue, which is to the west. Finally, the project has 205.12 feet of frontage on Prospect Street, which is to the north. The proposed development will improve the surrounding streets. Except for Prospect Street, curb and sidewalk is proposed along the entire frontage of Block 462. Radial dedications are proposed at all corners of the Block to permit the construction of sidewalk to be within the public right-of-way. 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. Proposed sanitary sewer will connect to an existing system in the southerly right-of-way of Prospect Street. Proposed potable water for the subdivision will be extended from an existing main on the south side of Prospect Street. A minimum of four (4) off-street parking spaces are proposed for each unit. The subject site is located within the R-M Multi-Family Residential Zone District. Therefore, zero lot line duplex housing is a permitted use in the zone district. Except for development on the north side of Prospect Street and a multi-family project along Prospect Street to the east of Nussbaum Avenue, the surrounding lands are currently vacant. We have the following comments and recommendations: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. C13 - Environmental Impact Statement. 2. C14 - Tree Protection Management Plan. We support the granting of the requested Environmental Impact Statement waiver, and the Tree Protection Management Plan waiver for completeness purposes. The site appears to be wooded uplands. An Environmental Impact Statement should be provided prior to scheduling the Public Hearing. A Tree Protection Management Plan should be required prior to any construction. II. Zoning 1. The site is situated within the R-M, Multi-Family Zone District. Duplex Housing is a permitted use. Zero lot line subdivisions for duplexes are permitted in the Zone. 2. It appears no variances are required. 3. As currently designed, a waiver would be required from the construction of curb along Prospect Street. 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. III. Review Comments A. General 1. Off-street parking: According to the plans provided, the applicant is proposing a minimum of four (4) off-street parking spaces per unit which is enough to be in compliance with the RSIS and Township standards of four (4) off-street parking spaces required. Testimony shall be provided on the proposed number of bedrooms per unit and whether the basements will be unfinished. This proposed project should be in compliance with Parking Ordinance 2010-62. We note the distribution of proposed off-street parking is not equivalent. The proposed corner lots on Blanche Street incorporate five (5) off-street parking spaces, while the adjoining interior lots show three (3) off-street parking spaces. 2. The applicant shall confirm that trash and recyclable collection is to be provided by the Township of Lakewood. 3. Existing paper streets will be improved for the proposed project. 4. The proposed lot numbers shall be approved by the Tax Assessor. The Final Plat shall be signed by the Lakewood Tax Assessor. 5. In accordance with the requirements in 18-815, it appears a one-time storm water management maintenance fee should be provided. The fee would be eleven thousand dollars (\$11,000.00), based on twenty-two (22) single-family attached dwellings at five hundred dollars (\$500.00) per dwelling. 6. The requirements in 18-821 (Building Uniformity in Residential Developments) shall be addressed. A minimum of four (4) basic house designs shall be provided for this development consisting of between seven (7) and fifteen (15) homes. The proposed layout indicates only two (2) basic designs. 7. Per Subsection 18-911 F (2 (a-g)) of the zero lot line ordinance, a written agreement signed by the owner of the property is required, including provisions to address items associated with the use, maintenance, and repair of common areas and facilities associated with the

overall property. Said agreement must be filed as part of this application to obtain the zero lot line subdivision approval from Lakewood Township. B. Plan Review 1. The Boundary & Topographic Survey provided contains enough topography for the road designs of Rachel and Nussbaum Avenues, as well as Blanche Street. 2. The Boundary & Topographic Survey provided also contains enough topography for any design and construction work required along Prospect Street. 3. All references on the plans to Lakewood Township Zoning Board shall be corrected to Lakewood Township Planning Board throughout. 4. The General Notes indicate a different applicant from the Application. The General Notes should also be edited for typographical errors. 5. Horizontal datum is based on the State Plane Coordinate System. Vertical datum is based on North American Vertical Datum 1988. A vertical bench mark shall be referenced. 6. The Schedule of Bulk Requirements requires some revisions, especially with respect to setbacks. Information for proposed Lots 1.19 through 1.22 should be included. 7. Consistency in the proposed street design layout among plan sheets shall be provided. 8. Rachel and Nussbaum Avenues between Prospect and Blanche Streets have been designed to a thirty-two foot (32') pavement width with curb and sidewalk on both sides to provide access to the project. The applicant shall be responsible for the construction of all curb and sidewalk proposed in Block 462. Accordingly, the plans shall be revised to eliminate the proposed curb by others on the west side of Nussbaum Avenue. The applicant should not be responsible for the proposed curb and sidewalk along the west side of Rachel Avenue and the east side of Nussbaum Avenue. The plans should be revised accordingly. The proposed pavement limits shall be shown at the intersections of Blanche Street with Rachel and Nussbaum Avenues. 9. Blanche Street has been designed with a minimum pavement width of thirty feet (30'). The proposed minimum pavement half width along the site frontages will be sixteen feet (16'). Curb and sidewalk shall be proposed along the site frontages, but are not required on the opposite sides of the streets, which is acceptable. 10. Proposed Sight Triangle Easements dedicated to the Township should be provided at the municipal street intersections of the subdivision. The County will dictate any proposed Sight Triangle Easements required at the municipal street intersections with the County Highway. 11. The plans do not differentiate private and public storm water management ownership. Approval will be required from the Department of Public Works (if DPW ownership and maintenance is proposed). 12. The Site Development Plan should have road centerlines and stationing added. 13. Four foot (4') wide sidewalk is proposed throughout the development. Unless the proposed sidewalk will be increased to a width of five feet (5'), pedestrian bypass areas shall be designed. 14. Proposed curb ramps shall be added to the Site Development Plan at the street intersections. 15. Proposed Shade Tree and Utility Easements have been provided. 16. Proposed Lots 1.12 and 1.13 have five (5) off-street parking spaces while Lots 1.10 and 1.14 have only three (3) off-street parking spaces. Four (4) off-street parking spaces per unit are required. The overall total off-street parking count complies. 17. The Sheet Index should be coordinated with the plan set. C. Grading 1. Grading is provided on a Grading & Drainage Plan which is Sheet 4 of 15. A storm sewer collection system is proposed to collect runoff and recharge it within multiple underground recharge systems. 2. The Legend includes information on garages which are not proposed for this project. 3. Road profiles have been designed for all proposed streets. An existing profile for Prospect Street has not been provided. 4. A detailed review of the grading can be completed during compliance submission; if/when this subdivision is approved. D. Storm Water Management 1. A proposed storm sewer collection system has been designed to convey storm water runoff into recharge systems. Proposed recharge systems have been designed under private property and under the improved right-of-ways. 2. Soils information and permeability testing has been provided in Appendix D of the Storm Water Management Report. This data will need to be provided on the plans within the proposed project to confirm the seasonal high water table depth and justify the infiltration rate used in the recharge calculations. 3. A cursory review of the proposed design indicates the Storm Water Management Report is not specific to this project. 4. Storm sewer profiles have been provided for off road areas on Sheets 11 through 13 of 15. 5. The Storm Water Management Report and Design will be reviewed in detail during compliance, if/when approved. E. Landscaping 1. Comprehensive landscaping has been proposed for the project. Shade trees are proposed along the site frontages, buffer and shade

trees are proposed along the rear property lines, and foundation plantings will be provided for the units.

2. Proposed off-site street trees are shown on the west side of Rachel Avenue. 3. The Planting Schedule shown does not match the proposed plantings. 4. General Note # 5 shall be revised to list fifteen (15) as the total number of plan sheets. 5. All proposed easements and utilities shall be added to the Landscaping Plan. Revisions should be made to avoid planting conflicts. 6. The overall landscape design is subject to review and approval by the Board and should conform to recommendations from the Shade Tree Commission as practicable. The entire site will be cleared for the construction of the project. Compensatory plantings shall be addressed with a Tree Protection Management Plan. 7. Landscaping shall be reviewed in detail after compliance submission should subdivision approval be granted. F. Lighting 1. Street lighting has been provided for the proposed roads on Sheet 7 of 15. 2. The plans erroneously show many existing street lights. 3. Proposed street lighting should be adjusted such that pole relocations will not be necessary when future development takes place. The Plan indicates that seven (7) Cobra Head, one hundred watt (100W) high pressure sodium pole mounted fixtures are proposed. A detail shows the proposed height of the fixtures to be twenty-five feet (25'). 4. A point to point diagram must be provided to verify the adequacy of the proposed lighting. Revisions will be necessary with adjustments to the layout. 5. It is anticipated that all lighting will be owned and maintained by the Township after installation since all fixtures will be within public right-of-ways. Confirming testimony should be provided regarding street lighting ownership. 6. Lighting shall be reviewed in detail after compliance submission should subdivision approval be granted. G. Utilities 1. Potable water and sanitary sewer service will be provided by the New Jersey American Water Company. The project is within the franchise area of the New Jersey American Water Company. 2. The proposed sanitary sewer will connect to an existing system in the southerly right-of-way of Prospect Street. The proposed design may be deep enough to provide gravity service to the basements. 3. Potable water is proposed to be extended from an existing main on the south side of Prospect Street. 4. The plans state that all other proposed utilities are to be provided underground. H. Signage 1. Proposed regulatory and street signage has not been shown on the plans and should be added. Regulatory and street sign details have been provided. 2. No project identification signs are proposed. 3. All signage proposed that is not reviewed and approved as part of this application, if any, shall comply with Township ordinance. I. Environmental 1. Site Description Per review of the site plans, aerial photography, and a site inspection of the property, the site is wooded and vacant. The existing on-site topography generally slopes away from the center. There is a high point on the property. 2. Environmental Impact Statement An Environmental Impact Statement (EIS) shall be submitted prior to scheduling a Public Hearing for the project. 3. Tree Management Prior to construction, a Tree Protection Management Plan in accordance with the current ordinance shall be submitted. J. Construction Details 1. Construction details are provided on Sheets 14 and 15 of 15. 2. All proposed construction details must comply with applicable Township or NJDOT standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete. 3. Final review of construction details will take place after compliance submission, if/when this project is approved by the Board. K. Final Plat (Major Subdivision) 1. The Schedule of Bulk Requirements should be corrected. Proposed Lots 1.19 through 1.22 are missing from the Schedule. 2. Some provided area and width corrections should be made to the Schedule of Bulk Requirements. However, most of the corrections in the Schedule and on the Plat involve setbacks. 3. The minimum lot width for a zero lot line duplex is twenty-five feet (25'). The allowable building coverage is thirty-five percent (35%). 4. The General Notes list a different applicant than indicated on the Application. 5. Horizontal datum is in State Plane Coordinate System. Vertical datum is based on North American Vertical Datum 1988. A vertical bench mark shall be referenced. 6. Because of rounding the proposed widths of the new lots along Nussbaum Avenue sum to a total in excess of the overall length of the Block. We suggest that the widths of the over sized corner lots could be decreased to solve the mathematical problem. 7. Certifications shall be in accordance with Section 18-604B.3., of the UDO and all references to Zoning Board shall be revised to Planning Board. 8. Proposed Sight Triangle Easements should be provided on

the corners of intersecting streets. 9. Compliance with the Map Filing Law is required. 10. The Final Plat will be reviewed in detail after design revisions are undertaken for the project. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Developers Agreement at the discretion of the Township; b. Township Tree Ordinance; c. Ocean County Planning Board; d. Ocean County Soil Conservation District; and e. All other required outside agency approvals. New Jersey American Water Company will be responsible for constructing potable water and sanitary sewer facilities.

Mr. Vogt stated that there are no variances requested, however, submission waivers have been requested including EIS and Tree Protection Management. The waivers are supported as long as the applicant complies with the tree protection ordinance during resolution compliance.

A motion was made by Mr. Schmuckler, seconded by Mr. Herzl to approve the waivers.
Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Schmuckler, Mr. Rennert
Abstain: Mr. Neiman

Mr. Brian Flannery, P.E., stated that he has looked at the engineer's review letter and the only comment he has concerns the distribution of parking spaces. They have done this in the past where they have a duplex and there is 5 parking spaces on one lot and 3 on the other. The neighbors have an agreement between them. This will be the case on just the corner lots. He will address further at the public hearing.

A motion was made by Mr. Schmuckler, seconded by Mr. Sussman to advance the application to the October 21, 2014 meeting.
Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Schmuckler, Mr. Rennert
Abstain: Mr. Neiman

Mr. Follman arrived at the meeting.

6. PUBLIC HEARING

1. **SD 1968** (Variance Requested)
Applicant: Barbara Flannery
Location: James Street
Block 375; 377; 378 Lots 1; 26 & 26.01; 1
Amended Preliminary Major Subdivision to create 20 duplex buildings and 1 single-family lot

Project Description

The applicant proposes the subdivision of three (3) lots into forty-one (41) lots, with twenty duplexes and one single family residence. The existing lots known as Lot 1 in Block 375, Lot 26 and 26.01, in Block 377, and Lot 1 in Block 378 are proposed to be subdivided into proposed Lots 1 through 10 of Block 375, Lots 1 through 20 of Block 378, and Lots 26.02 through 26.10 and Lot 29 of Block 377 as noted on the Major Subdivision Plan. The applicant received Preliminary and Final Subdivision Approval (SD#1631, memorialized February 12, 2009), approving the creation of twenty (20) single-family residential lots in addition to one (1) open space lot. The existing subdivision approval is in compliance review; and as a result never recorded. In accordance with recommendations of the Township Planner, Lakewood Township amended the zoning of the above referenced property from R-12 (single-family residential, 12,000 sf area lots) to R-10B (single-family residential, 10,000 sf lots) on July 24, 2014. The R-10B Zone conditionally permits two-family and duplex housing as stipulated in UDO Subsection 18-902-O(1)(b). The applicant is now seeking amended Preliminary Major Subdivision approval to allow phased duplex residential development on the above-referenced property. As with the approved (SD#1631)

subdivision, access to the proposed residential properties will be provided by extending and improving portions of Clarkson and Atlantic Avenues. Additionally, two new Streets (Kaeflan Court and Belmont Avenue) will be constructed, connecting from newly-paved Atlantic Avenue to James Street. As depicted on the amended subdivision plans, Phase 1 of the amended application includes paving and infrastructural improvements to Clarkson, Atlantic and Belmont Avenues. Ten (10) duplexes (20 residential units) are proposed in Phase 1 of the amended project. Similarly, Phase 2 of the amended application includes paving and infrastructural improvements to Kaeflan Court. Ten (10) duplexes (20 residential units) are proposed in Phase 2 of the amended project. The subject property is located north of James Street and south of Drake Road in the western portion of the Township. The development can be accessed from James Street and Clarkson Avenue. Atlantic Avenue, Belmont Avenue, and Kaeflan Court are all unimproved roadways that are proposed for access to the development. Curb and sidewalk Curb and sidewalk are proposed throughout the development and along Clarkson Avenue and Drake Road. The site is currently mostly vacant, except one dwelling in Block 378 and Block 377. The dwelling in Block 377 is to remain and will become the single family residence Lot 29. We have the following comments and recommendations per review of the amended application and applicable comments from the existing approval: I. Waivers -- No new submission waivers are necessary as part of this (amended preliminary) application. II. Zoning 1. The site is situated within the R-10B Single Family Residential Zone District. Per Section 5 of Amendment 2005 of Chapter 18, of the UDO, "duplexes" are a permitted use as long as the lot is 10,000 SF, part of a tract with a minimum area of two acres, and accessible by public sewer. Per review of the amended design plans, all said conditions are met; therefore the amended project appears to be a permitted use. 2. Minimum Front Yard Setback variance relief is required for proposed Lot 26.02. A front yard setback of 20.1 feet is proposed from Clarkson Avenue, whereas a front yard setback of twenty five feet (25') is required. 3. A design waiver is required from providing Lot lines perpendicular to the cartways (select lots). 4. The applicant must address the positive and negative criteria in support of the required variance. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. III. Review Comments A. Site/Circulation 1. Off-street parking for the residential portion of the subdivision: According to the plans provided, the applicant is proposing four (4) off-street parking spaces per dwelling unit. 2. Testimony should be provided regarding proposed trash and recyclables storage and pickup (DPW/other). If Township, DPW approval will be required as a condition of approval (if/when forthcoming). 3. The Phase 1 design plans depict Atlantic Avenue ending at the westerly property line (at proposed Lot 26.09 in Phase 1). If approved, Township approval of this terminus will be necessary to ensure access by Township DPW and emergency vehicles. If Phase 1 is developed before Atlantic Avenue is extended further west, an RSIS-compliant turnaround will be necessary. Per communications with the applicant's professionals, the applicant agrees to this request as a condition of preliminary approval (if/when forthcoming). 4. Sidewalks, curbing and handicap accessible ramps are provided along all street frontages. The sidewalks should be widened to 5 feet, or 'bumpouts' provided at 200-foot or greater intervals in compliance with ADA/PROWAG standards. Per communications with the applicant's professionals, the applicant agrees to this request as a condition of preliminary approval (if/when forthcoming). 5. The proposed lot numbers shall be approved by the Tax Assessor. The Final Plat shall be signed by the Lakewood Tax Assessor. 6. Additional review of site and circulation design will occur at time of final subdivision review, if/when (amended) preliminary subdivision approval is granted. B. Architectural 1. No architectural drawings have been provided with the current submission. The applicant's professionals should be prepared to testify regarding the proposed duplexes at the Public Hearing. We recommend that a rendering(s) be provided for Board review at the hearing. 2. Testimony should be provided regarding site-related items associated with the duplexes, including but not limited to HVAC equipment and trash/recyclables storage locations. HVAC equipment, if not roof-mounted should be screened. Per communications with the applicant's professionals, the applicant will address these items at time of Public Hearing. 3. If/when preliminary approval is granted, architectural drawings

should be provided for the accompanying final subdivision application. C. Grading 1. Preliminary grading designs are provided in the respective (Phase 1, Phase 2) plan design sets. 2. Per review of the road grading designs for both phases, said designs are very similar to the previously-approved subdivision design (SD#1631). 3. The interior lot grading designs for Phases 1 and 2 have been revised to reflect the currently-proposed duplex development, and are generally well-prepared (for preliminary approval purposes). 4. For clarity purposes, we recommend that overwrites in the current design plans must be eliminated, and existing contours grayed (for future design submissions). 5. Interior lot grading designs for both phases will be reviewed in further detail at time of final subdivision (if/when preliminary Board approval is granted). Additionally, plot plans will be provided for all proposed duplex units prior to the issuance of building permits. E. Storm Water Management 1. Preliminary storm water designs are provided in the respective (Phase 1, Phase 2) plan design sets and the accompanying storm water management report. 2. As described in the report, the storm water design has been revised to accommodate the proposed duplex development. As per the amended design, storm water from the roads and proposed duplex units will be directed to twenty-nine (29) proposed individual recharge systems, most within right of ways, and select units within residential properties. The current design is similar (in concept) to the approved (SD#1631) design with respect to underground recharge. 3. The current design is generally well-prepared for a preliminary design submission. If/when preliminary subdivision approval is granted, a final review of the drainage design will be performed at time of final subdivision review. 4. Similar to lot grading, drainage associated with each duplex building will be reviewed further at time of plot plan review (prior to issuance of building permits). At the discretion of the Township Engineer, additional on-site dry wells or similar measures may be required at time of plot plan submission(s). 5. A preliminary Storm Water Maintenance Plan has been provided in accordance with NJ Storm Water Rule requirements. Per the applicant's professionals, DPW is agreeable to the systems as currently designed. If/when preliminary Board approval is granted, the final maintenance plan must be revised as part of the final subdivision application to identify responsible parties for storm water facility maintenance (and other reporting requirements outlined in NJAC 7:8-5). F. Landscaping 1. Landscape and lighting design plans (and detail sheets) have been provided in the amended design plan submissions for phases 1 and 2. Per review of the designs, they are similar to the approved (SD#1631) plans, and revised to accommodate the proposed duplex lot accesses. Said designs are generally well-prepared for preliminary submissions. 2. Proposed utility connections have been shown to avoid planting conflicts. 3. Ten (10) 'QW' trees should be called out on the plan, not seven (7). 4. The overall (amended preliminary) landscape design is subject to review and approval by the Board and Shade Tree Commission recommendations (if any) practicable. 5. Landscaping shall be reviewed in future detail at time of final subdivision application (if/when amended preliminary subdivision approval is granted). G. Lighting 1. Lighting designs are depicted in the design plans for amended phase 1 and 2. Proposed designs are similar to the approved (SD#1631) design, include house shields, and are well-prepared for preliminary application purposes. 2. Lighting shall be reviewed in future detail at time of final subdivision application (if/when amended preliminary subdivision approval is granted). For clarity purposes, we recommend that separate lighting design plans be provided with future design submissions. H. Utilities 1. Water and sanitary sewer designs are provided in the amended phase 1 and phase 2 design plan submissions. Potable water and sanitary sewer service will be provided by the New Jersey American Water Company. 2. Well and septic system abandonments for existing dwellings are proposed, and will be subject to Ocean County Health Department approval. 3. Testimony should be provided regarding other proposed utilities. Additional underground connections will be required if gas is proposed. 4. Utility designs shall be reviewed in future detail at time of final subdivision application (if/when amended preliminary subdivision approval is granted). I. Signage 1. No signage (other than directional) appears proposed at this time. 2. All signage proposed that is not reviewed and approved as part of this application, if any, shall comply with Township ordinance. J. Traffic 1. A copy of a traffic report prepared for Ocean County has been provided with the application. Said report is generally well-prepared. 2. As referenced on Page 4 of the report, all proposed movements from this project to and

from James Street are projected to operate at Level of Service "B" or better for AM and PM peak hours (assuming a year 2017 build-out). 3. Access designs to James Street are subject to Ocean County approval. K. Environmental 1. Site Description Most of the site is undeveloped and heavily woods. The existing 6.946 acre area of the site generally slopes toward the north. The elevations drop around thirty feet (30') from about one hundred fourteen (114) to approximately eighty-four (84). 2. Environmental Impact Statement No EIS was provided with the amended submission. However, to review potential environmental impacts associated with this development, our office reviewed NJDEP Geographic Information System (GIS) mapping for the property and surroundings. No environmentally-sensitive areas are mapped within the project area. However, as depicted in the amended design plans, a freshwater wetlands area exists on the west side of Clarkson Avenue, near its intersection with Drake Road (i.e., over 300 feet north of the area now proposed for duplex development). These wetlands were field-delineated and approved in 2008 as noted by the NJDEP. If any new disturbance is proposed for installation of sidewalk or utility improvements, said improvements may be subject to NJDEP wetlands approval. Per communications with the applicant's professionals, the applicant has obtained necessary NJDEP wetlands permitting approvals for the proposed work. 3. Tree Protection Since the existing (SD#1631) subdivision application was filed and approved in early-2009, it is exempt from the requirements of the Township's Tree Protection Ordinance. However, per communications with the applicant's professionals, the applicant agrees to work with the Township in a "good faith" effort to preserve mature vegetation where practicable, including installation of tree protection measures where warranted, prior to site clearing. Said measures would be reviewed in further detail during compliance (if amended approvals are granted). J. Construction Details 1. Construction details are provided in the amended phase 1 and phase 2 design submissions. 2. All proposed construction details must comply with applicable Township or NJDOT standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete. 3. Final review of construction details will take place during compliance submission, if/when this project receives final amended subdivision by the Board. K. Final Plats 1. Final plats have been provided for amended phases 1 and 2, and are well-prepared for preliminary submissions. 2. The final plat for amended phase 2 should be revised to reflect Bock 378, Lot 1 in the title block. 3. Said plats will be reviewed further during final subdivision review (if/when amended preliminary approval is granted). IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Committee (road designs); b. Developers Agreements (at the discretion of the Township); c. Ocean County Health (well, septic abandonments); d. Ocean County Planning Board; e. Ocean County Soil Conservation District; f. NJDEP (Treatment Works Approval); and g. All other required outside agency approvals. New Jersey American Water Company will be responsible for constructing potable water and sanitary sewer facilities.

Mr. Follman left the meeting.

Mr. Schmuckler stepped down.

Mr. Neiman stated they have heard previous testimony on this from the applicant's professionals and the objector's attorney. The Board allowed the objector time for their professionals to review the file for this application.

Mr. Michael J. Gross, Esq., on behalf of the applicant, stated that the testimony was completed by the applicant at the last meeting, public comment was heard and the hearing was continued to allow the objector to present testimony at this hearing.

Mr. Vogt stated that the current road design is already approved. This is part of an amended major subdivision that was previously approved in 2009 under application SD 1631. What has now changed is

the number and type of units, the level of improvements that should be required of this application to Drake Road. Lot grading, impervious coverage and the drainage systems are also changing as a result going from single family dwellings to duplexes. There will also be a difference in trip generation between the original approval and what is proposed now. To the best of his knowledge, those are the only substantive changes over the existing 2009 approved project.

Mr. Neiman said they had closed to the public at the previous meeting but if the public has any questions based on any new testimony heard tonight, they would be able to come up and speak.

Mr. John Wenzke, Esq., on behalf of the objectors George and Rachel Weinberger, stated he would like his professional sworn in.

Mr. Hal Simoff P.E., P.P. was sworn in. He stated he had an opportunity to review the file, ordinances, RSIS. The application exceeds the density that is permitted in the R-10B zone because of the basement apartments. Apartments are not permitted in a duplex unit as there should be one basement apartment per single family residence to include townhouse condominiums. Duplex units are not townhouses, single family or condominiums. There is also insufficient parking. The RSIS requires 2.5 parking spaces per unit which is 5 total plus two units for each basement apartment which totals 9. There are 8 parking spaces provided on each site. He also stated, per ordinance, that five percent land area shall be dedicated as common open space for subdivisions of more than 25 units. A section allows for payment in lieu of recreation if there are less than 30 units. If there are more than 30 units, it must be provided on site and it is not provided on site for this application. There is an inadequate buffer. A 50 ft buffer is required if adjacent to existing units in the R-40 zone. A portion along Drake Road is adjacent to the R-40 zone but does not have the required 50 ft buffer. The existing conditions survey is out of date. The subdivision was filed in July 2014 and was based on a survey that was done in August of 2007. The land use law requires that a recent survey be provided as part of any application. The existing conditions map is not accurate. The traffic report is based on 36 residential units and the proposal is for 41 units plus basement apartments. In conclusion, he believes the density exceeds the requirements, basement apartments are not permitted, the buffers and 5% open space is not provided. The R-10B ordinance requires a minimum of 2 acres but the tract has already been subdivided. It hasn't been shown that the individual lots that are being subdivided are more than 2 acres. The whole property is indicated to be more than 6 acres but one of them is a single family lot which is about 1.5 acres. The other has already been subdivided with paper streets. It is not clear whether those individual lots that have already been broken up with paper streets are a minimum of 2 acres. In order to meet the threshold of the R-10B ordinance, you have to have 2 acre lots. He believes the application should be at the Zoning Board and there are significant variances that have not been noticed that include buffers and parking.

Mr. Neiman asked about the basement apartments.

Mr. Vogt said yes, you would count basements as units. As to whether it is permitted in the R-10B, the ordinance does list duplexes as a permitted use. It is the Town's practice to have basement apartments in many of the residential dwellings.

Mr. Gross said the application is for duplex units. It does not show anywhere on the application that there are basement units. They will adhere to whatever is permitted in the zone.

Mr. Gross said this is a preliminary subdivision application. It is his understanding that they are not requesting basement units. They are requesting duplexes.

Mr. Wenzke said that Mr. Flannery was clear at the last meeting. There will be 82 units including basement units.

Mr. Flannery said this application is simply for a subdivision approval to subdivide into 20 lot duplex lots. If the ultimate decision of the buyer wants to put single family lots there, he can do that. If he wants to build a duplex then he would have to follow all the rules that are required by the Town. He never stated there would be basement apartments. If basement apartments are permitted, and they are to his knowledge, then somebody down the road would have to submit a plot plan to show they meet all the criteria required.

Mr. Simhoff said he read the traffic report which called for basement apartments as well as the previous testimony called for basement apartments. If there are to be basement apartments, there would not be sufficient parking.

Mr. Flannery said the objectors brought up the basement apartments. The traffic study does show basement apartments because it looking at a worse case situation.

Mr. Gross said that the traffic report states "each family dwelling unit has the potential to add an apartment unit to the dwelling".

Mr. Neiman asked if they would have to come back to the Board if they wanted a basement apartment.

Mr. Vogt stated this application will have to come back for preliminary and final approval. Once they receive that, someone could buy the lot and come in and build a duplex with a basement apartment but they would have to get approval from the building department, zoning department and engineering department. They wouldn't have to come to this Board.

Mr. Neiman stated that is why this Board requires 4 parking spaces per unit as opposed to 2.5 to compensate for those basement apartments.

Mr. Wenzke said the ordinance does not allow basement apartment for duplexes.

Mr. Neiman asked about the back to back parking spaces.

Mr. Flannery said prior to construction, a plot plan is submitted, the zoning officer and township engineer review it to see if it complies with parking.

Mr. Neiman asked about the survey.

Mr. Flannery said the survey is 7 years old. He is willing to submit an updated survey when they submit for final approval.

Mr. Jackson asked if there is a material difference between what is there now and what is on the survey.

Mr. Flannery said there is no material difference. There was a dwelling under construction that was indicated on the plan. The trees are still down but a foundation has not been put in.

Mr. Neiman asked about the buffer.

Mr. Flannery said the plan does show a buffer along Mr. Weinberger's property.

Mr. Wenszke does not agree with that. He said the buffer is not 50 ft along the Doyle lot.

Mr. Flannery said that lot fronts on a County road and the definition specifically states on a Township road.

Mr. Neiman asked if there were any changes to the roadway after hearing testimony at the last hearing.

Mr. Flannery said he did reach out to the neighbors after hearing their concerns about density and traffic. He entered exhibit A-4 which proposes to put a hammerhead on Clarkson Avenue which would help alleviate traffic on Drake Road. The only homes to have access to Drake Road would be the single family house and the first duplex. The rest of the duplexes would go out to James Street. They would need County approval as James Street is a county road.

Mr. Wenzke said there is not enough parking spaces per unit.

Mr. Flannery said they show four spaces per unit. If someone submits a plot plan with extra bedrooms then they would have to provide extra parking spaces. There are also roadways 30 ft wide that permit parking on both sides. RSIS allows you to count those spaces as well so parking is not an issue.

Mr. Wenzke said the applicant needs in excess of 15,000 sf of open space for recreation.

Mr. Flannery said the application is for 21 lots.

Mr. Wenzke said it for units, not lots.

Mr. Flannery said nothing is indicated in the engineer's review letter that they are deficient in open space and it is his testimony as well. It would be a design waiver and it would be up to the Board.

Mr. Wenzke said it cannot be waived according to the ordinance.

Mr. Vogt read section 808-A1 of the ordinance onto record. He asked what the applicant's position relative to recreation.

Mr. Flannery said their position is they do not need a waiver but if justification is needed then these are units that have rear yards in accordance with the ordinance and they do have an area at the front of the site, a small part of it is wetlands, but it is a one acre lot with one single family home on it. Additionally, this project is adjacent to the Crystal Lake preserve where there is close to 200 acres for active and passive recreation.

Mr. Vogt asked if a portion of that front lot would be dedicated for common open space.

Mr. Flannery said he would put an easement on it limiting it to remain in its natural state.

Conversation ensued as to whether or not the common open space can be waived by the Board.

Mr. Jackson said any design standard can be waived. That is the whole purpose behind having board hearings. The Board always has the authority to grant waivers and/or variances.

Mr. Scott Kennel, traffic engineer, was sworn in.

Mr. Gross asked if he has updated the traffic report that was previously submitted to reflect the increased number of units.

Mr. Kennel said that is correct. An updated traffic report was prepared dated September 19, 2014 to reflect the 21 building lots and the 20 of them with duplexes. He recalculated the traffic generation in utilizing the Ocean County approved trip rates for housing in Lakewood with single family or duplexes with the potential for apartment dwellings. The findings were indicated as level service "B" during peak hours which is excellent. Typically you try to design for a "C" to "D" level of service. At "B" you will have delays in a range of 10-15 seconds which is well within the accepted standards.

Mr. Gross asked about the impacts as it pertains to exhibit A-4.

Mr. Kennel said it would be similar but there would be less of an impact at the Drake Road and Clarkson intersection. The other intersection at James Street would still continue to operate at a level service "B".

Mr. Vogt asked that based on his experience, does he believe the parking proposed meets applicable RSIS standards if future owners decide to put basement apartments in.

Mr. Kennel said yes. The roadways are 30 ft and RSIS permits parking on both sides so with that in mind and the proposal submitted it is his opinion that the parking is adequate.

Mr. Wenzke asked when the traffic study was done.

Mr. Kennel said the traffic counts were conducted Friday, March 14, 2014 from 7am to 10am and on Wednesday, March 19, 2014 from 3pm to 6pm.

Mr. Wenzke asked about the number of school buses coming in and out of the development.

Mr. Kennel could not accurately answer that question.

Mr. Wenzke asked if he calculated the number of children in each household.

Mr. Kennel said that is more of a planning exercise. As far as traffic, they have conducted traffic counts at a number of other communities within the Township and have found the trip rates that are utilized and approved by Ocean County are consistent with their research at other Lakewood communities.

Mr. Wenzke said if he has not calculated the number of children per household then they would not know the average number of school buses per household going through these roads on a given day.

Mr. Kennel said that is correct. That is all dictated by the school age population, the school district bus routing plans and as well as consideration for private schools. He has been doing this for 30 years and he has never estimated or has been asked to estimate the number of school buses for a community.

Mr. Jackson asked if the roads are designed per RSIS standards.

Mr. Kennel said they are.

Mr. Sussman suggested putting in a recreation area near the hammerhead as there will be freed up open space there.

Mr. Flannery agrees with that. He would provide a tot lot to the Board engineer's requirements. They can provide those details when they come back to the Board at final approval

Mr. Neiman opened to the public.

Ms. Malky Biegeleisen is still not happy with the plan and feels it will cause too much traffic and density.

Mr. Neiman closed to the public.

Mr. Jackson marked a memo as an exhibit from the objecting engineer.

A motion was made by Mr. Banas, seconded by Mr. Sussman to approve the application along with the design waiver for the 5% dedicated open space.

Affirmative: Mr. Herzl, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Rennert

- 2. SD 1564A** (Variance Requested)
Applicant: Harvard Partners LLC
Location: Lanes Mill Road & Hidden Lane
Block 187.15 Lot 9

Amended Preliminary and Final Major Subdivision to create 15 lots; Subdivision was previously approved however access onto Lanes Mill Road is no longer proposed

Project Description

The applicant is seeking amended Preliminary and Final Subdivision approval. A prior subdivision approval (SD #1564) was granted in 2007 for a conforming 15-lot single family subdivision at 1603 Lanes Mill Road, an irregular 6.95 acre lot located northwest of Barrymore Drive. A 16th lot (Lot 9.12) was granted lot area and lot width variance relief and is intended to function as an infiltration basin. The existing property totals 302,919 square feet, or 6.95 acres in area. The large mostly vacant flat tract is wooded except for a dwelling along the Lanes Mill Road frontage. The property is situated in the northern portion of the township on Lanes Mill Road south of the intersection of Malibu Drive. The site has approximately four hundred forty feet (440') of frontage along Lanes Mill Drive. Lanes Mill Road is an improved county road, with a varying right-of-way width. Curbing and Sidewalk are proposed along this frontage. A right-of-way dedication along Lanes Mill Road is also proposed. The original project was design and approved to provide access by extending Hidden Lane from the existing cul-de-sac terminus into the property. Eight (8) of the fifteen (15) single-family lots will access the extended roadway, which will end as a new cul-de-sac terminus near the rear of Lot 2. A new road (Hershey Lane) was also approved under application SD1564, extending from Hidden Lane and connecting to the north side of Lanes Mill Road (as a "T" intersection). Hershey Lane was designed to provide access to the remaining seven (7) approved single-family lots. Per testimony provided by the applicant's professionals at a recent public hearing, Ocean County denied approval necessary for the Board-approved connection of Hershey Lane to (County-owned) Lanes Mill Road. As a result, the current (amended) application was redesigned to proposed Hershey Lane as a cul-de-sac road with no connection to Lanes Mill Road. Per review of the currently-submitted subdivision plans vs. the original (2007) approved design, no other substantive design changes are proposed (other than the Hershey Lane terminus). The only lots directly affected by the amended design are approved lots (9.01-9.02) and (9.15-9.16), which appear to remain as conforming lots as per the existing Board approval. The project is located in the R-15 Residential Zone. The surrounding land is primarily residential. I. Zoning 1. The site is situated within the R-15 Residential Zone. Per Sections 18-902D.1.a., and, of the Ordinance, detached single-family dwellings are permitted. 2. The following bulk variances were approved for the above-referenced infiltration basin property (Lot

9.12), and remain necessary for the amended application: • Minimum Lot Area – ten thousand eight hundred square feet (10,800 SF) proposed for infiltration basin on proposed Lot 9.12, whereas fifteen thousand square feet (15,000') required – proposed condition. • Minimum Lot Width – seventy-two feet (72') proposed for infiltration basin on proposed Lot 9.12, whereas one hundred feet (100') required – proposed condition. • All other lots will remain as minimum 15,000 sf in size (or variance relied should be requested by the applicant as part of this approval). 3. The applicant must address the positive and negative criteria in support of the requested variances. At the discretion of the Planning Board, supporting documents may 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. II. Review Comments Per review of the current design plans, we offer the following comments and recommendations: 1. Testimony must be provided by the applicant's professionals summarizing the current (amended) application, and that no other design changes are proposed (other than as outlined in our review letter and as stipulated in Board resolution SD#1564). 2. As per public testimony at the recent public hearing, concerns were raised regarding the newly-proposed (sole) access from future residents of this project onto Hidden Lane and Barrymore Drive, resulting from the County's elimination of the previous (secondary) access onto Lanes Mill Road. The applicant's professionals must provide professional testimony at the Public hearing addressing said concerns to the Board's satisfaction. We recommend that a summary report be provided prior to the public hearing, summarizing anticipated traffic generation and local Levels of Service anticipated from the previously approved (SD#1564) and proposed (SD#1564A) design conditions. 3. If/when Board approval of the amended subdivision is granted, the applicant will be responsible to comply with any (applicable) remaining conditions of the existing approval (SD#1564). III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Developers Agreement; b. Township Tree Ordinance; c. Lakewood Industrial Commission; d. Lakewood Fire Commissioners; e. Lakewood Township Municipal Utilities Authority (water and sewer); f. Ocean County Planning Board; g. Ocean County Soil Conservation District; h. New Jersey Department of Environmental Protection CARFA Permit; and i. All other required outside agency approvals. The applicant will be responsible for obtaining, renewing or amending previously-necessary outside agency approvals including those listed above.

Mr. Vogt stated that variances are requested for minimum lot area and width for the infiltration basin on lot 9.12. All the other lots are going to need a minimum of 15,000 sf.

Mr. Neiman said this was previously approved by the Board but the applicant could not get approval from the County as they did not want any access on to Lanes Mill Road.

Mr. Vogt said that is correct and as a result there is now a second cul-de-sac.

Mr. Ray Shea, Esq. on behalf of the applicant.

Mr. Kennel and Mr. Carpenter were sworn in.

Mr. Kennel said the County has a standard where they need 500 ft between intersection. They have 800 ft between Malibu and Barrymor.

Mr. Schmuckler asked if they could go back to the County and ask for a right in/right out only intersection.

Mr. Kennel said the County would probably not accept that because it is difficult to prohibit and control left turns.

Mr. Schmuckler said there is a lot of area to play with and maybe they could have a very drastic right in/right out to really enforce it.

Mr. Kennel said he could design something that is very restrictive for passenger vehicles but you have to allow access for larger vehicles including emergency vehicles and garbage trucks. If they can still have a tie in to Hidden Lane to accommodate the left turn movements through Barrymor then possibility the County would consider that.

Mr. Schmuckler would like to know what the neighbors think of that idea.

Mr. Herzl left the meeting.

Mr. Shea said since they have already received approval they would like to start clearing. They would not build on four of the lots until they receive approval from the County.

Mr. Jackson asked which lots.

Mr. Shea said lots 9.15, 9.16, 9.01, 9.02 at the terminus of the proposed cul-de-sac.

Mr. Schmuckler said the proposal for right now is to keep open Barrymor and have access to Hidden Lane. The goal would be for Hershey Lane to have a right in/right out only. A bulk of the traffic would not be going through Barrymor and Hidden Lane.

Mr. Neiman pointed out that the applicant has the right to build. It is unfortunate that the only access is through Barrymor.

Mr. Jackson pointed out that the Board could approve it as is but they are making every effort to accommodate the neighbors.

Mr. Neiman opened to the public.

Ms. Hildeshaim 1670 Hidden Lane, was sworn in, she said they are open to the suggestion. She also said they could close Barrymor Drive and open Hershey Lane so there would only be one access and the traffic would go through Hershey.

Mr. Jackson said that would be an action required by the governing body. Shutting down a municipal road is a pretty radical move.

Mr. Kennel said if you close off Barrymor Drive and extend Hershey Lane to Lanes Mill Road it would be in excess of 500 ft so it would be ok per County design standards.

Mr. Neiman said that would be a possibility. He spoke with the Mayor about this project and he really wants to work with the County in order to appease the neighbors.

Mr. Michael Schwartz was sworn in. He read a letter on behalf of the neighbors.

Mr. Dov Newmark was sworn in. He understands that the applicant has a right to build but they are just concerned for the safety of their children as the streets are narrow and winding.

Ms. Rivka Berstein was sworn in. She asked if the drainage system could be moved further away from the houses.

Mr. Shea said it is located at the lowest part of the site.

Ms. Beth Berger was sworn in. She asked if there would be two basements.

Mr. Shea said there will be one livable basement apartment.

Mr. Neiman closed to the public.

The infrastructure for the four lots (9.15, 9.16, 9.01, 9.02) cannot be developed with the exception of the underground pipes. The applicant and Township will make every effort to get approval from the County to get at least a right in/right out from Hershey Lane onto Lanes Mill Road. If they receive approval, then the applicant does not have to come back before the Board for those four lots.

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

- 3. SD 1960** (Variance Requested)
Applicant: Joseph Goldberg
Location: Delaware Trail
Block 2.04 Lots 2.02 & 2.03
Minor Subdivision to create 3 lots

Project Description

The applicant seeks minor subdivision approval to subdivide two (2) existing lots in Block 2.04 previously created by Minor Subdivision Application SD# 1832 into three (3) new residential lots. The subject properties consist of existing Lots 2.02 & 2.03, created by Filed Map # L3840. The proposed residential lots are designated as new Lots 2.04 through 2.06 on the subdivision plan. The "wedge-shaped" properties which decrease in width towards the rear total 1.14 acres in area. The existing two (2) lots in question were never developed under the previous approval and are vacant. However, a sanitary sewer lateral was constructed beneath the front yard of existing Lot 2.02. The site is situated in the northwestern corner of the Township, next to Jackson Township. The tract consists of land located on the east side of where Lenape Trail and Delaware Trail intersect, south of County Line Road West. The roads are improved with existing curbing, but not sidewalk. The pavement and curbing in front of the site is in poor condition, partially because of a gas line utility trench. An existing drainage easement dedicated to Ocean County crosses the rear of the lots. The subdivision proposes to create three (3) new lots requiring width variances. Proposed Lots 2.04, 2.05, and 2.06 would be new residential building lots. Curb in poor condition exists along the frontage which will be replaced. No sidewalk exists, but is proposed. Public water and sewer is available. The proposed lots are situated within the R-12, Single Family Residential Zone. The site is surrounded by mixed development because of its proximity to County Line Road West. We have the following comments and recommendations per testimony provided at the 8/12/14 Planning Board Plan Review Meeting and comments from our initial review letter dated July 28, 2014: 1. Zoning 1. The parcels are located in the R-12 Single Family Residential Zone. Single family detached housing is a permitted use in the zone. Statements of fact. 2. This property was previously subdivided and approved under Resolution SD# 1832. Statement of fact. 3. Lot width variances are required for the subdivision. All proposed lots will require lot width variances. The actual provided lot widths (measured at the front setback line) are less than the values shown in the Zoning Data. Lot widths of ninety feet (90') are required. The revised plan indicates the proposed lot

widths to be 67.81, 80.5, and 67.71 feet. We calculate the proposed lot width of new Lot 2.05 to be 80.30 feet. The applicant's surveyor should check the proposed lot widths and provide the correct values for action by the Board. 4. All existing and proposed non-radial lot lines shall be indicated. It is not clear whether a design waiver is required for non-radial lot lines between proposed Lots 2.04 and 2.05, as well as Lots 2.05 and 2.06. A Note was added to the General Information that all proposed lot lines are radial to the front property line, except between existing Lot 2.01 and proposed Lot 2.04, which is an existing lot line. Therefore, no design waiver is required for proposed non-radial lot lines. 5. 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. II. Review Comments 1. The General Information references a survey which has not been provided. The survey must be provided prior to scheduling a public hearing. Filed Map # L3840 is the latest survey. The General Information and Surveyor's Certification shall be revised accordingly. the Minor Subdivision Plan should be Sheet 1 of 2. 2. The General Information requires editing. Notes # 1, 2, & 5 in the General Information must be updated for resolution compliance submission should approval be granted. 3. The Surveyor's Certification has not been signed since all of the monuments have not been set. The survey date in the Surveyor's Certification does not match the survey date listed in the General Information. These matters must be addressed prior to signing the Minor Subdivision Map should approval be granted. 4. The outbound information for the tract proposed to be subdivided must be correctly shown. The following corrections are required to the outbound information: a. The length of the rear property line should be 74.99 feet. b. The length of the easterly side line should be 316.56 feet to account for the eight and a half foot (8.5') dedication from Filed Map # L3840. c. Along the project frontage, the radius should be 278.48 feet and the arc length 182.52 feet to account for the eight and a half foot (8.5') dedication from Filed Map # L3840. 5. The Lenape Trail right-of-way width varies. Lenape Trail and Delaware Trail must be correctly shown on the Minor Subdivision Map. 6. The existing Drainage Easement owned by Ocean County is missing from the drawing. The revised plan shows a Drainage Easement owned by Ocean County. However, the Drainage Easement shown does not match the Drainage Easement on Filed Map # L3840. 7. Zones and Zone Boundary Lines must be added to the drawing. The Zone Boundary Line added runs through the wrong street. 8. Coordinate locations and values shall be corrected to the current outbound. The applicant's engineer noted that the surveyor will correct the coordinate values for resolution compliance submission should approval be granted. 9. The Legend and symbolism must be reversed to show proposed monuments as solid and existing monuments as open. The Legend shall be completed. A monument to be set is shown on an existing property line. We believe this monument exists. 10. Monuments are required at the current outbound corners. A monument to be set shall be added at the southern most property corner. 11. The existing easement information should be revised to provide proposed dimensions and areas on an individual lot basis. The applicant's engineer noted that the surveyor will correct the individual easement areas for resolution compliance submission should approval be granted. 12. The lot depth of proposed Lot 2.04 should be corrected. We recommend removing the lot depth information from the zoning data since proposed Lot 2.06 is incorrect and lot depth is not pertinent to the zone. 13. The Zoning Data shall address off-street parking. The revised plan added a note in the zoning data table that states "off-street parking will be addressed when formal architectural plans are developed". Off-street parking shall be provided to the satisfaction of the Board. We recommend a minimum of four (4) off-street parking spaces be provided. 14. The Tax Assessor is required to approve the new lot numbers. The map shall be signed by the tax assessor prior to filing should approval be granted. 15. The existing property has substantial relief and generally slopes towards the rear of the lots. Since no units are depicted at this time for proposed Lots 2.04, 2.05, and 2.06, testimony is required to address proposed grading and drainage. Proposed grades shall be provided for the curb replacement to insure the gutter drains to the existing inlet. Furthermore, we recommend that a resubmission of the plan be made prior to the Public Hearing using a conforming building box to

delineate proposed layout, grading, and drainage schemes. The applicant's engineer indicates that the proposed lots have been designed to allow a minimum building envelope of thirty-five (35) to forty (40) feet in width and a display will be prepared for the public hearing. Proposed layout, grading, and drainage schemes shall be provided for resolution compliance submission if approval is granted. 16. Sidewalk is proposed along the frontage of the project. Construction details for the curb replacement shall include the gutter to be reconstructed because of its poor condition. A construction detail has been added and will be evaluated when proposed grading is provided with resolution compliance submission should approval be granted. 17. Testimony should be provided as to whether basements will be proposed for the future dwellings on new Lots 2.04 through 2.06. If so, seasonal high water table information will be required. Testimony should be provided. 18. Street trees are proposed for the project. The proposed locations should be evaluated since a street tree is proposed within the existing sanitary sewer easement. Landscaping should be provided to the satisfaction of the Board. The tree in question was removed. Street trees should be labeled "AR" and the planting count revised to ten (10). The Board should provide landscaping recommendations. 19. Testimony should be provided regarding whether there are any specimen trees located on the property. Compensatory plantings should be provided in accordance with the Township Code. Additionally, protective measures around mature trees to remain (e.g., snow fencing or tree wells at drip lines) should be provided. If this subdivision is approved, the final plot plans for proposed Lots 2.04 through 2.06 submitted for Township review should include tree protection measures to save mature vegetation where practicable. Tree removal can be addressed with resolution compliance submission should approval be granted. 20. Testimony should be provided on existing utilities. There are existing utility poles, gas, drainage, sanitary sewer, and potable water shown on the plans. Testimony should be provided. 21. Compliance with the Map Filing Law is required. Statement of fact. 22. Construction details shall be completed on the Improvement Plan. Construction details will be reviewed after resolution compliance submission should approval be granted. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance; b. Ocean County Planning Board; c. Ocean County Soil Conservation District; and d. All other required outside agency approvals.

Mr. Vogt stated a variance is required for lot width.

Mrs. Miriam Weinstein, Esq. on behalf of the applicant stated the application is for the subdivision of two existing lots that were created, via a previous subdivision approval, to create three new lots upon which single family homes will be constructed. The lots are pizza pie shaped lots that get narrower towards the rear. They are conforming in all respects except for lot width due to the shape of the lots.

Mr. Glenn Lines, P.E., P.P. was sworn in. The variance is for lot width at the setback for the house.

Mr. Schmuckler asked if it will look like a regular subdivision once built.

Mr. Lines said the setbacks will be the same as the area but the houses will probably be a little narrower.

Mr. Neiman opened to the public.

Mr. Arthur Tonnesen, was sworn in. He is concerned about the additional runoff going into the wetlands and would impact his home.

Mr. Vogt stated he does not believe the applicant is seeking relief with respect to building coverage. The variance request is lot width only which is a function of the shape of the lot. With respect to stormwater management, if a lot is created and someone wants to build a home they have to make an application

based upon the architecture of the house with the Township Engineer. At that time, they would make them install measures such as drywells or similar mechanisms to recharge the water on the property.

Mr. Tonnesen said he is the only one being impacted by this as it will lead into the small pond directly across from him. He also said a lot of soil is coming off of that property as the contractor opened up the road and accessed Jackson Township water mains which put a mudslide into his house.

Mr. Vogt said that is not the purview of this Board.

Mrs. Weinstein said the applicant indicated he has no idea what Mr. Tonnesen is referring to.

Mr. Vogt said it would be the purview of the Ocean County Soil District.

Mr. Joseph Goldberg was sworn in.

Mr. Neiman asked if he is aware of this incident.

Mr. Goldberg said the road was opened to hook up water and sewer which was all done by a professional utility contractor. He said there was an issue during construction due to a downpour. The proposed property is higher than Mr. Tonnesen's property and naturally the water in the street will run down towards his home.

Mr. Vogt asked if this is subject to an OCSD review.

Mr. Lines said each individual house is subject to an OCSD permit. They visit the site and issue citations if there are problems.

Mr. Vogt said if this gets approved, an application will be made to the OCSD.

Mr. Lines said that is correct. They need soils approval before they can submit for a plot plan.

Mr. Vogt said if it is reasonable to put extra downstream protection to try and minimize the chance for sediment from coming off of these properties.

Mr. Lines said if that is a requirement of OCSD, then yes.

Mr. Tonnesen would like the engineering department to speak with Jackson Township to get to the bottom of this.

Mr. Neiman closed to the public.

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

Affirmative: Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Rennert

- 4. SD 1961** (Variance Requested)
Applicant: Rachel Reiner
Location: 515, 521, & 533 Stirling Avenue
Block 189.01 Lots 191, 194, & 195
Preliminary and Final Major Subdivision to create 10 lots (5 duplex buildings)

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 ten (10) zero lot line properties for five (5) duplex structures. The existing tract known as Lots 191, 194, and 195 in Block 189.01 are proposed to be subdivided into new Lots 191.01 through 191.10 on the Major Subdivision Plan. The project site consists of approximately 1.744 acres. The property contains three (3) dwellings, two (2) sheds, and a garage. The plans state that all existing structures are to be removed. The land is very flat and generally slopes from east to west. The site is situated in the northern portion of the Township on the north side of Stirling Avenue, west of its intersection with Linden Avenue. Stirling Avenue is a paved municipal road in fair condition with a variable width right-of-way and about a thirty foot (30') pavement width. A five foot (5') right-of-way dedication is proposed from existing Lot 191, which would create the proper twenty-five feet (25') half right-of-way width in front of the entire site. Stirling Avenue has existing curb in fair condition, but no sidewalk in front of the site. The curb would be replaced in front of the site and sidewalk is proposed. The plans indicate the new lots are to be serviced by public water and sewer. There are existing water and sewer lines located in Stirling Avenue. A gas line exists on the south side of Stirling Avenue. Overhead electric is available from the north side of Stirling Avenue. There are many large trees on the site. The development proposes four (4) off-street parking spaces for each unit. The architectural plans specify five (5) bedroom units with unfinished basements. The subject site is located within the R-10 Single-Family Residential Zone District. Therefore, zero lot line duplex housing is a permitted use in the zone district with twelve thousand square foot (12,000 SF) minimum lot areas for duplex structures. The site is situated within a predominantly residential area. However, recreational fields associated with the Ella G. Clarke Elementary School borders the project to the north. We have the following comments and recommendations per testimony provided at the 8/12/14 Planning Board Plan Review Meeting and comments from our initial review letter dated July 29, 2014: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. B2 - Topography within 200 feet thereof. 2. B4 - Contours of the area within 200 feet of the site boundaries. 3. B10 - Man-made features within 200 feet thereof. 4. C14 - Tree Protection Management Plan. We have reviewed the requested waivers from the Land Development Checklist and offer the following comments for the Board's consideration: We can support the granting of the requested B-Site Features waivers, since enough topographic information has been provided to support the necessary designs. A Tree Protection Management Plan can be waived for completeness purposes, but should be required as a condition of subdivision approval. The Board approved the submission waivers. A Tree Protection Management Plan will be required as a condition of approval. II. Zoning 1. The site is situated within the R-10 Single-Family Residential Zone District. As stated previously, Two-Family and Duplexes, with a minimum lot area of twelve thousand square feet (12,000 SF) and a minimum lot width of seventy-five feet (75') is listed as a permitted use. Zero lot line subdivisions for duplexes are permitted in the Zone. Statements of fact. 2. Variances are requested for Minimum Lot Width. A 72.6 foot lot width is proposed on the combination of new Lots 191.01/191.02. A sixty foot (60') lot width is proposed on the combination of new Lots 191.03/191.04, 191.05/191.06, 191.07/191.08, and 191.09/191.10. Whereas a seventy-five foot (75') lot width is required. The Board shall take action on the required lot width variances. 3. Variances are requested for Minimum Side Yard Setback. A minimum side yard setback of seven feet (7') is proposed on the combination of new Lots 191.01/191.02. A minimum side yard setback of six feet (6') is proposed on the combination of new Lots 191.03/191.04, 191.05/191.06, 191.07/191.08, and 191.09/191.10. Whereas a ten foot (10') side yard is required. The revised plans propose a minimum side yard setback of 7.63 feet on the combination of new Lots 191.01/191.02. The proposed minimum side yard setback remains six feet (6') on the combinations of all other new Lots. The Board shall take action on the required side yard setback variances. 4. The applicant must address the positive and negative criteria in support of the requested variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character

of the area. III. Review Comments A. General 1. Our site investigation noted a common driveway serving existing Lots 153 and 191. Since existing Lot 153 is not part of the proposed subdivision, future access to this property must be addressed. The plans have been revised to note a saw cutting of the existing driveway. Driveway removal only on the applicant's property and reconstruction of the driveway on existing Lot 153 shall be noted on the plans as indicated in the engineer's response letter for resolution compliance submission should approval be granted. 2. Off-street parking: According to the plans provided, the applicant is proposing four (4) off-street parking spaces per unit which is enough to be in compliance with the RSIS standards for the five (5) bedroom units with unfinished basements shown on the architectural plans. Up to six (6) bedrooms per unit with a basement will be permitted for this project to also comply with parking ordinance 2010-62. Statements of fact. 3. The General Notes indicate that trash and recyclable collection is to be provided by the Township of Lakewood. Each unit shall have an area designated for the storage of trash and recycling containers. Proposed trash and recycling enclosures have been added in front of the units. Construction details with screening shall be provided for resolution compliance submission should approval be granted. 4. The proposed lot numbers shall be approved by the Tax Assessor. The Final Plat shall be signed by the Lakewood Tax Assessor. The applicant's engineer indicates that approval is pending. 5. Per Subsection 18-911 F (2 (a-g)) of the zero lot line ordinance, a written agreement signed by the owner of the property is required, including provisions to address items associated with the use, maintenance, and repair of common areas and facilities associated with the overall property. Said agreement must be filed as part of this application to obtain the zero lot line subdivision approval from Lakewood Township. Statements of fact. B. Plan Review 1. A Survey for the property has been provided. The following revisions to the survey are required: a. Show the east border of the common driveway on Lots 153 and 191. Future access to Lot 153 will have to be addressed. b. Note #7 shall be revised to state "elevations are based on NAVD 88 datum". A revised survey shall be provided with resolution compliance submission should approval be granted. 2. The General Notes shall be edited. General Notes # 9 and 12 shall be edited for resolution compliance submission should approval be granted. 3. A General Note indicates vertical datum is NAVD 1988. Horizontal datum and a vertical bench mark must be provided. The applicant's engineer indicates that the information will be provided with resolution compliance submission should approval be granted. 4. Dimensions for the duplexes on proposed Lots 191.03 through 191.10 do not match those shown on the architectural plans. Coordination shall be provided with resolution compliance submission should approval be granted. 5. The side yard setback dimensions for the duplex on the combination of proposed Lots 191.01/191.02 should be corrected. The side yard setback dimensions for the duplex on the combination of proposed Lots 191.01/191.02 has been corrected to 7.63 feet. The proposed setback lines shall be revised for resolution compliance submission should approval be granted. 6. Proposed lot dimensions and areas shall be added to the Preliminary Subdivision Plan. Proposed lot dimensions and areas have been added to the Preliminary Subdivision Plan. However, the information shall be provided to two (2) significant figures (hundredths) for resolution compliance submission should approval be granted. 7. Zoning Data shall be provided. Zoning data has been provided. The permitted building coverage shall be revised to thirty percent (30%) for resolution compliance submission should approval be granted. 8. Curb and sidewalk is proposed along the road frontage. A dimension of four feet (4') is provided for the new sidewalk. In order for the driveways to be used as pedestrian passing lanes, a detail must be shown to ensure the first foot of driveway does not exceed the maximum cross slope for ADA compliance. Furthermore, based on the proposed note, depressed curb shall be provided where the sidewalk intersects the aprons. The applicant's engineer indicates that these matters will be addressed for resolution compliance submission should approval be granted. 9. The existing utility pole located in the proposed driveway apron for the combination of new Lots 191.05/191.06 is shown to be relocated to the property line extension of future Lots 191.04 and 191.05. Statement of fact. C. Architectural 1. Two (2) preliminary architectural plans have been provided. A wider duplex unit has been proposed on the combination of new Lots 191.01/191.02. Deeper duplex units have been proposed for the combinations of the other new lots. The proposed

heights of all units would be less than the allowable thirty-five feet (35'). Final architectural drawings shall be provided with resolution compliance submission should approval be granted. 2. We recommend that locations of HVAC equipment be shown and adequately screened. The applicant's engineer indicates that these matters will be addressed for resolution compliance submission should approval be granted. 3. The architectural plans need to coordinate with the subdivision plans. The applicant's engineer indicates that architectural plans will be coordinated with the subdivision plans for resolution compliance submission should approval be granted. D. Grading 1. Grading is provided for the residential subdivision on the Drainage & Utility Plan which is Sheet 4 of 5. Statement of fact. 2. Proposed curb and gutter grades shall be designed along Stirling Avenue to insure a positive gutter flow. The proposed curb and gutter grades designed require revisions. The proposed design shall be corrected for resolution compliance submission should approval be granted. 3. Proposed grades shall be provided at all new front lot corners. The proposed new front lot corner grades shall be revised to provide a two percent (2%) cross slope in the right-of-way after the curb and gutter grades are corrected. The proposed grading shall be provided with resolution compliance submission should approval be granted. 4. Basements are proposed for all units. Seasonal high water table information has been provided to substantiate a minimum two foot (2') separation to the proposed basement floors. Statements of fact. 5. A detailed review of the grading can be completed during compliance submission; if/when this subdivision is approved. Statement of fact. E. Storm Water Management 1. The project will be classified as Major Development since more than a quarter acre of impervious surface will be added and over an acre of land disturbed. As a result, the project has been designed to meet water quality and water quantity reduction rate requirements. Statements of fact. 2. Drainage Area Maps should be provided to evaluate the proposed design. Drainage Area Maps shall be provided to evaluate the proposed design with resolution compliance submission should approval be granted. 3. The proposed underground recharge systems would collect and infiltrate the roof runoff produced by the site. Runoff from the proposed driveways will drain to the road. Statements of fact. 4. Soil permeability testing must be provided within the proposed project to confirm infiltration rates since underground recharge is being designed. The applicant's engineer indicates that this will be addressed for resolution compliance submission should approval be granted. 5. A Storm Water Management Report and Design can be reviewed in detail with a revised submission of the project. Statement of fact. 6. A Storm Water Management Operation & Maintenance Manual shall be submitted for the residential subdivision per the NJ Storm Water Rule (NJAC 7:8) and Township Code. The Manual will be reviewed in detail after the storm water management design is found to be acceptable. The applicant's engineer indicates that this matter will be addressed with resolution compliance submission should approval be granted. F. Landscaping 1. Six (6) Red Maple street trees have been proposed within the shade tree and utility easement. Statement of fact. 2. Proposed utility connections have been shown to avoid planting conflicts. Statement of fact. 3. The overall landscape design is subject to review and approval by the Board and should conform to recommendations from the Shade Tree Commission as practicable. The site will be cleared as necessary for the construction of the project. Compensatory plantings shall be addressed with the Tree Protection Management Plan. The Board should provide landscaping recommendations. The Shade Tree Commission recommended screening the west and east sides of the lots with arborvitae. A Tree Protection Management Plan shall be provided with resolution compliance submission should approval be granted. 4. Landscaping shall be reviewed in detail after compliance submission should subdivision approval be granted. Statement of fact. G. Lighting 1. Proposed street lighting has not been provided since no new roads are proposed. The project fronts an existing street on which curbing would be replaced, sidewalk constructed, and street trees planted. Statements of fact. H. Utilities 1. Proposed sanitary sewer connections would be made by extending sanitary sewer in Stirling Avenue to service the proposed duplex units. Statement of fact. 2. Proposed potable water services will be installed from the future units to an existing main in the north side of Stirling Avenue. Statement of fact. 3. Testimony should be provided regarding other proposed utilities. Additional underground connections will be required if gas is proposed. There is an existing gas main under the south side of

Stirling Avenue. Testimony should be provided on utilities. 4. The proposed utility connections would disturb more than twenty percent (20%) of the pavement in front of the site. Therefore, a full width overlay would be required at the completion of construction. The applicant's engineer indicates that this will be addressed with resolution compliance submission should approval be granted. I. Signage 1. No project identification signs are proposed. Statement of fact. 2. All signage proposed that is not reviewed and approved as part of this application, if any, shall comply with Township ordinance. Statement of fact. J. Environmental 1. Tree Management No Tree Protection Management Plan was submitted. However, a Tree Protection Management Plan should be required as a condition of subdivision approval. The applicant's engineer indicates that a Tree Protection Management Plan shall be provided with resolution compliance submission should approval be granted. K. Construction Details 1. The construction details indicate the recharge trench would be a Cultec Recharger 280HD, while the plans indicate a Cultec Recharger 330XLHD. According to the Storm Water Management Report, the Cultec Recharger 330XLHD was used in the calculations, so the detail must be corrected. The detail shall be corrected for resolution compliance submission should approval be granted. 2. Final review of construction details will take place after compliance submission, if/when this project is approved by the Board. Statement of fact. L. Final Plat (Major Subdivision) 1. The Final Plat shall be corrected in accordance with the previous applicable plan review comments. The applicant's engineer indicates that Final Plat corrections will be addressed with resolution compliance submission should approval be granted. 2. The Certifications shall be in accordance with Section 18-604B.3., of the UDO. The applicant's engineer indicates that Final Plat corrections will be addressed with resolution compliance submission should approval be granted. 3. The Subdivision Data requires corrections. The applicant's engineer indicates that Final Plat corrections will be addressed with resolution compliance submission should approval be granted. 4. Coordinates shall be provided on at least three (3) outbound corners. The applicant's engineer indicates that Final Plat corrections will be addressed with resolution compliance submission should approval be granted. 5. A Legend shall be added. The applicant's engineer indicates that Final Plat corrections will be addressed with resolution compliance submission should approval be granted. 6. Areas are required for the proposed dedication and easements. The applicant's engineer indicates that Final Plat corrections will be addressed with resolution compliance submission should approval be granted. 7. The correct depths of proposed Lots 191.01 and 191.02 should be two hundred twenty-three feet (223'). The proposed lot areas should be corrected accordingly. The applicant's engineer indicates that Final Plat corrections will be addressed with resolution compliance submission should approval be granted. 8. Proposed dimensions and areas should be to two (2) significant figures. The applicant's engineer indicates that Final Plat corrections will be addressed with resolution compliance submission should approval be granted. 9. The Zoning Table requires corrections. The applicant's engineer indicates that Final Plat corrections will be addressed with resolution compliance submission should approval be granted. 10. Compliance with the Map Filing Law is required. Statement of fact. 11. The Final Plat will be reviewed in detail after design revisions are undertaken for the project. Statement of fact. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Developers Agreement at the discretion of the Township; b. Township Tree Ordinance; c. Ocean County Planning Board; d. Ocean County Soil Conservation District; and e. All other required outside agency approvals. New Jersey American Water Company will be responsible for constructing potable water and sanitary sewer facilities.

Mr. Vogt stated that variances are requested for minimum lot width and side yard setback.

Mr. Adam Pfeffer, Esq. represented the applicant.

Mr. Brian Flannery, P.E., P.P. was sworn in. He stated that this is a unique piece of property. In the Master Plan it has this property rezoned as R-7.5 to provide additional housing opportunities compatible

with redevelopment of that area. This is a subdivision to create 10 lots for 5 duplexes on 1.744 acres. The variances are minimum lot width and minimum side yard setback. The minimum lot width is 72 ft and 60 ft where 75 ft is required. If this had been rezoned to R-7.5, it would comply with the lot width. The side yard setbacks are 7 ft and 6ft where the R7.5 would be 7ft so they would still need a variance for that. Because of the unique shape of the property they are asking for those variances.

Mr. Schmuckler asked if there will be one basement apartment.

Mr. Flannery said yes. The ordinance is clearly written that it only allows one basement apartment per dwelling unit.

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

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

Affirmative: Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Rennert

- 5. SD 1962** (Variance Requested)
Applicant: Ben Parnes
Location: Hudson Street
Block 107 Lot 8
Minor Subdivision to create 2 lots

Project Description

The applicant seeks minor subdivision approval to subdivide an existing residential lot into two (2) new residential lots for single family dwellings. The project involves an existing fifteen thousand square foot (15,000 SF) property know as Lot 8 in Block 107. The proposed properties are designated as new Lots 8.01 and 8.02 on the subdivision plan. Existing Lot 8 contains a one-story dwelling. The subdivision plan indicates all existing structures would be removed. Public water and sewer is available. Curb in fair condition exists along the frontage of the entire property, but sidewalk does not. The site is situated in the northern portion of the Township on the north side of Hudson Street, west of Lexington Avenue. Hudson Street is an improved municipal road in good condition. Hudson Street has a fifty foot (50') right-of-way with a pavement width of approximately thirty-two feet (32'). The site is relatively flat and contains several large trees. Potable water is readily available under the north side of Hudson Street. Sanitary sewer exists on Lexington Avenue and would have to be extended to the site. Gas exists under the south side of Hudson Street. Overhead electric is located on the south side of the Hudson Street right-of-way. This subdivision proposes to create variances. The surrounding lots are predominately residential uses. The lots are situated within the R-10 Single Family Residential Zone. We have the following comments and recommendations per testimony provided at the 8/12/14 Planning Board Plan Review Meeting and comments from our initial review letter dated August 4, 2014: 1. Zoning 1. The parcels are located in the R-10 Single-Family Residential Zone District. Single family residences with a minimum lot area of ten thousand square feet (10,000 SF) are permitted in this zone. Statements of fact. 2. Minimum Lot Area variances are required for the proposed lots. Lots areas of seven thousand five hundred square feet (7,500 SF) are proposed. Ten thousand square foot (10,000 SF) lot areas are required. The Board shall take action on the required lot area variances. 3. Front Yard Setback variances are required for the proposed lots. Front yard setbacks of twenty-five feet (25') are proposed, whereas thirty foot (30') setbacks are required. The Board shall take action on the required front yard setback variances. 4. Side Yard Setback variances are required for the proposed lots. Side yard setbacks of nine feet (9') are proposed, whereas ten foot (10') setbacks are required. The Board shall take action on the required side yard setback variances. 5. Aggregate Side Yard Setback variances are required for the proposed lots. Aggregate side yard setbacks of nineteen feet (19') are proposed, whereas twenty-

five foot (25') aggregate side yard setbacks are required. The Board shall take action on the required aggregate side yard setback variances. 6. Maximum Lot Coverage variances are required for the proposed lots. Coverage of thirty-four percent (34%) is proposed for the new lots, whereas a maximum of thirty percent (30%) lot coverage is allowed. The Board shall take action on the required lot coverage variances. 7. 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. II. Review Comments 1. The surveyor should indicate whether any fence encroachments need to be rectified. – The applicant's surveyor indicates that fence encroachments shall be eliminated but the information is not represented on the Minor Subdivision Plan. The necessary information can be provided for resolution compliance submission if approval is granted. 2. The General Notes require editing and must be coordinated between the Minor Subdivision Plan and Improvement Plan. The General Notes on the Improvement Plan still require editing. Corrections can be provided with resolution compliance submission should approval be granted. 3. General Notes indicate that the horizontal and vertical datum is assumed. A benchmark should be shown on the plan. Benchmark is only shown on the Survey and Improvement Plans; it should be added to the Minor Subdivision Plan. Minor Subdivision Plan only indicates horizontal datum assumed. Corrections can be provided with resolution compliance submission should approval be granted. 4. The proposed building envelopes in accordance with the variance requests have been shown on the plans. Statement of fact. 5. The Surveyor's Certification has not been signed even though the outbound corner markers are shown to be in place. The applicant's surveyor indicates the Surveyor's Certification will be signed prior to filing the map. 6. Four (4) off-street parking spaces will be provided per unit. This exceeds the three (3) off-street parking spaces which are required for units with unspecified number of bedrooms to comply with the NJ R.S.I.S. parking requirements. The plans indicate that four (4) off-street parking spaces per unit will be required. A minimum of four (4) off-street parking spaces are required for proposed units with basements. Parking should be provided to the satisfaction of the Board. Statements of fact. 7. The Minor Subdivision Plan shows new lot numbers were assigned by the tax assessor's office. If approved, the map shall be signed by the tax assessor. The map shall be signed by the tax assessor prior to filing should approval be granted. 8. Public water and sewer is available to the project site. The project will be serviced by New Jersey American Water Company, since the site is within their franchise area. Statements of fact. 9. The General Notes on the Improvement Plan indicate that soil borings shall get performed to determine a seasonal high water table, implying basements will be proposed. Statement of fact. 10. The Improvement Plan proposes two (2) "Green Vase Zelkova" shade trees. The locations of the proposed shade trees are shown on the Improvement Plan. Landscaping should be provided to the satisfaction of the Board, and should conform to recommendations (if any) from the Township Shade Tree Commission as practicable. The Board should provide landscaping recommendations. The Shade Tree Commission approved the project. Our site investigation indicates there are a few large existing trees on-site. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review. Tree removal can be addressed with resolution compliance submission should approval be granted. 11. Proposed grading is shown on the Improvement Plan. Proposed top of curb and gutter elevations shall be provided on Hudson Street to insure positive gutter flow. Proposed grading shall be revised accordingly and designed to minimize runoff directed to adjoining properties. The limits of curb replacement must be defined on the Improvement Plan, then proposed top of curb and gutter elevations, as well as lot grading, can be finalized. This information shall be added to the Improvement Plan for resolution compliance submission should approval be granted. 12. The General Notes indicate the northerly half of the future dwellings shall be piped into drywells. Calculations will be required to determine whether additional measures shall be necessary. The applicant's engineer indicates this will be addressed when the plot plans are submitted. 13. Construction details, as well as profiles for the proposed sewer line shall be provided. Manhole details and sewer profiles need to be added for resolution compliance

submission should approval be granted. 14. The proposed utility connections and sanitary sewer line installation will disturb more than twenty percent (20%) of the road length along the site frontage. Therefore, an overlay would be required. The applicant's engineer correctly indicates that other properties may connect to the sanitary sewer line once it is constructed. Therefore, the applicant's request to waive the overlay requirement is reasonable. 15. Compliance with the Map Filing Law is required. Statement of fact. 16. Construction details should be revised on the Improvement Plan in accordance with the conditions of any approvals. Statement of fact. 17. Final construction details will be reviewed during compliance should subdivision approval be granted. Statement of fact. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance (as applicable); b. Ocean County Planning Board; c. Ocean County Soil Conservation District; d. Ocean County Board of Health (septic abandonment); and e. All other required outside agency approvals.

Mr. Vogt stated that variances are being requested for minimum lot area, front yard, side yard, aggregate side yard setbacks and maximum building coverage.

Mr. Schmuckler said they are basically going down one zone.

Mrs. Miriam Weinstein, Esq. on behalf of the applicant. This application was part of a previous subdivision approval but the map was never filed and the deadline for filing it lapsed so they are back before the Board. This block consists of many dilapidated homes that are in dire need of rehabilitation. The applicant intends to extend the sewer for this project which will help redevelopment of the block.

Mr. Charles Surmount, P.E., P.P. was sworn in. He showed a map to the board. The pink lots shown are lots that do not have 10,000 sf. There are homes on all of the lots.

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

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

Affirmative: Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Rennert

- 6. SP 2078** (No Variance Requested)
Applicant: Park Lane Associates
Location: New Hampshire Ave & Bellinger Street
Block 1160.06 Lots 265 & 249.02
Preliminary and Final Major Site Plan for expansion of an existing manufacturing building

Project Description

The applicant is seeking Preliminary and Final Major Site Plan approval for expansion of the existing Astor Chocolate manufacturing facility, located at 651 New Hampshire Avenue within the M-1 Zone. The applicant intends to expand its existing use of manufacturing gourmet chocolates. The existing commercial structure is a rectangular building with a footprint of 112,200 square feet. The proposed additions on either side of the building total 122,345 square feet. The proposed off-street parking would be along the northeast side of the building, and in the southwestern corner of the lot. According to the site plan, the proposed off-street parking will be three hundred three (303) spaces. Eight (8) of the proposed spaces will be handicapped, two (2) of which being van accessible. Proposed parking spaces will be a minimum of 9' X 18'. Proposed aisles would be a minimum of twenty-four feet (24') wide. Access to the site will be provided by two (2) driveways from New Hampshire Avenue. A variance will be required for the number of off-street parking spaces. The tract consists of an almost rectangular property which is listed as 13.85 acres in area. The lot where this facility is located is generally bounded

by industrial buildings, with a residential neighborhood on the opposite side of New Hampshire Avenue. The southeastern and northeastern sides of the property contain wetland regions which slightly encroach onto the site. The property generally slopes downward from west to east, as it approaches the wetland lines. Access to the site is from New Hampshire Avenue, which is an improved County Road having an eighty foot (80') wide right-of-way in front of Lot 265. A dedication is proposed along the frontage of Lot 249.02 to provide an eighty foot (80') wide right-of-way across the entire site. Curbing exists along the frontage of New Hampshire Avenue, but sidewalk does not. All utilities servicing the site are from New Hampshire Avenue. The project is located in the M-1 Industrial Zone. We have the following comments and recommendations per testimony provided at the 8/12/14 Planning Board Plan Review Meeting, and comments from our initial review letter dated August 4, 2014: I. Zoning 1. The site is situated within the M-1 Zone. Per Section 18-903M.1.d., of the UDO, Manufacturing is a permitted use in this zone. Statements of fact. 2. The following off-street parking variance is required: • Minimum Number of Parking Spaces – Three hundred three (303) off-street parking spaces will be provided, whereas six hundred twelve (612) spaces are required. Testimony should be provided at the Public Hearing, justifying the requested number of spaces (i.e., based on maximum employees per shift, other rationale). The Board shall take action on the parking variance required. 3. It is not clear whether any sign variances are required. Addition information must be provided. The applicant's engineer indicates that the applicant is not proposing any changes to the existing site signage. 4. It should be noted the front yard setback of one hundred feet (100') may be reduced to fifty feet (50') with approval of the Lakewood Industrial Commission. The front yard setback of the existing building is 55.12 feet. The proposed addition would have a front yard setback of 55.91 feet. The Lakewood Industrial Commission approved the project on August 19, 2014. 5. Design waivers appear necessary from providing sidewalks, street trees, and shade tree easements along the New Hampshire Avenue frontage. We note that these amenities are not present at the existing facility, nor immediately-adjacent to the site. The Board shall take action on the required design waivers. II. Review Comments Per review of the current design plans, we offer the following comments and recommendations: A. Site Plan/Circulation/Parking 1. In addition to the corrected survey being required, the proposed lot area must consider the dedication to Ocean County. Confirmation will be needed that a Maximum Building Coverage variance will not be required. The proposed lot area will be subject to the approval of the dedication from Ocean County. The applicant's professionals shall confirm the proposed additions will still be in conformance with the maximum building coverage requirement. Final calculations shall be provided with resolution compliance submission should approval be granted. 2. The plans indicate vertical datum is based on NAVD 88. A horizontal datum and a vertical bench mark shall be provided. The horizontal datum and vertical bench mark shall be provided on the Site Plans for resolution compliance submission should approval be granted. 3. Under proposed conditions, the site will include five (5) storm water infiltration basins. Three (3) of the basins will be above ground and two (2) will be below grade. The proposed above ground basins will not be fenced and have no vehicular access. Statements of fact. 4. All proposed building dimensions and access points should be coordinated between the architectural plans and site plans since they impact design. It appears the emergency stairs on the northeast side of the building addition will conflict with the proposed parking lot. Final design drawings will be required for resolution compliance submission should approval be granted. 5. The existing lots should be consolidated should site plan approval be granted. The applicant's professionals indicate that lot consolidation will be further discussed in testimony. 6. The applicant's professionals should provide summary testimony of the existing and proposed (expanded) use of the facility, including hours of operation, shifts, maximum employees on site per shift, etc. The applicant's professionals indicate that testimony will be provided regarding the building use, hours of operation, shifts, and maximum employee expectations. 7. As illustrated on the Site Plans, two (2) additions to the existing building are proposed – a 59,700 square foot addition at the northeast end of the building, and a 62,650 square foot addition at the southwest end of the building. The applicant's professionals indicate that renderings will be provided at the hearing. 8. As illustrated on the site plan, two (2) new parking lots are proposed to

serve the expanded facility. Two (2) access drives are proposed from the facility's New Hampshire Avenue frontage. Statements of fact. 9. Testimony should be provided regarding anticipated truck traffic to the expanded facility, including sizes of delivery and transport trucks. Per review of the Site Plan (Sheet C-04) and the submitted architectural drawings (Sheets A100 and A200), it appears that trucks will continue to deliver and be loaded from a number of internal loading areas accessed from the southeast side of the expanded building. The proposed (paved) access and loading appear to be designed to accommodate truck traffic to/from the southeast side of the expanded building. The applicant's professionals indicate that testimony will be provided regarding the truck traffic and loading procedures of the building. 10. A circulation plan should be provided to demonstrate that the largest anticipated vehicles can safely enter and exit the property. Per available information, it appears that existing trucks access the existing building from internal loading areas within the southeast side, and exit through the existing access drive northeast of the building. The proposed design also appears to separate trucks to the northeast side of the facility, and cars to the southwest (which would be favorable). Sheet C-04A has been added to the plans, depicting the truck circulation for the largest vehicle (WB-65). Some truck circulation revisions appear necessary on the northeastern side of the site and can be provided with resolution compliance submission should approval be granted. 11. Sight triangles are provided at the site access drives from New Hampshire Avenue. Designs for the access drives, and sight triangles are subject to Ocean County approval. Statements of fact. 12. No trash/recycling enclosures are provided in the current design. Testimony should be provided on collection of trash and recyclable materials. It should be clarified whether the Township or a private company will be responsible for removal. The applicant's professionals indicate that testimony will be provided regarding the trash/recyclables removal. 13. Testimony should be provided regarding the proposed "Shed" depicted within the larger (southerly) parking lot. The applicant's engineer indicates that the shed within the southwesterly parking lot is an existing feature that houses utilities and will remain. 14. Outbound information, setback lines, and complete dimensioning should be completed on the Site Plan. Said information can be provided during compliance, if/when Board approval is granted. The site plan has been revised to provide setback lines and dimensioning. A final review of the layout will be conducted after resolution compliance submission should approval be granted. 15. The plans indicate the CAFRA requirements for maximum impervious coverage and minimum tree preservation for the forested portion of the site will be met. Statement of fact. B. Architectural 1. We recommend that the applicant's professionals bring color renderings of the expanded building to the Public Hearing, and provide testimony regarding proposed building facades and treatments. The applicant's professionals indicate that color renderings and testimony will be provided at the hearing regarding the proposed facades and treatments. 2. The Site Plan should show all existing and proposed ground mounted HVAC equipment. Adequate screening of the equipment should be provided. Said information can be provided during compliance, if/when Board approval is granted. The applicant's professionals indicate that architectural plans have been revised to depict the existing and proposed HVAC equipment. Testimony will be provided regarding the screening of the equipment. 3. More detailed architectural plans should be provided. Final architectural plans will be required for resolution compliance submission should approval be granted. 4. The site plans and architectural plans must be coordinated. Plan coordination shall be provided for resolution compliance submission should approval be granted. C. Grading 1. Sheet C-05 is a Grading, Drainage, & Utility Plan. The current design is well-prepared, and adequate to serve the expanded facility. Statements of fact 2. Along the rear of the property, the property slopes into a wetland region. No curbing is proposed, which will allow storm water to drain directly into the wetlands. We recommend curbing be proposed along the entire asphalt area and storm water be drained into one of the basins for water quality purposes. The applicant's engineer can address this issue with our office. The applicant's engineer indicates that the storm water design will be further discussed. 3. A review of final grading revisions will be performed during compliance if/when approval is granted. Statement of fact. D. Storm Water Management 1. A proposed storm water management system has been designed. The design proposes a storm sewer collection system with two

(2) underground recharge systems, and three (3) above-ground infiltration basins located on the site. The project qualifies as major development and must meet the requirements of the New Jersey Department of Environmental Protection Storm Water Management Rules (NJAC 7:8). Statements of fact. 2. Permeability testing and seasonal high water table information has been provided in the Report to justify the proposed depth of the storm water recharge systems. The locations of Soil Logs should be provided on the Existing Conditions Plan. The Existing Conditions Plan has been revised to depict the soil log locations. The permeability and seasonal high water table information will be reviewed after resolution compliance submission should approval be granted. 3. We recommend the Drainage Area Maps be checked for accuracy since they impact the design. The drainage area maps have been revised. The maps will be reviewed after resolution compliance submission should approval be granted. 4. The invert at CB-12 does not agree with pipe slopes and lengths. The invert for CB-12 and upstream catch basins have been changed (Sheet C-05). However, the invert for CB-15 shall be corrected to 52.62 for resolution compliance submission should approval be granted. 5. Pipe sizing calculations should be completed for the proposed collection systems. Updated pipe sizing calculations have been provided and will be reviewed after resolution compliance submission should approval be granted. 6. As required a Storm Water Management Operation & Maintenance Manual should be provided. The Manual can be provided during compliance, should site plan approval be granted. A manual has been provided and will be reviewed after resolution compliance submission should approval be granted. 7. It should be noted that New Jersey Department of Environmental Protection's pending CAFRA review could have an impact on the storm water management design. Statement of fact. 8. A review of the final drainage design will be performed during compliance, if/when Board approval is granted. Statement of fact. E. Landscaping 1. The Landscape Plan can be found on Sheet C-07. As noted, twenty (20) sugar maples are proposed in the parking lot islands in the proposed (southwesterly) parking lot, and four (4) sugar and red maples are proposed along the New Hampshire Avenue frontage. A row of boxwoods is proposed along the front of the northeasterly building addition. The proposed quantity for boxwoods in the Planting Schedule can be corrected for resolution compliance submission should approval be granted. 2. The proposed planting and seeding schedule along with the details can be found on Sheet C-12. The revised plans provide Planting Specifications on Sheet C-07 and Details on Sheet C-12. The information will be reviewed after resolution compliance submission should approval be granted. 3. The overall landscape design is subject to review and approval by the Board and input (if any) from the Shade Tree Commission. The Board should provide landscaping recommendations. The Shade Tree Commission recommending adding trees around the storm water basins provided they are not red maples. 4. The final landscaping design will be reviewed during compliance, if/when Board approval is granted. Statement of fact. F. Lighting 1. A Lighting Plan has been provided on Sheet C-06. Per review of the Lighting Plan, there are ten (10) single pole mounted lights and six (6) double pole mounted lights proposed for the property. Seventeen (17) proposed wall mounted lights are added on the northeast and southeast sides of the building. Statements of fact. 2. The proposed height of the pole mounted lights is thirty feet (30'). The wattage for the proposed pole mounted lighting has not been shown. The proposed height of the wall mounted lights is twenty feet (20'). The wattage for the proposed wall mounted lighting is seventy watts (70W). The revised plans indicate the wattage for the proposed pole mounted lights to be two hundred sixty watts (260W). 3. A point to point diagram has been submitted to determine the adequacy of the lighting and compliance with the ordinance. Adjustments to lighting may be necessary since the calculations show the minimum intensity level is not being met. The applicant's engineer indicates that they will consult with our office to ensure the ordinance is met and make adjustments as necessary. 4. The existing design is well-prepared. Final lighting design revisions can be addressed during compliance review, if/when approval is granted. Statements of fact. G. Traffic 1. A Traffic Impact Assessment Report was submitted for review. Per review of The Report, it is generally well-prepared and consistent with industry standards. Statements of fact. 2. As referenced on page 4 of the report, the author performed an analysis of anticipated traffic by applying a pro-rated increase (109%) of the existing peak hour trip generation, matching the proposed expansion of the

existing facility. Statement of fact. 3. Using the above referenced rationale, as referenced on page 7 of the report, traffic is projected to enter and exit the facility at a Level of Service (C), with no anticipated degradation of service anticipated to nearby intersections. Statement of fact. 4. We recommend that the applicant's professionals provide summary testimony regarding traffic impacts from the expansion at the forthcoming Public Hearing. The applicant's professionals indicate that testimony will be provided regarding traffic impacts of the expansion. 5. As indicated previously, Ocean County Planning Board review and approval of the road designs, entrances, and exits is required since the facility is on New Hampshire Avenue. Statement of fact. H. Utilities 1. Testimony should be provided regarding the adequacy of proposed fire protection measures for the facility expansion. The applicant's professionals indicate that testimony will be provided regarding the adequacy of the proposed fire protection measures. I. Signage 1. Proposed signage includes handicap parking signs and a stop sign for each new entrance driveway being proposed, both of which support two-way traffic. Final review of signage will be conducted after resolution compliance submission should approval be granted. J. Environmental 1. Site Summary Per review of the site plans, aerial photography, and a site inspection of the property, the tract is mostly developed with an undeveloped wooded area on the northeast and southwest ends. The property borders New Hampshire Avenue on the northwestern edge of the property. The property generally slopes downwards from west to east. Wetlands have been delineated on the southeast and northeast edges of the site. Statements of fact. 2. Environmental Impact Statement An Environmental Impact Statement has been submitted. As indicated on page 8 of the report, existing treed areas proposed to be cleared to accommodate the building expansion are predominantly pitch pines and other native species, with no specimen trees anticipated to be removed. The EIS report also indicates that the facility is subject to NJDEP-CAFRA review and approval, and that the current design meets the CAFRA policy requiring a minimum of ten percent (10%) of the existing forested area of the property to remain forested. Finally, NJDEP-GIS mapping as well as the submitted site survey depict freshwater wetlands present immediately-northeast and southeast of the site. Although no wetlands are proposed to be disturbed to construct the facility expansion, it appears that a minor disturbance of the assumed (50 foot intermediate value) wetlands buffer is proposed. This disturbance is likely permissible via either a buffer-averaging plan or Transition Area Waiver (TAW). This approval will likely be issued in conjunction with the forthcoming NJDEP-CAFRA approval for the facility expansion. Statements of fact. 3. Tree Management Plan Tree surveys of existing vegetation on the northeast and southwest ends of the site are provided on the property survey and identified in the site plans. As referenced on page 6 of the EIS report, it is the applicant's intent to meet the Township's Tree Protection Ordinance requirements by providing new compensatory landscaping in the final Landscape Plan design. Compliance with the Township's Tree Protection ordinance will be addressed during compliance, if/when Board approval is granted. Statements of fact. K. Construction Details 1. Construction details will be reviewed after revisions are submitted for the project. We will conduct a final review of construction details after resolution compliance submission should approval be granted. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Developers Agreement; b. Township Tree Ordinance (as applicable); c. Lakewood Industrial Commission; d. Lakewood Fire Commissioners; e. Lakewood Township Municipal Utilities Authority (water and sewer); f. Ocean County Planning Board; g. Ocean County Soil Conservation District; h. New Jersey Department of Environmental Protection (CAFRA, other); and i. All other required outside agency approvals.

Mr. Gross, Esq. represented the applicant.

Mr. Michael Dipple, P.E. was sworn in.

Mr. Neiman asked if they reviewed the engineer's letter and if they can comply with everything in the letter.

Mr. Gross said they have and will comply.

Mr. Vogt asked about the justification of the parking spaces.

Mr. Dipple said the maximum number of vehicles over a one month span was 145. There are 169 parking spaces existing. There are 295 maximum employees at any given time. There are 175 full time employees and 120 temporary employees. This application proposes a very slight increase in the number of employees, perhaps maybe as many as 25 new employees. The addition is mainly for a larger cafeteria, training and research space. They are proposing 303 spaces.

Mr. Gross said a lot of employees carpool or take the bus.

Mr. Dipple said that is correct. There is generally only one shift.

Mr. Vogt stated that based upon the study, the proposed number of spaces is more than adequate for the expanded use.

Mr. Dipple said that is correct.

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

A motion was made by Mr. Banas seconded by Mr. Sussman to approve.

Affirmative: Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Rennert

- 7. SP 2079** (No Variance Requested)
Applicant: Sudler Lakewood Land, LLC
Location: Oak Street & Paco Way
Block 1160 Lots 240 & 251
Preliminary and Final Major Site Plan for 2 new buildings

Project Description

The applicant is seeking Preliminary and Final Major Site Plan approval with variances to expand its existing operations on the subject properties. The applicant proposes to construct two (2) new warehouses with supporting office space. As indicated in the Application Rider, the existing 61,445 square foot warehouse fronting Oak Street will remain, with the parking and access to be redeveloped to accommodate the surrounding development. Building #33 will include seventy-four thousand four hundred square feet (74,400 SF) of floor area and will be located on the southeastern portion of the site (accessed from Oak Street). The eastern section of the proposed Building #33 will provide thirty-three (33) spaces for trailers. Building #34 will include forty thousand square feet (40,000 SF) of floor area, and will be accessed from the property's Towbin Avenue frontage. The southern section of the proposed Building #34 will provide eighteen (18) spaces for trailers. Parking for employees will be provided on the western side of the Building #33 and the southern and western sides of Building #34. A total of one-hundred seventy-three (173) off-street parking spaces are proposed to serve proposed Building #33 as well as the adjacent existing building on Lot 240. Forty (40) off-street parking spaces are provided to the proposed Building #34. In addition, thirty-seven (37) trailer storage spaces are provided outside Building #34. Three (3) handicap parking spaces will serve the proposed Building #33, seven (7) will serve the existing building on Lot 240, and two (2) will serve the proposed Building #34. Access to the proposed Building #33 will be provided via a driveway on Oak Street, and access to the proposed Building #34 will be provided via a driveway on Towbin Avenue. The tract consists of approximately 59

acres in area, and contains wooded, wetlands areas within the northern portion of the site which will not be developed. Several small tracts of state open waters exist on the site. Four (4) basins and associated inlets and piping are provided for storm water management. In addition, two (2) drainage trenches are proposed in front of the two (2) buildings. Lands to the south are all improved with large commercial and industrial land uses. The site is located in the M-1 Industrial Zone and the AHZ Airport Hazard Zone, within the Industrial Park. Warehouses and terminal facilities are a permitted use in the zone. We have the following comments per review of the revised submission and applicable comments from our initial review letter dated August 6, 2014: I. Zoning 1. The site is situated within the M-1, Industrial Zone. Per Section 18-903M.1.c., of the UDO, under "permitted uses" in the M-1 zone cites warehouses and terminal facilities. Fact. 2. As referenced on the Overall Plan, Lakewood Industrial Commission approval is required for the proposed front yard setback of 91.72 feet for Building #33. The existing setback for existing building #1715 is 50.3 feet. Fact. 3. A variance has been requested for the twenty-five foot (25') non-residential perimeter buffer as defined per Section 18-803E.2., of the UDO. As evidenced in the design documents and per aerial photography, existing development immediately adjacent to the property is predominantly commercial/industrial in nature, consistent with the M-1 zone. Testimony shall be provided at the Public Hearing to support the requested relief. 4. Per review of the site plans and application, the following design waivers appear necessary: • Providing sidewalk along the project frontage. It should be noted that there is no existing sidewalk along Oak Street or Towbin Avenue in the vicinity of this project which is in the Industrial Park. • Maximum number of driveways permitted. Per Section 18-807C.4., of the UDO, two (2) driveways per three hundred feet (300') of lot frontage are permitted whereas two (2) driveways per two hundred seventy five feet (275') of lot frontage is being proposed. • Providing street trees and a shade tree and utility easement along the project frontages. As illustrated on the Landscape Plan, an extensive amount of interior landscaping is proposed. Testimony shall be provided in support of the requested relief. II. Review Comments A. Site Plan/Circulation/Parking 1. Site Plans (labeled "Geometry Plan-1" and "Geometry Plan-2") are included as Sheets 4 and 5 of the Plan Set. Said plans are well-prepared for an initial submission. Fact. 2. As illustrated on "Geometry Plan-1", Building #33, seventy-four thousand four hundred square feet (74,400 SF) of flex space will be constructed east of the existing building to remain. A new, thirty foot (30') wide "U-shaped" facility access drive is proposed, with two (2) access points from Oak Street which will provide for vehicle and truck access for proposed Building #33 as well as parking access for additional off-street parking spaces proposed along the west side of the existing building. Fact. 3. Additionally, an extension of the above-referenced U-shaped drive is proposed to provide another thirty foot (30') wide access drive connecting to the existing truck loading area located on the west side of the existing building. Fact. 4. Finally, an area of twenty (20) "banked" parking spaces is identified immediately north of proposed Building #33. Said spaces could provide additional off-street parking if necessary at a future date. Off-street parking for both new facilities should be provided to the satisfaction of the Board. Fact. 5. As illustrated on "Geometry Plan-2", Building #34, forty thousand square feet (40,000 SF) of flex space will be accessed by a thirty foot (30') wide driveway extending from Towbin Avenue into the property. This access drive will lead to a forty (40) space parking lot proposed along the west site of Building #34, as well as a thirty-seven (37) stall trailer storage area (including a truck turnaround) and eighteen (18) truck stalls proposed along the south side of Building #34. Fact. 6. Dimensioned Vehicular Circulation Plans should be provided to confirm accessibility for the largest trucks anticipated to access the sites. These Plans may be provided during compliance, if/when Board approval is granted. Per cursory review of the proposed Towbin Avenue access as depicted (to serve Building #34), widening of the access and/or acceleration of deceleration lanes may be necessary for trucks to enter and exit the facility. This information may be provided during compliance review, if/when Board approval is granted. – A truck movement plan has been provided, and is satisfactory. This item has been addressed. 7. No refuse and recycling area has been proposed for either proposed building. The plans note that trash and recyclables are to be collected and stored inside. Testimony shall be provided as to whether private or public (DPW) handling of trash and recyclables is proposed. Fact. 8. No sight triangles associated with

the proposed vehicular site access points are provided on the circulation plans. Said information should be provided during compliance, if/when approval is granted. – Sight triangle information has been provided for the entrances, and will be finalized during compliance (if approval is granted). 9. All proposed building access points should be shown on the site plans and coordinated with the final architectural plans (during compliance, if approval is granted). This item has been addressed. 10. The plans call out an edge of pavement on the east side of the proposed heavy duty pavement. Curb is required. The curb may be depressed to allow sheet flow runoff to drain into the proposed swale. This item has been addressed. 12. The survey for Lot 251 should be updated since it is more than ten (10) years old. – Per the engineer’s response letter, an updated survey will be provided prior to construction. This is satisfactory for Board hearing purposes. B. Architectural 1. Preliminary architectural floor plans and elevations were submitted for review. Per review of the submitted plans, the buildings will be about thirty-six feet (36’) high, well within the sixty-five foot (65’) allowable height. The structures will house the warehouse and office space. Fact. 2. The applicant’s professionals should provide testimony regarding the proposed building facades, and treatments. We recommend that renderings be provided for the Board’s review and use prior to the public hearing, at a minimum. Fact. 3. Testimony should be provided as to whether any roof-mounted HVAC equipment is proposed. If so, said equipment should be adequately screened. Screening can be addressed during compliance, if/when Board approval is granted. Fact. 4. Testimony should be provided at the Public Hearing in regard to how much of the floor space will be dedicated to the warehouse and the remaining office layout (for each new building). Fact. 5. The site plans and architectural plans must be coordinated. All ramps, landings and building accesses will be coordinated between final architectural designs and site plan designs during compliance, if/when approval is granted. Fact. C. Grading 1. Detailed grading is provided on Sheets 6 and 7 of 22. Per review of the initial grading designs serving both proposed buildings and amenities, the designs are feasible and generally well-prepared. Fact 2. Access points and corresponding elevations should be provided. This issue has been addressed. 3. The proposed elevations associated with the handicap parking areas should be shown to make sure they comply with regulations. This issue has been addressed. 4. A review of final grading will be performed during compliance, if/when approval is granted. Fact. D. Storm Water Management 1. Proposed storm drainage designs have been provided to support both proposed buildings and amenities as illustrated on Site Plan Sheets 6 and 7. Per review of the current designs, they are feasible and generally well-prepared for initial submissions. Fact. 2. Storm water collection systems supporting improvements for Building #33 (and the existing building) will discharge into two (2) above ground infiltration/detention basins (with overflow discharges and emergency weirs) as depicted on Site Plan Sheet #6, as well as a proposed underground recharge system proposed immediately west of Building #33. Fact. 3. Similarly, Site Plan Sheet #7 depicts two (2) above ground infiltration/detention basins (with overflow discharges and emergency weirs), as well as a proposed underground recharge system immediately south of Building #34. Fact. 4. Storm sewer collection systems for both new facilities have been designed utilizing reinforced concrete pipe to convey storm water runoff into proposed infiltration basins. Fact. 5. Pipe collection system calculations appear to require minor corrections as follows: a. On page G2, the rim elevation for Line No. 2 is incorrect. It should be 50.96. Addressed. b. On page G7, the Line 5 Line ID is mislabeled as P23, whereas it should be corrected to G5. Addressed. c. On page G9, the Line 1 Line ID is mislabeled as P69, whereas it should be corrected to J1. Addressed. 6. The following pipes may be undersized based on calculations: a. Outfall – 1 to E2 (page G5). Addressed b. G4 – G3 (page G7). Addressed c. G3 – G2(1) (page G7). Addressed. 7. The length of the infiltration pipe connecting the G8-G7 inlet should be 456 LF according to the Pipe calculations. – This has been addressed. 8. The pipe connecting K8 to K7 is not labeled. – This has been addressed. 9. Delete the stray N2 inlet label on the east side of Basin #4. – This has been addressed. 10. Roof leader discharge connection(s) should be provided for Building #34. – This has been addressed. 11. The following minor utility profile corrections are required: - Revisions were provided to the profiles as noted in (a-d) below. a. The existing storm manhole invert on the A3-Ex. System Profile should be corrected to 46.24. b. The length of the infiltration pipe on the G8-G2 profile should be 456 LF. c. The

invert of the L1 pipe in the L2-L1 profile is not labeled. d. The K8 to K7 pipe should be labeled on the K8-K1 Profile. 12. A storm water management maintenance manual(s) shall be provided in accordance with NJ Storm Water Rule (NJAC 7:8) and Township standards, identifying the responsible parties for both facilities. Said Manual was provided with the revised submission, which identifies the applicant as the responsible party for storm water maintenance purposes. This is satisfactory for Board hearing purposes. 13. It should be noted that New Jersey Department of Environmental Protection's pending CAFRA review could have an impact on the storm water management design. Fact. 14. A final review of the storm water designs for both facilities will be performed during compliance, if/when Board approval is granted. Fact. E. Landscaping 1. Comprehensive landscape plans for both building facilities are provided on Site Plan Sheets #10 and #11. As depicted, a substantial amount of new landscaping is proposed within the interiors of both facilities. We commend the applicant and its professionals for the extent of landscape improvements currently-proposed. 2. The following quantity revisions the appear necessary to the Plant Schedule: a. "BENH" trees should be corrected from 25 to 15. b. "MAVI" trees should be corrected from 5 to 6. c. "ITVH" trees should be corrected from 29 to 31. All revisions listed above were made to the revised plans. 3. The following planting quantities appear to be larger than what is shown on the plans: a. "ACRR", 17 are listed, 10 are shown b. "LISR", 19 are listed, 18 are shown c. "QUPA", 26 are listed, 23 are shown d. "QUSH", 22 are listed, 17 are shown e. "TADI", 30 are listed, 15 are shown f. "PIAB", 29 are listed, 23 are shown g. "PIST", 47 are listed, 41 are shown h. "AMLA", 19 are listed, 18 are shown i. "ARAR", 12 are listed, 11 are shown j. "COCB, 73 are listed, 21 are shown k. "ILGH", 79 are listed, 52 are shown l. "MYPE", 28 are listed, 18 are shown m. "VIDC", 99 are listed, 87 are shown All revisions listed above were made to the revised plans. 4. The following plants are listed but are not shown on the plan: "NYSY", "JUVS", "PSME", "CECA", "CECL", "SYXC", and "VIDE". These items have been addressed. 5. On the south side of Building #34, five (5) "AMLA" trees are called out, but only four (4) are depicted. The eighteen (18) listed above count the five (5) shown. This has been addressed. 6. Utilities and easements should be shown on the Landscape Plan to avoid planting conflicts. Utilities are now shown on the landscape plan. 7. We recommend that the applicant consider drip irrigation or similar measures for landscape maintenance purposes. Addressed (owner's discretion). 8. The final landscaping design will be reviewed during resolution compliance if/when Board approval is granted. Fact. F. Lighting 1. Detailed lighting designs for both facilities are provided on the Lighting Plans, Site Plan Sheets 12 and 13. Both designs provide a total of twenty (20) pole mounted fixtures at heights of thirty feet (30'), and sixteen (16) building mounted fixtures with mounting heights of thirty feet (30'). Per review of the initial lighting designs, both are generally well-prepared. Fact. 2. The details of the different light fixtures can be found on Detail Sheet – 5, Sheet 20 of 22. Fact. 3. One (1) SL-1 light has been listed in the schedule, but twelve (12) are shown in the plans. This item has been addressed. 4. Five (5) SL-2 lights have been listed in the schedule, but eight (8) are shown in the plans. This item has been addressed. 5. Point-to-point diagrams were provided to determine the adequacy of the lighting and compliance with the ordinance. Fact. 6. We recommend that non-security lighting be placed on timers. A note has been added to the lighting plan. This item has been addressed. 7. A final review of the lighting designs will be performed during resolution compliance review, if/when Board approval is granted. Fact. G. Utilities 1. Other than storm water management, proposed utility services design information (water, sewer, other) is not depicted on the initial design plans. This has been addressed. 2. Per review of the design plans and surveys, twelve inch (12") diameter gravity sanitary sewer and a twelve inch (12") diameter water main exist within Oak Street, along the frontage of proposed Building #33. 3. Neither existing nor proposed utilities are identified near the Towbin Avenue access for proposed Building #34. Said information must be provided in the final design (at a minimum). As indicated in the revised submission and the engineer's response letter, sanitary and water service will be provided from Oak Street. This is satisfactory for Board hearing purposes. 4. Final water and sewer designs for both new facilities will be subject to Lakewood Township Municipal Utilities Authority (LTMUA) review and approval. Fact. H. Signage 1. No detailed signage information was provided in the initial design (other than locations and details for directional signage). Testimony should be provided

regarding proposed new signage (if any) for each facility. Per the engineer's response letter, no new free standing signs are proposed for this project at this time. Geometry plan has been revised to remove unlabeled structures. 2. All signage proposed that is not reviewed and approved as part of this site plan application, if any, shall comply with the Township Ordinance. Fact. I. Environmental 1. Site Description A extensive amount of environmental information has been provided with this application, including but not limited to wetlands and buffer delineations, an Environmental Compliance Report (prepared to address NJDEP-CAFRA policies for NJDEP permitting purposes), and a geotechnical report. Fact. As depicted on the design documents and per NJDEP-GIS mapping, freshwater wetlands exist within the central and northern portions of the property. As referenced on Page 5 of the CAFRA Compliance Report, the wetlands and wetlands buffer delineations as depicted on the submitted surveys and design documents have already been reviewed and approved by the NJDEP. Fact. As referenced on page 5 of the CAFRA Compliance Report, in addition to the CAFRA permit required for the project, the applicant is requesting a General Freshwater Wetlands Permit for the Towbin Avenue access, as well as a Buffer Average/Transition Area Waiver approval necessary for construction of Building #34. Said improvements are depicted on Site Plan Sheet #7. Fact. NJDEP will review all associated environmental impacts associated with this project as part of the CAFRA/Land Use permit review process. Per review of the design and submitted environmental documents, the current design appears to comply with applicable NJDEP Land Use policies. Fact. 2. Tree Management Plan A Tree Protection Management Plan has been submitted. The final design, if approved, will be subject to the Township Tree Protection Ordinance as well as CAFRA tree clearing policies. Fact. J. Construction Details 1. Construction details are provided on Sheets 16-22 of 22 in the plan set. Fact. 2. All proposed construction details must comply with applicable Township or NJDOT standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete. Fact. 3. No details are shown for the Infiltration Trenches. This has been provided (detail sheet 2)4. Construction details will be reviewed during resolution compliance should approval be granted. Fact. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Developers Agreement; b. Township Tree Ordinance (as applicable); c. Lakewood Township Industrial Commission; d. Lakewood Fire Commissioners; e. Lakewood Township Municipal Utilities Authority (water and sewer); f. Ocean County Planning Board; g. Ocean County Soil Conservation District; h. NJDEP CAFRA, Wetlands Permitting; and i. All other required outside agency approvals.

Mr. Vogt stated a variance is requested for the 25 ft non-residential perimeter buffer. The setback is less than 100 ft but that would need to be approved by the Lakewood Industrial Commission.

Mr. Degrasio, Esq. on behalf of the applicant said they are proposing two warehouses which will be in an existing warehouse development. They will be buildings #33 and #34. They agree and can comply with all the comments in the engineers review letter. The front yard setback will be 91.72 ft and all of the other buildings on the street are at 50 ft so they believe the Industrial Commission would approve the variance. They are sharing parking spaces so they need the 25 ft perimeter buffer relief.

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

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

8. **SP 2080** (No Variance Requested)
Applicant: Erez Holdings, LLC
Location: Boulevard of Americas & New Hampshire Avenue
Block 961.01 Lots 2.03 & 2.06
Preliminary and Final Major Site Plan for a two story office building

Applicant is requesting to carry to the November 18, 2014 meeting. This project will not be heard.

9. **SD 1963** (Variance Requested)
Applicant: Nachman Taub
Location: Read Place
Block 855.02 Lot 26
Minor Subdivision to create two lots

Project Description

The applicant seeks minor subdivision approval for the subdivision of one (1) existing residential lot into two (2) equal sized residential lots for future single family dwellings. The project involves an existing forty-five thousand square foot (45,000 SF) property comprised of one (1) lot known as Lot 26 in Block 855.02. The proposed properties are designated as new Lots 26.01 and 26.02 on the subdivision plan would each contain twenty-two thousand five hundred square feet (22,500 SF). Existing Lot 26 is a vacant rectangular parcel that is lightly wooded. An existing fence and driveway encroach on the property, but they are indicated to be removed and relocated to adjoining Lot 34. Public water and sewer is not available. The site is situated in the central portion of the Township on the northeast side of Read Place, northwest of the intersection with New Hampshire Avenue. Read Place is an improved Township Road in fair condition with a fifty foot (50') right-of-way. No curbing or sidewalk exists. The pavement is being undermined by erosion of the adjacent soil at the gutter line. The site slopes toward the rear of the property and is wooded. Since public water and sewer is not available individual well and septic systems must be approved by the Ocean County Health Department. Overhead electric is located on the north side of Read Place. The surrounding lots are predominately residential uses. The lots are situated within the R-20 Single Family Residential Zone. Width variances are required for this proposed subdivision. We have the following comments and recommendations per testimony provided at the 8/12/14 Planning Board Plan Review Meeting and comments from our initial review letter dated August 5, 2014: I. Zoning 1. The parcel is located in the R-20 Single-Family Residential Zone District. Residential Housing with a minimum lot area of twenty thousand square feet (20,000 SF) is a permitted use in the zone. Statements of fact. 2. Minimum Lot Width variances are required for proposed Lots 26.01 & 26.02. Lot widths of seventy-five feet (75') are proposed. A one hundred foot (100') lot width is required. The Board shall take action on the required lot width variances. 3. 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. II. Review Comments 1. A bituminous concrete driveway and vinyl fencing from Lot 34 encroach onto proposed Lot 26.01. The plan indicates that the driveway and fencing will be relocated onto Lot 34. Statements of fact. 2. Sidewalk and curbing are proposed along the property frontage. This will eliminate pavement cracking due to erosion from flowing storm water down the gutter of the street which is undermining the road. Statements of fact. 3. Provide coordinates at a minimum of three (3) outbound corners. The General Notes indicate that horizontal datum has been assumed. The coordinates must be added to the Minor Subdivision Plan, not the Improvement Plan, for resolution compliance submission should approval be granted. 4. A proposed monument shall be provided for the northern most outbound corner. Since no existing corner marker is shown on the survey, a proposed monument shall be added for resolution compliance submission should approval be granted. 5. The

referenced rebar found shall be shown on the eastern most outbound corner. The existing corner markers shown on the survey are indicated in different locations on the Minor Subdivision Plan. Corrections must be made for resolution compliance submission should approval be granted. 6. The Legend shall be expanded. The Legend shall be expanded to include existing survey markers for resolution compliance submission should approval be granted. 7. The Surveyor's Certification has not been signed since all the corner markers have not been set. Statement of fact. 8. The General Notes and Zoning Data indicate that four (4) off-street parking spaces are required and four (4) off-street parking spaces will be provided per unit. Parking shall be provided in accordance with the Township Parking Ordinance. A minimum of four (4) spaces for a dwelling with a basement is to be provided. Parking shall be provided to the satisfaction of the Board. Statements of fact. 9. General Note #12 indicates that no freshwater wetlands are located on the site per a report by Aqua-Terra Environmental Services. A copy of the report shall be submitted. A copy of the "Wetlands Presence and Absence Report for Block 855.02, Lot 26" has been submitted to confirm that no freshwater wetlands are located on the site. 10. The Minor Subdivision Plan shows new lot numbers were assigned by the tax assessor's office. If approved, the map shall be signed by the tax assessor. The map shall be signed by the tax assessor prior to filing should approval be granted. 11. A Tree List proposes four (4) "October Glory Maple" street trees. Only two (2) locations of the proposed shade trees are shown on the Improvement Plan. Landscaping should be provided to the satisfaction of the Board, and should conform to recommendation (if any) from the Township Shade Tree Commission as practicable. The Tree List has been corrected. The Board should provide landscaping recommendations. Our site investigation indicates there are several large existing trees on-site. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review. Tree removal can be addressed with resolution compliance submission should approval be granted. 12. The Notes on the Improvement Plan require editing. The applicant/owner address shall be revised to "Towers Street" for resolution compliance submission should approval be granted. 13. The Improvement Plan indicates that seasonal high water table information will be provided at time of plot plan submittal. Test pits should be conducted to establish depth of the seasonal high water table. 14. The Improvement Plan indicates Storm Water Management will be provided with plot plan submittal. At a minimum, dry wells will be required for storm water management and shall be sized when plot plans are submitted. Storm water management will be designed at the time of plot plan preparation. 15. Public water and sewer is not proposed for the project. The Improvement Plan indicates that the new lots would be serviced by individual well and septic. Approval from the Ocean County Health Department would be required. Statements of fact. 16. The Improvement Plan proposes widening of Read Place to a fifteen foot (15') half pavement width. Proposed grading shall be added along with dimensions for the pavement tapers. Proposed grading with contours shall be completed for the widening of Read Place with resolution compliance submission if approval is granted. 17. The Improvement Plan indicates that proposed lot grading will be submitted with plot plans. Proposed lot grading will be developed at time of plot plan preparation. 18. Compliance with the Map Filing Law is required. Statement of fact. 19. Construction details should be revised on the Improvement Plan in accordance with the conditions of any approvals. At a minimum, a road widening detail will be required for resolution compliance submission should approval be granted. 20. Final construction details will be reviewed during compliance should subdivision approval be granted. Statement of fact. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following:

- a. Township Tree Ordinance (as applicable);
- b. Ocean County Planning Board;
- c. Ocean County Soil Conservation District;
- d. Ocean County Board of Health; and
- e. All other required outside agency approvals.

Mr. Glenn Lines, P.E., P.P. was sworn in. He said the 75 ft minimum lot width is typical of the area. He has read the engineer's review letter and can comply with all of the comments.

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

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

- 10. SP 2089AA** (Variance Requested)
Applicant: Bais Medrash of Albert Corp
Location: Albert Avenue
Block 855.06 Lot 15
Change of Use/Site Plan Exemption to put trailers on site for a synagogue

Project Description

The applicant is seeking Site Plan exemption/Change of Use approval for construction of a one-story, 40' by 59.5' Synagogue, including a 1,469 sf sanctuary space, one (1) library, one (1) lobby area and bathroom facilities. Two (2) trailers are depicted on the Change of Use plan, which appear to be proposed as elements of the proposed Synagogue building. The existing 2-story dwelling located in the center of the property would remain as a Rabbi's residence. A gravel access and parking area are proposed to serve the facility. As depicted in the architectural design plans, a +/- 3-foot crawl space is proposed under the floor area. The synagogue is a permitted use (with the Rabbi's residence as an ancillary structure). The site is located 699 Albert Avenue, on the east side, between Oak Street and South Street. The property has frontage on all three streets, with both accesses (synagogue and dwelling) from Albert Avenue. All three streets are improved. The property is rectangular in shape, and is 38,540 sf in area. The site is surrounded primarily by single-family residences. Per conditions as depicted on the Change of Use Site Plan, curbing exists along the Oak Street frontage, extending into the Albert Avenue frontage less than 75 feet (only). Otherwise, curbing and sidewalk do not exist along the property frontage, nor are proposed. The Synagogue are proposed to be served by on-site well and septic. I. Zoning 1. The property is located in the R-20 (Single Family Residential) Zone. Synagogues are a permitted use in the zone, subject to the requirements of Section 18-905 of the UDO. 2. Per review of the Site Plan and the zone requirements, the proposed synagogue appears to require rear yard setback relief (10 feet proposed, 20 feet required). No (other) bulk variance relief appears necessary for the project. 3. Relief appears necessary for the perimeter buffer requirements set forth in UDO Section 18-905 B(1)b, which requires a 20 foot wide residential buffer to adjacent residential uses, or supplemental vegetative buffer and/or fencing as stipulated in subsection 18-905B(3), to the satisfaction of the Board. The Synagogue and parking area are proposed within 10 feet of adjacent Lot 21. 4. The following design waivers are necessary (based upon the current application): a. Paving of parking lot. b. Shade Tree and Utility easements. d. Landscaping. e. Lighting. II. Review Comments 1. Per review of the design documents and the site plan application, the proposed sanctuary space is less than 1,500 sf. The proposed number of off-street spaces (7) appears to meet UDO requirements. Parking shall be provided to the satisfaction of the Board. 2. A copy of the 9/3/14 survey referenced in General Note #2 of the plan must be provided. 3. Confirming testimony should be provided that no on-site catering is proposed. 4. Landscaping (if any) shall be provided to the satisfaction of the Board (including but not limited to screening along adjacent Lot 21). 5. As indicated in the application documents, trash and recyclables will be disposed in robocans for collection by the Township DPW. On site location of containers for the Synagogue should be addressed (and screening if necessary). As such, DPW approval should be a condition of Board approval (if forthcoming). 6. Testimony should be provided regarding any existing or proposed security lighting associated with the proposed use. Similarly, lighting (including shields) should be provided if needed based on proposed hours of operation with the Synagogue. Testimony should be provided to the Board's satisfaction. 7. Numerous revisions to the Bulk Requirements Table must be provided on the final plan, including but not limited to lot width (Albert Avenue only), front yard setback (Oak Street), rear yard setback, and proposed building coverage calculations. Said changes may be

made as a condition of Board approval, if granted. 8. The following (final) Change of Use design plan information is necessary: a. Additional spot elevations for the parking and access drive, sidewalk and landings. b. The handicap accessible scissor ramp proposed on the north side of the Synagogue building must be incorporated into the Change of Use plan (as well as sidewalk for interior circulation purposes). c. Additional sidewalk must be provided in support of the steps proposed on the north side of the front landing. d. No design information is provided for the proposed access drive entrance. Design must be provided. e. A stop sign and markings should be provided for vehicles leaving the parking lot onto Albert Avenue as proposed. f. Locations of well and septic must be identified g. Construction details will be reviewed during compliance (if approved). Said changes can be performed during Compliance Review (if approved). 9. Any information necessary to document compliance with Section 18-905, "Places of Worship and Religious Facilities" of the UDO. 10. The applicant is responsible for obtaining all necessary outside agency approvals (including Ocean County Health approval for proposed well and septic).

Mr. Vogt stated that a rear yard setback variance is required. Relief is also sought from the perimeter buffer requirement. Design waivers are requested for paving of parking lot, curb, sidewalk along property frontages, shade tree, utility easements, landscaping and lighting.

Mrs. Miriam Weinstein, Esq. on behalf of the applicant stated this will be a temporary solution for this synagogue which is very much needed in the Albert area. Right now people are praying in a temporary location and they have been asked to leave there so they really need to get a synagogue quickly. The application showed two trailers and an addition that was going to connect those two trailers. Now it looks like the synagogue will be able to obtain other trailers rather than having to construct an addition to the two existing trailers. The variances are not going to change.

Mrs. Weinstein handed out plans to the members showing the alternative plan for additional trailers. It was marked as exhibit A-1.

Mr. Neiman said this is temporary and the applicant will be coming back before the Board to build a synagogue.

Mrs. Weinstein said that is correct.

Mr. Neiman asked how long.

Mr. Yosef Magid was sworn in. He said they are intending to build an actual structure when it is financially feasible. It is very hard for him to put time constraints on it. He asked for a five year limit.

Mr. Schmuckler stated that they have seen them trying to fund raise for the building.

Mr. Neiman wants to make sure there is enough on-site parking.

Mr. Magid said they currently have 8 parking spots.

Mr. Neiman said that is not enough and it is a big enough lot that they could have more than 8 spots.

Mrs. Weinstein said the residence is remaining on the lot.

Mr. Charles Surmonte, P.E. was sworn in. He said they could shift the building 10 ft or so to get in more parking.

Mr. Magid said there may be an issue with the septic.

Mr. Vogt asked where the septic is going.

Mr. Magid said the septic is going in between the second building and South Street.

Mr. Neiman would like to see a minimum of 14 parking spaces.

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

Mr. Neiman stated that the applicant will need to have at least 14 spaces. The best way to do that may be to move the trailers towards South Street and mirror the current parking lot. If that is not possible, due to the septic, the applicant will work with the board engineer.

Mr. Magid said that means the septic may be within the setback.

Mr. Vogt said that Ocean County Health Department would govern that. There is enough room on the property for it to be worked out.

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

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

Abstain: Mr. Rennert

- 11. SP 2090AA** (Variance Requested)
Applicant: Congregation Damesek Eliezer, Inc.
Location: West County Line Road & Teaberry Court
Block 27 Lot 1.26

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

Project Description

The applicant is seeking Site Plan Exemption/Change of Use approval for conversion of an existing two and a half-story single-family residential dwelling at 1051 West County Line Road into a 730 sf synagogue, Rabbi's office, two (2) libraries and supporting amenities. The existing basement will remain unfinished. As depicted on the site plan, Lot 16 is a rectangular-shaped 11,149.1 sf property with frontage on the north side of West County Line Road, less than 270 feet west of its intersection with Teaberry Court. West County Line Road is paved with curbing along the frontage (no sidewalk). Properties surrounding the site are predominantly single-family residential in nature. The property is developed in its existing condition, including a concrete driveway, 5 spaces and a garage. As noted on the Change of Use Site Plan, no new site improvements are proposed at this time. The property is situated within the R-12 Single Family Residential Zone. I. Zoning 1. The property is located in the R-12 Single-Family Residential Zone. Places of Worship are permitted in the zone, subject to the requirements of Section 18-905 of the UDO. 2. Per review of the Change of Use Site Plan, no new bulk variances are necessary for the change of use request. There are existing variance conditions associated with the house and property (lot area 11,149.1 sf vs. 12,000 sf minimum, and front yard setback 21.5 feet vs. 30 feet minimum). Additionally, there is an existing accessory building side yard setback variance condition for a shed (1 foot existing, 10 feet required). 3. Perimeter buffer relief is necessary for the converted synagogue near adjacent Lot 1.27 (17.5 foot existing setback). 4. Per review of the Change of Use Site Plan, the following design waivers are required for proposed project: • Providing landscaping. • Providing lighting. • Providing sidewalk along frontage. II. Review Comments 1. Testimony should be provided by the applicant for the Board to support the proposed change in use, including but not limited

to the following issues: a. How many congregants (maximum) are anticipated for the sanctuary use? b. Are any other ancillary uses (i.e., school, residential, other) proposed with this change of use? c. What is the anticipated parking demand for the sanctuary use? d. Is catering proposed at this facility? e. Is future expansion of the existing building (dwelling) proposed? 2. Per Section 18-905A of the UDO, off-street parking for places of worship is not required where main sanctuaries are less than 800 sf, exclusive of secondary sanctuary space, kitchen, support rooms and other facilities. As such, no off-street parking is required per the UDO. However, five off-street spaces exist as noted on the change of use plan (excluding the existing garage). 3. Per General Note #8 on the change of use plan, curbside pickup of trash is proposed. 4. No new landscaping is proposed. Landscaping shall be provided to the satisfaction of the Board. 5. Testimony should be provided regarding proposed lighting (if any). Lighting shall be provided to the satisfaction of the Board. 6. Information and/or testimony should be provided that existing utilities serving the building are adequate for the proposed synagogue use. 7. The applicant should confirm that the existing basement will remain unfinished for the proposed change of use. 8. The site plan waiver (if approved) does not relieve the applicant's obligation to obtain necessary outside agency approvals, building permits and construction code reviews.

Mr. Vogt stated that there are no new bulk variance conditions. There are pre-existing conditions with the house on the property. Perimeter buffer relief is being sought as well as design waivers for landscaping, lighting and providing sidewalk along frontage.

Mrs. Miriam Weinstein, Esq. stated the main sanctuary space is less than 800 sf so there is no parking requirements, however, they are providing 5 parking spaces. This will mainly be a shabbos shul so they are really only dealing with pedestrian traffic. No exterior improvements are being proposed. A variance is requested for the existing undersized lot. The lot is 11,149.1 sf whereas 12,000 sf is required. The front yard setback is 21.5 ft where 30 ft is required. There is a shed which is close to the property line that would need a variance for an accessory structure. That shed will be removed so there is no need for a variance.

Mr. Glenn Lines, P.E., P.P. was sworn in.

Mr. Neiman said if he wants to put in the resolution that the applicant must come back to address parking if the shul is open during the week and not just on shabbos.

Mr. Schmuckler asked if the basement will be used as a catering hall.

Mrs. Weinstein said there are no plans for that.

Mr. Neiman said it is an old house and the ceilings are not high.

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

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

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

12. SP 2091AA (No Variance Requested)

Applicant: Kehillas Yoel Yaakov, Inc.

Location: Ridge Avenue & County Line Road East

Block 186.03 Lot 1.06

Change of Use/Site Plan Exemption for an addition to an existing house to be used as a synagogue

Project Description

The applicant is seeking Site Plan Exemption/Change of Use approval for a proposed 26' by 36', one-story addition to an existing one story single-family residential dwelling at 1331 Ridge Avenue. Per review of the documents, it appears that the residential use will remain, with the addition proposed to function as a synagogue (with less than 800 sf main sanctuary space proposed. As depicted on the site plan, Lot 16 is a irregular-shaped 18.406 sf property located on the northeast corner side of Ridge Avenue and East County Line Road. Both frontages are improved, including curb and sidewalk. Properties east of this site are are predominantly single-family residential in nature. The property is developed in its existing condition, including a concrete driveway, interior walkway (for the residence) and shed. As noted on the Change of Use Site Plan, the only new site improvements proposed at this time are a concrete sidewalk from providing access from the northwest corner of the synagogue to existing sidewalk along Ridge Avenue, and steps and a connecting walkway from the addition to the existing residence. I. Zoning 1. The property is located in the R-15 Single-Family Residential Zone. Places of Worship are permitted in the zone, subject to the requirements of Section 18-905 of the UDO. 2. Per review of the Change of Use Site Plan, no bulk variances are necessary for the change of use request. 3. Perimeter buffer relief is necessary for the synagogue/building addition near adjacent Lot 1.05 (20 foot existing setback). 4. Per review of the Change of Use Site Plan, the following design waivers are required for proposed project: • Providing landscaping. • Providing lighting. II. Review Comments 1. Testimony should be provided by the applicant for the Board to support the proposed change in use, including but not limited to the following issues: a. How many congregants (maximum) are anticipated for the sanctuary use? b. Are any other ancillary uses (i.e., school, residential, other) proposed with this change of use? c. What is the anticipated parking demand for the sanctuary use? d. Is catering proposed at this facility? e. Is future expansion of the existing building (dwelling) proposed? 2. Per Section 18-905A of the UDO, off-street parking for places of worship is not required where main sanctuaries are less than 800 sf, exclusive of secondary sanctuary space, kitchen, support rooms and other facilities. The applicant must confirm that less than 800 sf of main sanctuary space is proposed. The existing concrete driveway meets the four (4) off-street parking space requirement for single-family dwellings. Parking shall be provided to the satisfaction of the Board. 3. Per General Note #7 on the change of use plan, curbside pickup of trash via robo cans is proposed. 4. No new landscaping is proposed. Landscaping shall be provided to the satisfaction of the Board. 5. Testimony should be provided regarding proposed lighting (if any). Lighting shall be provided to the satisfaction of the Board. 6. Information and/or testimony should be provided that existing utilities serving the building are adequate for the proposed synagogue use. 7. If approved, Plot Plan approval for the proposed improvements will be required from the Township Engineering Department. At the discretion of the Township Engineer, on-site drainage measures (e.g., dry wells/other) may be required. 8. The site plan waiver (if approved) does not relieve the applicant's obligation to obtain necessary outside agency approvals, building permits and construction code reviews.

Mr. Vogt stated that no variances are being requested, however, relief is being sought from the perimeter buffer. Design waivers are requested for landscaping and lighting.

Mrs. Miriam Weinstein, Esq. on behalf of the applicant stated this application is to convert an addition to an existing residence to a synagogue. The Rabbi saw there was a great need in the area for a synagogue. They allowed prayers in their dining room and have now built an addition to convert into a synagogue. The main sanctuary space is less than 800 sf so no parking is required. This synagogue typically hosts about 25 families. It is predominately a shabbos synagogue although there are evening services. There are no morning or afternoon services. They have been parking on the street and so far there has been no issues. There will not be a catering hall or school on the premises.

Mr. Neiman asked where people parking in the evening.

Mrs. Weinstein said they park on the street.

Mr. Glenn Lines, P.E., P.P. was sworn in. He said there may be room to put parking on the County Line Road side.

Mrs. Weinstein said there is a cemetery across the street so there is available parking there.

Mr. Schmuckler asked if it is a 15 minute prayer ceremony or are they learning as well.

Mrs. Weinstein said it is only the 15 minute prayers.

Mr. Herzl asked how many parking spaces are in the front.

Mr. Lines said they can probably double stack parking and maybe get 6 parking spaces in off East County Line Road. He is trying to avoid adding spaces on Ridge Avenue as that is a County Road. East County Line Road is also County but it is already improved.

Mr. Schmuckler asked if there is a sidewalk that leads to the entrance.

Mr. Lines said yes, they will make sure it leads from the parking to the main door.

Mr. Neiman opened to the public.

Mr. Mike Stillwell, 950 Brook Road, was sworn in. He said he has issues with the parking. People do park on the opposite side of the road and are up against the fence at different times. The parking that is on County Line Road is on both sides. He said there is traffic there as there is a school down the street with school buses coming down Ridge Avenue. There is a spot on the side of the road that is not made for parking where they are currently parking anyway.

Mr. Neiman asked when they are parking there.

Mr. Stillwell said whenever they have their services.

Mr. Neiman said it is not only at night.

Mr. Stillwell said that is correct. It is during the day as well. He has no objection to the synagogue but the area is very congested to begin with. He would like them to only park on one side of County Line Road. If they park on both sides, the school buses cannot get in and out as well as any emergency vehicles. He would like no parking in front of the cemetery as there is only 2 ft before the fence.

Mr. Schmuckler asked if they can request the County to have no parking.

Mr. Vogt said you can request but he doesn't know if they would approve it.

Mr. Stillwell would like to speak with the applicant concerning the parking.

Mr. Neiman tabled the application for the time being so the applicant can come to the meeting and speak. He will reopen to the public at that time.

Mr. Stillwell spoke with the applicant and he has agreed to speak with his congregation to tell them that parking is limited to certain areas. Parking on Ridge Avenue is prohibited but there are no signs and there is a white line.

Mr. Neiman asked how people know if there is no parking there.

Mr. Stillwell said it has been that way forever.

Mr. Neiman said he would like to see at least 5 parking spaces on the lot. If the applicant cannot do that, they would have to make sure to seek the County to get signage on Ridge Avenue for no parking.

Mr. Rabbi Blumenthal was sworn in. He said there is a very wide area on Ridge Avenue to park. The other side you cannot park on as there is no shoulder. There is signage on that side of Ridge Avenue.

Mr. Schmuckler said that they would like the applicant to request from the County on East County Line Road to have no parking on the opposite side.

Mr. Blumenthal said then the neighbors won't be able to park there as well.

Mr. Stillwell is just asking that the Rabbi speak to his congregation to make sure they do not park on both sides of East County Line Road.

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

7. CORRESPONDENCE

- **SP 1994AA** – Request to utilize existing buildings on site as school

Mrs. Miriam Weinstein, Esq. stated the applicant had previously gone before the Board and the applicant wanted to convert a huge farm with a barn. He wanted to convert the barn into a school but he did not have architectural drawings for the barn so it did not get approved. The site is being used as a school and he would like to switch the school from the front house to one of the back houses. The rooms in the front house are not large enough to accommodate classrooms.

Mr. Schmuckler asked if they are proposing any change to the actual construction of the site.

Mrs. Weinstein said no.

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

- **SP 2087AA** – Requested exemption from site plan requirement for two-story building addition

Mrs. Morris stated this is for a two story addition with no variances.

Mr. Vogt stated they have no site issues that they would have to go to the Board.

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

Affirmative: Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Rennert

- **SD 1817** – Request to change fence type surrounding stormwater management basin

Mrs. Morris stated the applicant would like to do a 6 ft high change link fence in place of post and rail. The engineering inspector said it is at the end of a cul-de-sac and he suggested that some bollards be installed.

A motion was made and seconded to approve.

Affirmative: Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Rennert

8. PUBLIC PORTION

9. APPROVAL OF BILLS

10. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Sarah L. Forsyth
Planning Board Recording Secretary