

1. CERTIFICATION OF COMPLIANCE

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

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

2. ROLL CALL

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

3. SWEARING IN OF PROFESSIONALS

Mr. Vogt was sworn in.

4. MEMORIALIZATION OF RESOLUTIONS

- SP 2055** (Variance Requested)
Applicant: New Hampshire Holdings, LLC
Location: New Hampshire & America Ave
Block 549.02 Lot 2
Preliminary and Final Major Site Plan for retail buildings

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

- SD 1934** (No Variance Requested)
Applicant: Benjamin Weber
Location: 1105 East County Line Road & Brook Road
Block 175.02 Lot 1, 2, & 4
Preliminary and Final Major Subdivision to create 8 single-family lots and 1 commercial lot

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

- SP 2063** (Variance Requested)
Applicant: Benjamin Weber
Location: 1105 East County Line Road & Brook Road

Block 175.02 Lot 1, 2, & 4
Preliminary and Final Major Site Plan for a combined retail and office building

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

4. **SP 2052** (Variance Requested)
Applicant: Congregation Sarah Faiga, Inc
Location: 1518 Tanglewood Ave
Block 25.06 Lot 17
Preliminary and Final Major Site Plan for proposed synagogue

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

5. PLAN REVIEW ITEMS

1. **SD 1933** (Variance Requested)
Applicant: Fourth Street Properties, LLC
Location: 886 River Ave
Block 430 Lot 10
Major Subdivision to create five lots

Project Description

The applicant is seeking a Preliminary and Final Major Subdivision approval. The applicant proposes the subdivision of an undersized commercial lot to create a smaller commercial lot and to provide two (2) duplex buildings on four (4) proposed zero lot line properties. The existing commercial lot known as Lot 10 in Block 430 is proposed to be subdivided into proposed Lots 10.01 through 10.05 on the Major Subdivision Plan. Proposed Lot 10.01 would be the smaller commercial lot. Proposed Lots 10.02 through 10.05 would be for the duplex buildings on the zero lot line properties. The subject property is located on the northwesterly corner of Cushman Street and Route 9 in the southwest portion of the Township. Route 9 is an improved State Highway with a sixty-six foot (66') wide right-of-way in front of the site. Curb and sidewalk exist and the Highway will not be altered as a result of this project. Cushman Street is an improved municipal road in good condition with a sixty foot (60') right-of-way width and a thirty foot (30') pavement width. The half right-of-way width in front of the site is thirty-five feet (35'). As a result, a partial vacation will be proposed for some of the right-of-way for use in creating zero lot line properties. There is a missing stretch of existing sidewalk which would be constructed in front of the proposed duplexes. Otherwise, the existing sidewalk and curb along Cushman Street is in good condition. The proposed subdivision is contingent upon a proposed 10' X 140' right-of-way vacation on the north side of Cushman Street. This proposed area would provide enough square footage for the zero lot line properties to meet the Minimum Lot Area requirements. The proposed vacation would have to be approved by the Township Committee. The site is currently occupied by a commercial structure with parking on both the

east and west sides of the building. However, almost half of the site, the western side, is undeveloped light woods. There are some large trees within these light woods and they have been located on the survey. The existing developed portion of the site would remain and the woods cleared to make way for the proposed subdivision. The existing 0.94 acre area of the site generally slopes toward the southeast. The elevations drop around ten feet (10') from about one hundred nine (109) to approximately ninety-nine (99). Existing sanitary sewer and potable water are available for the subdivision in Cushman Street. Four (4) off-street parking spaces are proposed for each residential lot. Twenty-nine (29) off-street parking spaces exist for the commercial use. The subject site is located within the HD-7 Highway Development Zone District. The site is situated adjacent other commercial and residential development. We have the following comments and recommendations: 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. C13 -- Environmental Impact Statement. The applicant's engineer indicates that the surrounding properties are all developed and the drainage patterns have been established. We concur with the applicant's engineer's opinion and can support the submission waiver requests for off-site information within two hundred feet (200'). The applicant's engineer is requesting a waiver from the requirement of providing an Environmental Impact Statement since the surround lots are fully developed and there is no environmentally sensitive area on the subject property. We concur with the applicant's engineer's opinion and can support the submission waiver request from an Environmental Impact Statement. II. Zoning 1. The site is situated within the HD-7, Highway Development Zone District. Per Section 18-903H.2., of the UDO, "duplexes" are a Condition Use subject to Section 18-1014. Testimony shall be provided on the use of the existing commercial building to remain in order to determine whether it is a permitted use. 2. Buffering must be addressed between proposed Lot 10.01 and 10.02. 3. A Minimum Lot Area variance is required for proposed Lot 10.01. A lot area of 25,312 square feet is proposed, whereas one acre (43,560 SF) is required. 4. A Minimum Lot Frontage variance is required for proposed Lot 10.01. A lot frontage of one hundred twelve feet (112') is proposed along River Avenue (Route 9), whereas one hundred fifty feet (150') is required. This same condition exists with the current property, Lot 10. 5. Minimum Front Yard Setback variances are required for proposed Lot 10.01. A front yard setback of 55.1 feet is proposed from River Avenue (Route 9), whereas a front yard setback of seventy-five feet (75') from a State Highway is required. A front yard setback of 36.4 feet is proposed from Cushman Street, whereas a front yard setback of fifty feet (50') is required. These same conditions exist with the current property, Lot 10. 6. A Minimum Rear Yard Setback variance is required for proposed Lot 10.01. A rear yard setback of 29.3 feet is proposed, whereas fifty feet (50') is required. This same condition exists with the current property, Lot 10. 7. The existing site identification sign for proposed Lot 10.01 does not have the required fifteen foot (15') minimum setback. Zoning information is required for the sign to determine whether any other relief by the Board must be approved. The sign may also be regulated by the NJDOT Desired Typical Section. 8. Off-street parking must be addressed for proposed Lot 10.01. 9. According to our review of the Major Subdivision Plan and the zone requirements, the following variances are required for the zero lot line residential portion of the subdivision approval requested: • Minimum Rear Yard Setback – The proposed decks would be located less than fifteen feet (15') from the rear lot line, whereas fifteen feet (15') is required. 10. The applicant must address the positive and negative criteria in support of the required variances. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. III. Review Comments A. General 1. The proposed Subdivision is subject to a right-of-way

vacation which must be approved by the Township Committee. 2. A separate Topographic Survey has been submitted. The following corrections along with the inclusion of an Outbound Survey shall be submitted: a. The addition of riverbed gravel to the west of the parking lot. b. The addition of concrete aprons and depressed curb at the vehicular site access driveways. c. Switching the utility pole along the access driveway to a site lighting pole. d. Showing the HVAC units behind the building on concrete pads. e. The addition of a missing concrete area behind the northeast side of the building. f. The addition a landscape tie wall along the east side of the building. g. The location of traffic signs within the right-of-way. h. The erasure of two (2), two hundred seventeen foot (217') dimensions which are in conflict with the overall dimensions of the site. 4. 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 which is enough to be in compliance with the RSIS and Township standards of four (4) off-street parking spaces required. Up to six (6) bedrooms per unit with an unfinished basement are permitted for this project to be in compliance with parking ordinance 2010-62. The construction plans imply that basements will be proposed. 5. The applicant shall confirm that trash and recyclable collection for the residential portion of the subdivision is to be provided by the Township of Lakewood. Each unit shall have an area designated for the storage of trash and recycling containers. 6. The proposed lot numbers shall be approved by the Tax Assessor. The Final Plat shall be signed by the Lakewood Tax Assessor. 7. The existing curbing and paving on Cushman Street is in excellent condition. As a result of the proposed water and sewer service connections, and new driveway construction, more than twenty percent (20%) of the road in front of the residential subdivision will be disturbed. Road restoration with a full overlay and one (1) side curb replacement will be required for the entire length of the residential subdivision. The construction details must be designed to show the required improvements. 8. In accordance with 18-911F., a written agreement signed by the owner of the property, "Owners Agreement", shall be filed with application for approval, and shall include provisions as determined to be appropriate by the Planning Board, for resolving the following items associated with the use, maintenance, and repair of common areas and facilities. 9. The General Notes indicate that final architectural dimensions of the proposed dwellings are not determined at this time. The allowable building coverage will not be exceeded. 10. Testimony should be provided on the proposed uses for the commercial portion of the subdivision to insure compliance with Section 18-903H., of the ordinance. B. Plan Review 1. The General Notes must be edited, particularly the nonresidential requirements of the HD-7 Zone. 2. Zones and Zone Boundary Lines should be added to the plans. 3. The area of the proposed right-of-way vacation should be corrected to one thousand four hundred square feet (1,400 SF). 4. The proposed setback lines should be based on the future outbound and provided for all lots. 5. The proposed lot depth dimensions shall be provided for the residential lots. 6. The proposed side yard setback dimension of 65.4 feet for new Lot 10.01 shall be corrected. 7. The proposed lot area for new Lot 10.01 shall be corrected to 25,312 square feet. 8. The title on the Cover Sheet shall be corrected. 9. Sidewalk is proposed for the residential subdivision. Proposed sidewalk shall be five feet (5') wide, unless pedestrian bypass areas are designed. 10. Sight Triangle Easements to the Township should be proposed at the two (2) vehicular intersection points along Cushman Street. 11. The plans do not show any existing NJDOT Sight Triangle Easements. 12. Six foot (6') wide Shade Tree and Utility Easements are proposed along the residential portion of the road frontage. Six foot (6') wide Shade Tree and Utility Easements shall be proposed along the commercial portion of the road frontages. All proposed easements shall be completed with bearings, distances, and areas provided on an individual lot basis. 13. The Improvement Plans should have typical dimensions completed. 14. Dimensions should be provided for the building on the commercial portion of the subdivision. 15. The minimum floor area for the commercial

use shall be added to the Zone Schedule for the commercial portion of the subdivision to insure Section 18-903H., of the ordinance is complied with. 16. Twenty-nine (29) off-street parking spaces have been shown on the commercial portion of the subdivision. Of these, two (2) of the spaces are ADA accessible. However, the ADA spaces are not to code. Revisions are required. 17. A loading zone has not been shown for the commercial portion of the subdivision. A size should be specified, along with testimony on operation. 18. An existing refuse enclosure is depicted in the northwest corner of the proposed commercial lot of the subdivision which is in need of repair. Testimony is required from the applicant's professionals addressing who will collect the trash. If Township pickup is proposed, approval from the DPW Director is necessary. The waste receptacle area should be upgraded, screened on three (3) sides, and designed in accordance with Section 18-809E., of the UDO. C. Grading 1. Grading is provided for the residential portion of the subdivision on an Improvement Plan which is Sheet 2 of 5. 2. Minimal grading is provided for the commercial portion of the subdivision. 3. More proposed spot elevations are required to review the grading scheme. 4. A detailed review of the grading can be completed during compliance submission; if/when this subdivision and subsequent site plan is approved. D. Storm Water Management 1. Our review of the project indicates it will be classified as Major Development since more than a quarter acre of impervious surface will be added. As a result, the project must meet water quality and water quantity reduction rate requirements. A Storm Water Management Report shall be submitted for review. 2. Soil borings and permeability testing must be provided within the proposed project to confirm the seasonal high water table depth and infiltration rates should underground recharge be designed. 3. Drainage Area Maps must be provided for our review of the Storm Water Management Report and Design. 4. The Storm Water Management Report and Design will be reviewed in detail after a revised submission of the project is made. 5. A Storm Water Management Operation & Maintenance Manual shall be submitted for the residential portion of the 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. E. Landscaping 1. Proposed landscaping is illustrated on the Improvement Plan. Five (5) Green Vase Zelkova shade trees have been provided in front of the residential units on Sheet 2 of 5. Winter Green Boxwood shrubs are proposed for screening of the residential HVAC equipment. 2. All proposed Easements shall be added to the Plan. Except for the proposed shade tree and utility easements, landscaping should not be located in the easements. 3. Proposed utility connections have been shown to avoid planting conflicts. 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 site will be cleared as necessary for the construction of the project. Compensatory plantings shall be addressed with the Tree Protection Management Plan. 5. Landscaping shall be reviewed in detail after compliance submission should subdivision approval be granted. F. Lighting 1. There is existing street lighting on Cushman Street. There is existing site lighting on proposed Lot 10.01. No additional street lighting or site lighting is proposed. 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. Utility information is provided on Sheet 2. As illustrated, the existing sanitary sewer main is in the center of Cushman Street. Proposed sewer laterals will be installed from the future individual units and connect to the system. 3. Proposed potable water services will be installed from the future units to an existing main on the opposite side of Cushman Street. 4. Testimony should be provided regarding other proposed utilities. Additional underground connections will be required if gas is proposed. H. Signage 1. An existing project sign is indicated for the commercial portion of the subdivision. The sign is located within the required minimum setback of fifteen feet (15') from the right-of-

ways. No construction detail is provided with the current design submission. Zoning information is required for the sign to determine whether any other relief besides setback must be approved by the Board as part of the application. 2. 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 undeveloped portion of the site is vegetated, including an oak-pine forested upland. 2. Environmental Impact Statement A waiver from an Environmental Impact Statement (EIS) has been requested for the project due to the surrounding lots being fully developed. 3. Tree Management A Tree Protection Management Plan will be required as a condition of approval. The plan shall be completed in accordance with current ordinance Chapter XIX, Protection of Trees. J. Construction Details 1. Construction details are provided on Sheet 5 of 5. 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. Many corrections are required to the Final Plat. 2. Compliance with the Map Filing Law is required. 3. 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. Township Committee (right-of-way vacation); b. Developers Agreement at the discretion of the Township; c. Township Tree Ordinance; d. Ocean County Planning Board; e. Ocean County Soil Conservation District; and f. 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 submission waivers have been requested for topography, contours, man-made features within 200 ft and EIS. The waivers are supported.

A motion was made by Mr. Follman, seconded by Mr. Sussman to approve the waivers.

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

Mr. Vogt stated that variances are required for minimum lot area, frontage, front yard setback, rear yard setback and potentially for the zero lot subdivision portion, rear yard setback.

Mr. Adam Pfeffer, Esq. on behalf of the applicant. He stated that he has no issues with the engineer's review letter. All of the variances are pre-existing as of today. The lot area variance is being expanded.

Mr. Schmuckler is concerned because the existing building is within the Route 9 corridor. If Route 9 gets widened they wouldn't have a place to put parking.

Mr. Vogt said it is a valid concern.

Mr. Schmuckler said there needs to be some sort of plan in place in case the State does widen Route 9.

Mr. Pfeffer said testimony will be provided at the public hearing.

A motion was made by Mr. Follman, seconded by Mr. Schmuckler to advance this application to the June 24, 2014 meeting. No further notices.

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

2. **SD 1920** (No Variance Requested)
Applicant: School Gardens Realty
Location: 52 Holly Street
Block 243.01 Lots 6.05, 6.06, 6.07, & 12
Minor Subdivision to re-align lot lines

Project Description

The applicant is seeking a Minor Subdivision approval. The applicant proposes the relocation of the rear lot line of Lot 12 to increase the lot area to twenty thousand square feet (20,000 SF). The subject property (Lot 12) is located on the westerly side of Holly Street, in the north central portion of the Township, two hundred feet (200') north of Bergen Avenue. The existing irregular 19,427 square foot property has approximately one hundred sixty feet (160') of frontage on Holly Street. Holly Street is an improved municipal road with a right-of-way width of sixty feet (60') and a pavement width of approximately thirty-six feet (36'). There is existing curb and sidewalk along the frontage of Lot 12. The site is currently occupied by an existing two-story residential dwelling with a detached garage. The land is pretty flat, but generally the site slopes to the east toward Holly Street. Some very large trees also exist on the site. In order to create the proposed subdivision, land would be taken from the recently filed major subdivision, which was Application # SD-1894. The minor subdivision submitted for review indicates that property is being taken from existing Lots 6.05 – 6.07. Since the proposed project consists of recently created lots from a filed major subdivision, it is the opinion of this office that this project should actually be an amended major subdivision. Furthermore, it appears the ultimate goal is to subdivide the future twenty thousand square foot (20,000 SF) proposed Lot 12.01 into four (4) zero lot line properties. We have the following comments and recommendations: I. Zoning 1. The applicant's professionals should demonstrate to the Board's satisfaction why this project should not be resubmitted for Amended Major Subdivision Approval. Statement of fact.

Mrs. Morris stated that the applicant asked this be heard at one meeting.

Mr. Rennert stepped down.

Mr. Vogt stated this is a minor subdivision to convey a strip of land less than 10 ft from one portion to another.

Mr. Flannery said they are taking a strip of land from the back of the four lots.

A discussion ensued about whether or not this application should have been noticed.

Mr. Doyle said this is a minor subdivision with no variances. It does not need to be noticed.

Mr. Neiman said he is fine approving it as it is the applicant's risk.

Mr. Banas is not comfortable with it.

Mr. Flannery said this is just a minor lot alignment. Nothing physical is being changed.

Mr. Jackson asked if the applicant is willing to deed restrict lot 12. Once this is subdivided, it could be sold to someone else not knowing any of this.

Mr. Doyle prefers it be a condition in the resolution stating that any further subdivision of the southern lot shall come before the Board. The resolution will be recorded.

Mr. Jackson just needs to verify who the title company is.

Mr. Schmuckler would like it noted on the map as well.

Mr. Flannery agrees with that. The map will also be filed.

Mr. Flannery, P.E., P.P. was sworn in. He affirmed to everything he stated earlier. He said the width of the strip of land in question is 8.1 ft.

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. Follman to approve.

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

- 3. SD 1942** (Variance Requested)
Applicant: Aaron Finkelstein
Location: 121 East 7th Street
Block 231 Lot 33
Minor Subdivision to create two fee-simple duplex lots

Project Description

The applicant seeks minor subdivision approval for the subdivision of one (1) existing residential lot into two (2) residential lots for a zero lot line duplex. The project involves an existing 10,453.54 square foot (0.24 acre) property comprised of one (1) lot known as Lot 33 in Block 231. The proposed properties are designated as new Lots 33.01 and 33.02 on the subdivision plan. Existing Lot 33 is an irregular corner parcel containing a frame dwelling and detached garage. The subdivision plan indicates all existing structures would be removed. A duplex is proposed for new Lots 33.01 and 33.02. Public water and sewer is available. Curb and sidewalk exists along the frontage of the entire property. The site is situated in the northern portion of the Township on the northeast corner of Park Avenue and East Seventh Street. Both streets are fully improved Township Roads in fair condition. Park Avenue has a fifty foot (50') right-of-way and East Seventh Street has a sixty foot (60') right-of-way. Proposed Lots 33.01 and 33.02 would become zero lot line properties for the proposed duplex, with main frontage on East Seventh Street. The zero lot line properties would have a combined area of just over ten thousand square feet (10,000 SF). The site is relatively flat and contains a few large trees. Sanitary sewer exists under the centerline of the roads. Potable water is readily available under the north side of East Seventh Street. Overhead electric is located on the north side of East Seventh Street. The surrounding lots are predominately residential uses. The lots are situated within the R-7.5 Single Family Residential Zone. Variances are required for the proposed subdivision. We have the following comments and recommendations: I. Zoning 1. The parcel is located in the R-7.5 Single-Family Residential Zone District. Zero Lot Line Duplex Housing with

a minimum combined lot area of ten thousand square feet (10,000 SF) is a permitted use in the zone. 2. A Front Yard Setback variance is required for proposed Lot 33.01. A front yard setback of 15.85 feet is proposed to Park Avenue. A twenty-five foot (25') front yard setback is required. 3. A Side Yard Setback variance is required for proposed Lot 33.02. A side yard setback of five feet (5') is proposed. A seven foot (7') side yard setback is required. 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. II. Review Comments 1. We have reviewed the Outbound & Topographic Survey Plan provided and the following revisions are required: a. Provide an area for Lot 33. b. Complete the existing improvements such as wood fencing, decking, gates, and a shed. c. Add the existing signs and poles within the right-of-ways of the frontages. d. Correct the location of the existing inlet in the Park Avenue right-of-way. The inlet is closer to the intersection within the north edge of the sidewalk. e. Locate the large trees for future compliance with the Township Tree Ordinance. 2. The existing fencing is encroaching into the right-of-ways. However, this existing fencing is being removed. 3. Our site investigation noted the existing driveway along the Park Avenue frontage is providing vehicular access to an off-street parking area on neighboring Lot 32. The approval of this subdivision will eliminate this access. Testimony must be provided. 4. Zones and Zone Boundary Lines shall be added to the Map. 5. Proposed monuments should be provided for all outbound corners. 6. The Legend shall be revised to "monument to be set". 7. The date on the Surveyor's Certification shall be revised to 2/26/14. The certification has not been signed since the monuments are not in place. 8. According to the architectural plan, the 51.42 foot building dimension shall be corrected to 52.42 feet. 9. A 30' X 30' Sight Triangle Easement to Lakewood Township is proposed at the intersection of Park Avenue and East Seventh Street. 10. Four (4) off-street parking spaces will be provided per unit. The architectural plan provided indicates that the units will contain five (5) bedrooms with unfinished basements. Therefore, four (4) off-street parking spaces per unit will be required. Four (4) off-street parking spaces for the proposed unit on new Lot 33.01 will be side by side perpendicular spaces to East Seventh Street. The four (4) off-street parking spaces for the proposed unit on new Lot 33.02 will be split, with two (2) each located along East Seventh Street and Park Avenue. Parking should be provided to the satisfaction of the Board. 11. Since a basement is already proposed for the duplex, seasonal high water table information must be provided. The General Notes indicate that seasonal high water table information will be provided with plot plan submittal. 12. 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. 13. 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. 14. Six foot (6') wide shade tree and utility easements dedicated to the Township are proposed along the property frontages of new Lots 33.01 and 33.02. The proposed easement information and areas are shown on an individual lot basis. 15. A Tree List proposes seven (7) "October Glory Maple" street 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. 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. 16. The Improvement Plan shall be revised to replace curb and sidewalk at all old and new driveway locations along the property frontage of new Lots 33.01 and 33.02. Detectable warning surface shall be proposed at the intersection. A note on the plans indicates that any existing sidewalk and curb shall be replaced at the direction of the Township Engineer. 17. Testimony is required

on the disposition of storm water from the development. The project is too small to qualify as major development. At a minimum, dry wells will be required for storm water management and shall be provided when plot plans are submitted. 18. The existing contour lines on the Improvement Plan do not coordinate with the existing elevations shown on the Survey. Corrections are required, and proposed grading must be indicated on the Improvement Plan. 19. Should proposed utility connections disturb more than twenty percent (20%) of the road length along a site frontage, an overlay would be required. 20. Due to no construction proposed at this time, the Board may wish to require the cost of improvements to be bonded or placed in escrow to avoid replacing them in the future. 21. Compliance with the Map Filing Law is required. 22. Construction details should be revised on the Improvement Plan in accordance with the conditions of any approvals. 23. Final construction details will be reviewed during compliance should subdivision 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 (as applicable); b. Ocean County Planning Board; c. Ocean County Soil Conservation District; and d. All other required outside agency approvals.

Mr. Vogt stated that variances are required for front yard and side yard setback.

Mrs. Miriam Weinstein, Esq. on behalf of the applicant.

Mr. Glenn Lines, P.E. stated that he has no issues with the engineer's review letter.

Mr. Schmuckler wants to make sure the egress and ingress of the driveways are shown on the plan because it is a busy intersection.

A motion was made by Mr. Follman, seconded by Mr. Schmuckler to advance this application to the May 20, 2014 meeting. No further notices.

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

- 4. SP 2064** (Variance Requested)
Applicant: Lev Avoth Foundation Inc
Location: 232 Iris Road
Block 19 Lot 4
Preliminary and Final Site Plan for an addition to an existing synagogue

Project Description

The applicant is seeking Preliminary and Final Site Plan approval for the construction of a one-story addition and basement to the existing one-story synagogue, on the subject premises. The project site consists of Lot 4 in Block 19, situated in the R-12 Zone. The site is in the northwestern portion of the Township, on the southwest corner of Oak Knoll Road and Iris Road. Oak Knoll Road is an improved municipal road with a sixty foot (60') right-of-way and about a forty foot (40') pavement width. The road is in fair condition with existing curb and sidewalk across the project frontage, also in fair condition. Iris Road is an improved municipal roadway in fair condition with a fifty foot (50') right-of-way and roughly a thirty foot (30') pavement width. Curb and sidewalk in fair condition exist along this project frontage. Sanitary sewer and potable water are available and currently serve the existing lot. According to the site plan and our site investigation, the property is within a residential area. Lot 4 is a corner

property and contains the existing one-story synagogue for which an addition is proposed. The surrounding properties contain residential uses. Per our site investigation, the site slopes southward toward Lake Carasaljo. There are some large existing trees on the site which have not been located. In fact the site is nicely landscaped. Site access to the synagogue is provided via three (3) existing driveways with off-street parking spaces. The main access driveway and parking area is from Oak Knoll Road. Two (2) minor access driveways with off-street parking are from Iris Road. The plans indicate the proposed driveways and parking areas will service twelve (12) off-street parking spaces, whereas twenty-three (23) off-street parking spaces would be required. The applicant's professionals are requesting numerous submission waivers. The property is located in the R-12 Zone District. Places of worship are a permitted use. We have the following comments and recommendations: I. Waivers A. The following submission waivers have been requested: 1. B1 - Topography of the site. 2. B2 - Topography within 200 feet thereof. 3. B3 - Contours on the site to determine the natural drainage of the land. 4. B4 - Contours within 200 feet of the site boundaries. 5. B10 - Man-made features within 200 feet of the site. 6. C13 - Environmental Impact Statement. 7. C14 - Tree Protection Management Plan. 8. C15 - Landscaping Plan. 9. C16 - Soil Erosion and Sediment Control Plan. 10. C17 - Design calculations for drainage facilities. We can support waivers from B2, B4, and B10 provided an updated signed and sealed topographic survey is submitted prior to scheduling of a public hearing. We support the waiving of an Environmental Impact Statement due to the developed nature of the site. The applicant will be required to comply with the Township Tree Protection Ordinance as a conditional of Board approval (if/when granted). A Landscaping and Lighting Plan should be provided. A Soil Erosion and Sediment Control Plan will be required as disturbance appears to exceed five thousand square feet (5,000 SF). Drainage facilities shall be proposed to eliminate the increase in runoff by the development. II. Zoning 1. The parcel is located in the R-12 Zone. Places of worship are a permitted use in this zone. Places of worship are subject to the provisions of Section 18-905 of the UDO. 2. A variance is required for Minimum Front Yard Setback. The proposed building addition will be located five feet (5') from the Iris Road right-of-way, whereas thirty feet (30') is required. It should be noted the proposed building addition would be located fifteen feet (15') from the Oak Knoll Road right-of-way. 3. A variance is being requested from the Parking Regulations of Section 18-905A., of the UDO. The General Notes indicate that twelve (12) off-street parking spaces are proposed, whereas twenty-three (23) off-street parking spaces are required. It is not clear how these figures have been established. Testimony should be provided. 4. A waiver from the Buffer Requirements Section 18-905B., of the UDO is required. A twenty foot (20') buffer is required from a residential use or district. For properties adjacent to residential properties, if the site leaves a twenty foot (20') undisturbed area than there are no requirements for buffering. However, if the twenty foot (20') buffer is invaded or disturbed then the following requirements shall be put in place along the invaded area: • A required buffer shall be landscaped with trees, shrubs, and other suitable plantings for beautification and screening. Natural vegetation should be retained to the maximum degree possible. On those sites where no vegetation is present or existing vegetation is inadequate to provide screening, the applicant shall suitably grade and plant the required buffer area, such that this planting shall provide an adequate screen of at least six feet (6') in height so as to continually restrict the view. A minimum on-center distance between plantings shall be such that upon maturity the buffer will create a solid screen. The buffer may be supplemented with a fence of solid material where necessary. III. Review Comments A. Site Plan/Circulation/Parking 1. An outbound survey has been submitted which does not accurately reflect the present site conditions. An updated outbound and topographic survey must be provided in order to schedule a public hearing which at a minimum shall include the following: a. Existing elevations and contour intervals. b. Tree locations. c. Signs. d.

Landscape ties. e. Clean outs. f. Mailboxes. g. Well (irrigation). h. Exterior steps. i. Onsite curb. j. Wheel stops. k. Brick edging. l. Pavement striping. 2. We recommend a properly scaled site plan based on an updated survey be submitted for our review. 3. Twelve (12) off-street parking spaces are proposed for the synagogue, none of which have been designated as ADA spaces. The General Notes indicate the number of off-street parking spaces required is twenty-three (23). However, it is not clear how the figure was attained. The architectural plans show a main sanctuary area of 2,218 square feet and an expanded locker room for an existing mikvah. The applicant's professionals shall confirm that no catering is proposed, since that use also impacts the off-street parking requirements. 4. The General Notes shall address horizontal and vertical datum. A vertical bench mark must be provided. 5. General Note #4 shall be corrected to the R12 Zone. 6. General Note #9 shall list the R12 Zone Requirements. The required aggregate side yard setback shall be twenty-five feet (25'). The provided minimum lot width should be based on the smaller lot frontage. The provided minimum side yard setback should be ten feet (10'), proposed. 7. A proposed site plan is required showing all alterations to curb, sidewalk, and driveways on the project frontages. A pedestrian bypass is required along the Oak Knoll Road frontage since the distance exceeds two hundred feet (200'). Proposed curb ramps must be designed at the intersection. 8. The plan must be revised clarifying existing improvements to remain and to be removed. 9. The proposed setback lines have been dimensioned. 10. Existing and proposed building dimensions must be completed. All existing and proposed building access points must be shown. 11. As noted previously, synagogue site access is proposed via driveways that intersect Oak Knoll Road and Iris Road. The existing and proposed curb locations for the off-street parking areas must be dimensioned from the property lines. Proposed dimensioning should be completed throughout the site. 12. Most of the onsite sidewalk with brick edging will be removed from the site. Existing and proposed onsite sidewalk must be shown connecting the parking areas to the building. 13. Curb ramps shall be proposed onsite where necessary. 14. Solid waste and recycling has not been addressed. A proposed refuse area has not been shown for the synagogue. In addition, a refuse/recyclable storage area detail has not been provided. 15. A proposed Sight Triangle Easement shall be added to intersection. The proposed easement shall be dedicated to the Township. A description and deed of easement shall be provided to the board attorney and engineer for review. 16. A Shade Tree and Utility Easement shall be proposed for the project. Proposed survey data must be provided. A description and deed of easement shall be provided to the board attorney and engineer for review. B. Architectural 1. Preliminary plans have been provided for the proposed building addition. Basement and first floor plans have been provided along with elevations. The proposed elevations confirm the proposed building addition does not exceed the allowable height of thirty-five feet (35'). 2. The existing and proposed building layout and square footage must be checked and coordinated with the site plan. 3. ADA accessibility will be provided to the first floor. 4. Testimony should be provided as to whether the synagogue will have a sprinkler system. The General Notes indicate the proposed addition intends to use available sanitary sewer and potable water services. 5. Testimony should be provided as to where HVAC equipment is proposed for the building and how the equipment will be adequately screened. 6. The roof drainage of the existing and proposed building must be coordinated with the site plan. 7. We recommend that renderings be provided for the Board's review and use at the public hearing, consistent with the building footprint as depicted on the site plans. C. Grading 1. A dedicated grading plan has not been provided and is required. The proposed grading cannot be reviewed until a topographic survey has been submitted. 2. A soil log shall not be required unless the proposed basement depth is altered. The proposed basement floor elevations and first floor elevations shall be clarified. 3. A review of the grading plan will be performed when a topographic survey and revised plans have been submitted. D. Storm Water

Management 1. Proposed storm water management facilities have not been provided and will be required. Our site investigation suspects some type of underground recharge has been provided for the downspouts of the existing building. 2. The project will not increase impervious surface by over a quarter of an acre. Therefore, the proposed storm water management facilities shall not be designed to handle the requirements for Major Development. Storm Water Management Calculations shall be provided with a revised submission. 3. Storm water management will be reviewed in detail with a revised submission. E. Landscaping 1. A dedicated Landscaping Plan shall be provided with a revised submission. The existing landscaping onsite is quite plentiful and well maintained. The existing site has an irrigation system and an onsite well is believed to be for irrigation purposes. 2. The final landscape design is subject to review and approval by the Board and should conform to recommendations (if any) from the Shade Tree Commission as practicable. 3. Landscaping shall be reviewed in detail with resolution compliance submission should site plan approval be granted. F. Lighting 1. A dedicated Lighting Plan should be provided with a revised submission. 2. A point to point diagram will be required for the parking area. 3. Lighting should be provided to the satisfaction of the Board. 4. The final lighting design shall be reviewed with resolution compliance submission, if/when Board approval is granted. G. Utilities 1. The existing site is served by public water and sewer from New Jersey American Water Company since the project is within their franchise area. Testimony should be provided as to whether it is intended that the existing sewer and water services will be reused for the addition. H. Signage 1. No site identification signage information is provided. However, the architectural plans show that some schematic building signage information is being provided. A full signage package for free-standing and building-mounted signs identified on the site plans (requiring relief by the Board) must be provided for review and approval as part of the site plan application. 2. 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 To assess the site for environmental concerns, a natural resources search of the property and surroundings was completed using NJ Department of Environmental Protection (NJDEP) Geographic Information Mapping (GIS) system data, including review of aerial photography and various environmental constraints data assembled and published by the NJDEP. Data layers were reviewed to evaluate potential environmental issues associated with development of this property. Testimony should be provided on any known areas of environmental concern that exist within the property. 2. Environmental Impact Statement A waiver has been requested from an Environmental Impact Statement since the site has been previously developed. 3. Tree Management Plan As indicated previously, a Tree Management Plan must be provided. The applicant must comply with the Tree Protection ordinance requirements as a condition of Board approval (if/when granted). J. Construction Details 1. Construction details have not been provided. 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 resolution compliance submission (if/when approval is granted). IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Developers Agreement (if required, 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.

Mr. Vogt stated that submission waivers are requested for topography, contours, man-made features, EIS, tree protection, landscaping, soil erosion and design calculations for drainage facilities. The B2, B4 and B10 waivers are supported conditioned upon receipt of a sealed

topographic survey prior to the public hearing. A landscaping/lighting plan, soil erosion plan and drainage facilities should be provided.

A motion was made by Mr. Schmuckler, seconded by Mr. Follman to approve the waivers as recommended by the engineer.

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

Mr. Vogt stated that variances are required for minimum front yard setback as well as relief from the parking regulations. Twelve off-street parking spaces are proposed, whereas twenty-three off-street parking spaces are required. Relief would be required from the perimeter buffer requirements as well.

Mrs. Weinstein said with regards to the trash collection, they are going to move the location from the driveway in Iris Road to the other side of the building as per the request of the next door neighbor.

Mr. Neiman asked if there is a simcha hall.

Mrs. Weinstein said the addition to the basement is for a simcha/catering hall. This is currently only used for kiddish/shabbos use.

Mr. Banas does not like that the proposed building addition will be only 5 ft away from Iris Road.

A motion was made by Mr. Follman, seconded by Mr. Sussman to advance this application to the June 10, 2014 meeting. No further notices.

Affirmative: Mr. Franklin, Mr. Sussman, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert
No: Mr. Banas

- 5. SD 1945** (No Variance Requested)
Applicant: Aharon Mansour
Location: 611 & 615 East 5th Street
Block 189.01 Lots 173 & 197
Minor Subdivision to create four fee-simple duplex lots

Project Description

The applicant seeks minor subdivision approval for the subdivision of two (2) existing residential lots into four (4) residential lots for two (2) zero lot line duplex units. The project involves an existing 20,155.8 square foot (0.46 acre) property comprised of two (2) lots known as Lots 173 and 197 in Block 189.01. The proposed properties are designated as new Lots 173.01 through 173.04 on the subdivision plan. Existing Lots 173 and 197 are slightly irregular parcels containing existing dwellings. The subdivision plan indicates all existing structures would be removed. Public water and sewer is available. Curb and sidewalk exists along the frontage of the entire property. The site is situated in the northern portion of the Township on the northeast side of East Fifth Street, southeast of School Gardens Street. East Fifth Street is a fully improved Township Road in poor condition. East Fifth Street has a forty foot (40') right-of-way. Proposed Lots 173.01 through 173.04 would become zero lot line properties. The pairs of zero lot line properties would have a combined area of just over ten thousand square feet (10,000

SF). The site is relatively flat and contains a few large trees. Sanitary sewer exists under the centerline of the road. Potable water is readily available under the northeast side of East Fifth Street. Overhead electric is located on the northeast side of East Fifth Street. The surrounding lots are predominately residential uses except for the Ella C. Clarke School to the rear. The lots are situated within the R-7.5 Single Family Residential Zone. We have the following comments and recommendations: I. Zoning 1. The parcels are located in the R-7.5 Single-Family Residential Zone District. Zero Lot Line Duplex Housing with a minimum combined lot area of ten thousand square feet (10,000 SF) is a permitted use in the zone. 2. A waiver is required to permit a five foot (5') wide right-of-way easement, which is being proposed instead of a right-of-way dedication. 3. An Aggregate Side Yard Setback variance is required for the combination of proposed Lots 173.01/173.02 and 173.03/173.04. Aggregate side yard setbacks of fourteen feet (14') are proposed. Fifteen foot (15') aggregate side yard setbacks are required. 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. II. Review Comments 1. We have reviewed the Outbound & Topographic Survey Plan provided and the following revisions are required: a. Add the second driveway apron for Lot 197. b. Correct the scale and add a graphic scale. c. Indicate the new curb and sidewalk to the northwest of the site. d. Locate the large trees for future compliance with the Township Tree Ordinance. 2. The existing fencing is encroaching into the right-of-way. However, this existing fencing is being removed. 3. General Note #5 shall be edited. 4. Zones and Zone Boundary Lines shall be added to the Map. 5. Aggregate side yard information should be provided on the Zoning Data. 6. The Legend shall be revised to "monument to be set". 7. The Surveyor's Certification has not been signed since the monuments are not in place. 8. 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. 9. The General Notes indicate that seasonal high water table information will be provided with plot plan submittal. This implies basements will be proposed for the duplex units. 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. 11. 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. 12. Six foot (6') wide shade tree and utility easements dedicated to the Township are proposed along the property frontages of new Lots 173.01 through 173.04. The proposed easement information and areas are shown on an individual lot basis. 13. A Tree List proposes four (4) "October Glory Maple" street 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. 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. 14. The Improvement Plan proposes to replace the existing curb and sidewalk along the property frontage of new Lots 173.01 through 173.04. This is prudent because the existing sidewalk and curb is in poor condition. 15. Testimony is required on the disposition of storm water from the development. The project appears too small to qualify as major development. At a minimum, dry wells will be required for storm water management and shall be provided when plot plans are submitted. 16. Testimony is required on site grading from the development. The

Improvement Plan indicates that Grading Plans shall be submitted to the Township Engineer for all proposed lots. 17. Should proposed utility connections disturb more than twenty percent (20%) of the road length along the site frontage, an overlay would be required. 18. Due to no construction proposed at this time, the Board may wish to require the cost of improvements to be bonded or placed in escrow to avoid replacing them in the future. 19. Compliance with the Map Filing Law is required. 20. Construction details should be revised on the Improvement Plan in accordance with the conditions of any approvals. 21. Final construction details will be reviewed during compliance should subdivision 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 (as applicable); b. Ocean County Planning Board; c. Ocean County Soil Conservation District; and d. All other required outside agency approvals.

Mr. Vogt stated that they noted a variance for aggregate side yard setback in the letter. In talking with the applicant's engineer, they are going to look at that prior to the public hearing as that may not be the case. The zero lot lines, when you create individual lots, it could be interpreted that the two lot lines are the outer side yard setback and zero for the commons wall.

A motion was made by Mr. Schmuckler, seconded by Mr. Follman to advance this application to the June 24, 2014 meeting. No further notices.

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

6. CORRESPONDENCE

- **SD 1944** - Block 417, Lots 1, 2, & 22 - subdivision of Lakewood Township owned property (near Henry Street)

Mrs. Morris stated this will be carried to a future meeting.

7. PUBLIC PORTION

8. APPROVAL OF MINUTES

9. APPROVAL OF BILLS

10. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Sarah L. Forsyth
Planning Board Recording Secretary