

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. Franklin, Mr. Pervis, 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. Resolution of Appointment – Board Officers and Professionals

A motion was made and seconded to approve.

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

2. **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

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

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

3. **SD 1977** (Variance Requested)
Applicant: Shimshon Bandman
Location: Linden Avenue
Block 189.01 Lot 53
Minor Subdivision to create 3 lots

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

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

4. **SD 1980** (Variance Requested)
Applicant: Apple 25, LLC
Location: Hope Chapel Road & Hope Hill Lane
Block 11 Lot 4
Minor Subdivision to create 2 lots

A motion was made and seconded to approve.

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

5. **SD 1981** (Variance Requested)
Applicant: Times Square Homes, LLC
Location: 1957 & 1963 Central Avenue
Block 11 Lots 116.01 & 118.01
Preliminary & Final Major Subdivision to create 4 lots

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

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

6. **SD 1982** (Variance Requested)
Applicant: 1260 ECL, LLC
Location: County Line Road
Block 187 Lot 100
Preliminary & Final Major Subdivision to create 4 lots and a cul-de-sac

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

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

7. **SD 1983** (Variance Requested)
Applicant: Hendi Friedman
Location: Towers Street
Block 855.03 Lot 25
Minor Subdivision to create 2 lots

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

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

8. **SD 1984** (Variance Requested)
Applicant: Hendi Friedman
Location: East Spruce Street
Block 855.02 Lot 30
Minor Subdivision to create 2 lots

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

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

5. PUBLIC HEARING

1. **SD 1989** (Variance Requested)
Applicant: Robert Cormack
Location: Seminole Drive
Block 2.04 Lot 3.01
Minor Subdivision to create 2 lots

A review letter prepared by Remington, Vernick & Vena Engineers dated December 8, 2014 was entered as an exhibit.

Mr. Follman arrived at the meeting.

Mr. Vogt stated the variances requested (inaudible).

Mr. Robert Cormack, P.E. was sworn in. He showed an exhibit showing the property location explaining it is an L shaped property. The lot has frontage on both Seminole Drive and Iroquois Place. The end of the property goes down into a pond which is a collection point for runoff that drains into the Metedeconk which makes it a Category 1 waterway. He pointed out that there are a few non-conforming undersized properties across the street. The proposed application is consistent with the neighborhood. He showed a picture of the property to the Board. He stated there are many mature trees and they plan to keep as many as possible. Another photo shows the amount of rise from the street into the driveway. It is a very short distance of approximately 12 or 15 feet. It is a very steep incline. This is relevant as a waiver is being requested from providing sidewalks along the existing house. The house is hooked up to the water line in Seminole Drive. Water lines are typically put in 3 feet underground. If sidewalks were to be installed, the line underneath may be left too high relative to the surface of the dirt. He is concerned the line would be hit when digging for it.

Mr. Franklin said it is very east to lower the line.

Mr. Neiman said he is scared to start and stop sidewalks on streets. The Board doesn't want go down that road.

Mr. Cormack said the purpose of the irregular shape of the lots is to meet the setback requirements on lot 2 and meet the lot area requirements on lot 1. The existing house is approximately 100 years and is still in good standing. There has been a lot of renovation during the time that he has owned it. The space in the back is unusable anyway as there is a stream there. The only real reason a variance is needed is because it is a corner lot. He believes this will benefit the Township and enhance the neighborhood. All comments in the engineer's review letter would be met.

Mr. Vogt stated there may be issues concerning stormwater management.

Mr. Cormack said that would be addressed.

Mr. Neiman opened to the public.

Mr. Arthur Tonnesen, 60 Iroquois Place, was sworn in. He is located at the bottom of the hill directly across the street. Many of the neighbors are against this application.

Mr. Jackson said they could mark the petition as an exhibit but the Board can't consider it when making a decision.

Mr. Neiman asked what the reason for the petition is.

Mr. Tonneson said it will be too congested. This will not help the runoff going into the pond.

Mr. Cormack said he has agreed with the Board engineer to provide underground storage for the runoff on-site.

Mr. Neiman said the board/township engineer is very strict when it comes to drainage.

Mr. Neiman closed to the public.

Mr. Banas asked how many parking spaces there are.

Mr. Cormack said one car would be in the garage and three cars could probably fit in the driveway.

Mr. Schmuckler asked that there be a minimum of four spots.

Mr. Cormack said he would guarantee there will be four parking spaces on each lot.

A motion was made by Mr. Schmuckler, seconded by Mr. Follman to approve. A waiver will not be provided for the sidewalk.

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

- 2. SD 1992** (Variance Requested)
Applicant: Aaron Furst
Location: Ocean Avenue
Block 189 Lot 175
Minor Subdivision to create 2 fee-simple duplex lots

A review letter prepared by Remington, Vernick & Vena Engineers dated December 10, 2014 was entered as an exhibit.

Mr. Vogt stated that variances are required for minimum lot width and side yard setback. A design waiver is required for proposed side lot lines not being perpendicular to the street line.

Mr. Glenn Lines, P.E., P.P. was sworn in. This lot has existing skewed lot lines so the lot lines are not perpendicular to the street so that is the reason for the waiver for the line that goes down the middle of the lot. Curbs, sidewalks, four parking spaces per unit will be provided. He said there will be driveways on both North Oakland and Route 88 but North Oakland will probably be utilized more.

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

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

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

- 3. SD 1993** (Variance Requested)
Applicant: Yehuda Lench
Location: Alamitos Drive
Block 189.11 Lot 3
Minor Subdivision to create 2 lots

A review letter prepared by Remington, Vernick & Vena Engineers dated December 3, 2014 was entered as an exhibit.

Mr. Vogt stated variances are requested for lot area. A design waiver is requested from providing curb and sidewalk along the frontage of proposed lot 3.01 on Lanes Mill Road.

Mr. Brian Flannery, P.E., P.P. was sworn in. He stated that this is a very unique piece of property. There is an existing home on Alamitos Drive. Lot area variances are requested for this application. He showed a map showing other lots in the area. He explained again that this is a unique lot and there are no other lots like it in the area. The other side of the street is an R-15 zone so the 16,000 sf lots being created would not be out of character with the neighborhood. The board engineer indicates there is not enough room provided for four parking spaces. In this particular case, they have an existing three bedroom home with three parking spaces. That complies with the ordinance and RSIS. If the home was replaced then they would need to provide additional parking. A waiver is being requested from installing curb and sidewalk along Lanes Mill Road. It is a County road and there is no other curb/sidewalk on that road.

Mr. Sam Brown asked that he testify to the vegetation on the property.

Mr. Flannery said there are existing trees there. If the Board would require something, it would require knocking down a lot of trees. It is also an issue that could be visited at time of plot plan for that particular home. He further explained that the benefits outweigh the detriments. There was a question about the improvement plan submitted concerning the permeable pavers. He would like to handle that at time of plot plan submission. They do not want to commit to a porous driveway.

Mr. Vogt asked if there is a basement in the existing home.

Mr. Flannery said no, it is a bi-level.

Mr. Neiman asked if there would eventually be sidewalks on Lanes Mill Road.

Mr. Flannery does not see where there would be. The properties that front it are already developed. Nobody else has a lot which would provide an opportunity to create another development.

Mr. Schmuckler said they had applicants recently on Lanes Mill Road.

Mr. Neiman does not see it would hurt anything to put sidewalks.

Mr. Brown said there is a significant number of mature trees and to put sidewalk would require that they meander around the trees. They would provide some sort of paver as opposed to sidewalks.

Mr. Flannery said they would provide something on the property as the County would not let them do that within the right-of-way.

Mr. Neiman is ok with that.

Mr. Neiman opened to the public, seining no one, he closed to the public.

Mr. Rennert asked if the pathway would connect to anything.

Mr. Flannery said they would bring each end out to the right-of-way and it would be 4 ft wide so it will connect.

Mr. Schmuckler said it should be built so people are comfortable walking there.

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

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

- 4. SD 1994** (Variance Requested)
Applicant: Jonathan Schlesinger
Location: Mountain View Drive
Block 1077.03 Lot 21
Minor Subdivision to create 2 lots

A review letter prepared by Remington, Vernick & Vena Engineers dated December 3, 2014 was entered as an exhibit.

Mr. Vogt stated variances are requested for minimum lot width.

Mr. Brian Flannery, P.E., P.P. was sworn in. Both lots meet the area. The variance requested is for lot width. 80 ft is proposed where 90 ft is required. He explained that the benefits outweigh the detriments. The property has wetlands in the back near Chestnut Street. The existing home meets the setbacks but in order to create a usable box in the second lot, they are asking for the lot width.

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. Franklin to approve.

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

5. **SD 1997** (Variance Requested)
Applicant: MNYK Developers at Prospect, LLC
Location: Lewin & Rachel Avenues
Block 472 Lots 1, 4, & 7
Preliminary and Final Major Subdivision to create 20 fee simple duplex units

A review letter prepared by Remington, Vernick & Vena Engineers dated December 10, 2014 was entered as an exhibit.

Mr. Neiman stepped down.

Mr. Vogt stated a variance is requested for minimum lot area.

Mrs. Miriam Weinstein, Esq. stated the Board has approved several applications in the area. The only variance requested is for minimum lot area and it is de minimis.

Mr. Brian Flannery, P.E., P.P. was sworn in. The variance is requested to provide a radius on a corner lot so that the sidewalk stays on the Township right-of-way. This is an application in the Prospect area. Last time they were here with an application in this area, the Board requested an exhibit showing everything in the area so they know what's going on. The exhibit shows all the previously approved developments. The applicant is working with the Township to provide both recreation and a shul. The game plan is to do the recreation on a Township owned property. The applicant would be responsible for the development of the recreation which would then be a public park and it would far exceed the 5% of this whole area. Additionally, the applicant has had discussions with the Township where they have indicated they would put another acre of Township land up for sale. The applicant would purchase that to build a shul. The applicant proposed that there would be a condition relating to the timing of the shul and recreation being put in. Currently, on blocks 445, 462, 463 and 473 there have been 70 approved duplex units. On this particular property, there are an additional 20 duplex units as well as another pending application for 20 units for a total of 110 units in this area.

Mrs. Weinstein said they promised the buyers in these projects that they would have the shul built within 12 months from the date of the first closing.

Mr. Schmuckler would like to go through the whole application.

Mr. Flannery said there are unimproved roads that will be improved for this project. The right-of-ways would be improved looping all the way around so that the homeowners will have lots of access. The shul would be in the northeast corner and the road would provide access to that as well. They would come back to the Board for site plan approval.

Mr. Schmuckler asked how wide the streets are.

Mr. Flannery said they are a typical 50 ft right-of-way with 32 feet of pavement and they will be Township roads.

Mr. Schmuckler asked if there is a traffic light on Prospect.

Mr. Flannery said it is a County Road. They would comply with any requirements.

Mr. Schmuckler said there will be three openings.

Mr. Flannery said that is correct.

Mr. Schmuckler asked about the shul/recreation.

Mr. Flannery said the applicant would enter into a developer's agreement with the Township. The applicant requests a condition in the resolution that before the 61st CO is issued, the recreation area and the shul must be constructed. It would also be put in the developer's agreement for all the other projects as well.

Mr. Schmuckler asked how large the shul will be.

Mr. Flannery said the shul would be built as required for this many units. There is plenty of room as the lot is one acre.

Mrs. Weinstein said there are about 40 contracts on this property and the potential buyers have all raised this issue. They have promised a shul that is going to be sufficient to have enough seats to fit one member from the upstairs and the basements of each. They have also promised two floors so that there could be two separate sanctuaries.

Mr. Schmuckler said 110 seats is not going to be sufficient. There will be 220 families. The shul should have a minimum of 220 seats. He asked if a 10,000 sf shul could be built with an area of 5,000 ft on each floor.

Mr. Flannery agrees to that.

Mr. Schmuckler asked who will own the shul.

Mrs. Weinstein said there is no homeowner's association. They would like to have a shul based entity that would own it.

Mr. Banas would like clarification from the attorney.

Mr. Jackson said the homeowner's association would have to rent some entity of the homeowner's choosing.

Mrs. Weinstein said there is no HOA. The applicant does not even own this property yet. The concept was to deed over to the synagogue. It is not actually part of any of these projects. It would need its own approval.

Mr. Flannery said the condition would be that it would be deeded over to a separate non-profit.

Mr. Jackson is not sure they could do that as it is not part of this application.

Mr. Schmuckler said his issue is not so much developer versus buyer. His issue is if the developer goes bankrupt. He wants to see that this is bonded in case that happens.

Mr. Sussman said the requirement is the applicant must give 5% to recreation for anything above 24 units. Even though it is coming in as separate applications, they are trying to work together to make it happen.

Mr. Jackson said there is not a site plan for the shul.

Mr. Flannery said they do need a site plan and they would come back for that. It is his testimony that this is not something the board can require but the applicant does agree to it and intends to do.

Mr. Schmuckler said that is why they are requiring it as part of this application.

Mr. Flannery would also agree that within the developer's agreement with the governing body, that he would address it also and agree to the same condition so they don't get 61 units built without the proper facilities.

Mr. Jackson said what happens when the applicant goes into default and the applicant doesn't do it. How can they enforce it.

Mrs. Weinstein said the applicant would not have a problem bonding for it. Perhaps they would put money in escrow from every one of the first 60 units sold towards the shul.

Mrs. Morris stated she does not see how they could bond a project that has not yet been designed. Maybe a something could be added in the developer's agreement to require a flat amount that would go towards it.

Mr. Flannery said that they could require a bond be posted after the 25th unit has been built. The developer could take money from each of those closings and would post the bond. A plan would be provided before then so it could be bonded.

Mr. Schmuckler asked what the downside would be to have an HOA. Each homeowner would own a piece of the clubhouse.

Mr. Jackson said they would deed restrict and tie the properties together.

Mr. Flannery said the problem is that they have five different projects/entities.

Mr. Jackson said he does not see how this is enforceable.

Mr. Vogt said the bond would only be for the site improvements, not for the actual building.

Mr. Rennert asked if they could require them to bond for the building.

Mr. Vogt said if the applicant agrees to it but it is not a requirement of a site plan approval.

Mrs. Weinstein said the applicant probably doesn't have a problem with that but she wants to point out that this is the same as every other project that gets approved before this Board. Even if the shul is part of the development, the building itself is not bonded.

Mr. Schmuckler said those projects have HOA's.

Mr. Flannery said the applicant is willing to bond for the building. The condition would be that before the 26th CO be issued, the applicant would bond for the site improvements and building. The shul would be an independent non-profit and the owners will have the option of being involved or not.

Mr. Schmuckler asked about the park.

Mr. Flannery said the applicant would develop the park and it would be owned by the Township. It is a 2 acre lot. It would also be part of the developer's agreement with the Township Committee. It will be built for active recreation.

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

Mrs. Weinstein said the applicant agrees that the 26th CO will not be issued unless a bond is posted for the building and site improvements that would have to be constructed prior to the issuance of the 61st CO. The clubhouse building would have to be at least 10,000 sf with 5,000 sf per floor. The playground would be a two acre property owned by the Township. The developer would be responsible for constructing the improvements on the recreation property. The shul will be owned by a non-profit but there will be an option to buy in from any purchaser in this area. This is six different applications with different applicants and principles.

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

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

- 6. SP 2095** (No Variance Requested)
Applicant: Excel VII, LLC
Location: 1790 Swarthmore Avenue
Block 1603 Lot 2
Preliminary and Final Major Site Plan for a parking lot expansion

A review letter prepared by Remington, Vernick & Vena Engineers dated January 12, 2015 was entered as an exhibit.

Mr. Follman stepped down.

Mr. Stephen Pfeffer, Esq. stated that this building had received a prior approval for a building addition. This application is to expand the parking lot.

Mr. Tim Lurie, P.E., P.P. and Mr. Richard Schroeder, A.I.A. were sworn in.

Mr. Lurie said they are proposing parking along the front and rear of the building with a driveway connecting to the rear of the building. He agrees with all of the comments in the engineer's review letter. No variances are requested.

Mr. Vogt stated that there is a waiver required from providing sidewalk along the frontage which is typical in the area.

Mr. Sussman asked what the use will be.

Mr. Lurie said a warehouse.

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

Mr. Neiman said they have seen warehouses in the industrial park turn into schools so maybe a school would benefit from sidewalks. If this does turn into a school, it should be required.

Mr. Schmuckler said they would have to come before the Board for a change of use and they would require them to do so at that time.

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

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

- 7. SP 2097** (Variance Requested)
Applicant: Monmouth Medical Center, Inc.
Location: River Avenue
Block 421 Lot 1

Preliminary and Final Site Plan for alterations and improvements to the existing entrance and for additional parking at the existing hospital

A review letter prepared by Remington, Vernick & Vena Engineers dated January 13, 2015 was entered as an exhibit.

Ms. Jennifer Smith, Esq. stated they are seeking site plan approval, variances for signage and a waiver related to easements. The applicant is seeking approval to improve the frontage of the hospital building along River Avenue including updating the facade, adding an entry court and to allow better access to the wound care clinic, cardiac rehab area and mammography. They would also improve the landscaping and the overall appearance of that side of the hospital. Variances are sought related to signage. To implement a sign program for the entire hospital campus, a large number of the signs that are being proposed are actually replacement signs so there is more uniformity in the signage for the entire hospital.

Mr. Robert Foley, P.E., Ms. Sophia (inaudible), P.P. and Ms. Miller, A.IA. were sworn in.

Mr. Foley showed a rendering of the proposed improvements to the Board. He explained in detail the landscaping that would be added. A new parking area would be added with a turn around to improve access to certain uses of the hospital. That driveway would be located on West Spruce Street.

Mr. Schmuckler asked if he is comfortable with the entrance/exit off West Spruce Street as it is sort of at an angle.

Mr. Foley said yes. The sight triangles are all almost entirely within existing right-of-way.

Mr. Foley displayed the overall site plan showing sign locations. Eight of the signs will be replaced in addition to three new signs.

Ms. Smith asked if it his testimony that there is no decrease to the front yard setback as it exists.

Mr. Foley said no. It is an existing non-conforming variance.

Ms. Smith asked why it would not be feasible to put easements for street trees along the frontage of the hospital.

Mr. Foley said DOT will not allow street trees within the right-of-way (inaudible). They are proposing additional landscaping to enhance the area and there are several existing trees on the south side that will remain. There is a loading dock on the Prospect Street signed and they do not believe it would be a good idea to have trees in proximity to that driveway.

Ms. Smith asked if there are going to be any changes proposed for trash pickup and deliveries.

Mr. Foley said there are no changes proposed.

Ms. Smith asked if he sees this application having any negative traffic impact.

Mr. Foley said not at all. This will be an improvement given the loading dock driveway relocation as well the additional parking.

Mr. Vogt asked that he agrees to all the comments in the letter.

Mr. Foley said yes.

Ms. Miller said there will be a new canopy over the existing entrance that is at the far south end. A canopy will be added over the out-patient entrance.

Mr. Franklin asked if that will be a handicapped entrance. Right now it is not.

Ms. Miller said it will be.

Ms. Smith asked that the point of this application is to make that area of the hospital more accessible, especially for people going to the wound care clinic and rehabilitation center.

Ms. Miller said that is correct.

Ms. Smith asked if the HVAC units will be moved.

Ms. Miller said yes. There are some units out in front of the units currently. The regrading will displace them so some of them will be located behind existing units which will be screened. Two will also be relocated onto the roof and will be screened as well.

Ms. ?, A.I.A. stated the variances are all related to the signs.

Ms. Smith summarized all the variances required for the signs.

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

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

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

- 8. SP 2098** (Variance Requested)
Applicant: Cedarbridge Holdings, LLC
Location: Cedarbridge Avenue
Block 1603 Lot 1.04 (Approved Lot 1)
Preliminary and Final Major Site Plan for a 4-story office building

A review letter prepared by Remington, Vernick & Vena Engineers dated January 15, 2015 was entered as an exhibit.

Mr. Rennert stepped down.

Mr. Sam Brown, Esq. stated the plans have been modified so they do not require any variances with respect to parking. This area is in need of an office building and it is a fully conforming application.

Mr. Brian Flannery, P.E., P.P. was sworn in. He showed a rendering of what the office building will look like. The only relief requested is with respect to the 50 ft buffer. The Master Plan states that if a heavily landscaped buffer is provided, it can be reduced to 25 ft. They are only asking for 25 ft on the corner. The back buffer will be at least 55 ft.

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. Schmuckler to approve.

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

- 9. SD 2002** (Variance Requested)
Applicant: Sanz of Lakewood
Location: River Avenue & Gila Place
Block 423.14 Lot 13
Minor Subdivision to create 4 fee-simple duplex lots

A review letter prepared by Remington, Vernick & Vena Engineers dated January 13, 2015 was entered as an exhibit.

Mr. Vogt stated a front yard setback variance is required on Route 9.

Mr. Brian Flannery, P.E., P.P. was sworn in. The application is for two duplexes. He showed a copy of the tax map and rendering of the proposed subdivision to the Board. This was previously approved for a shul but the neighborhood really didn't want the shul there. The variance requested is with respect to the front yard setback to Route 9 where 50 ft is proposed and 90 ft is required. They could move the building closer to the road but that would not leave room for the double stacked parking. They could have parking come off Route 9 but that would be even worse. The neighbors are concerned that they do not take up too much of the road frontage. This is similar to other homes along Route 9.

Mr. Neiman wants to make sure there is enough space in case Route 9 gets widened.

Mr. Flannery said the desired typical section in that area is about 21 ft into the property. They are back 50 ft. Due to the location of Rena Lane and the need to have the parking, the only alternative would to have vehicular access and parking along Route 9. The applicant also agreed to write a letter to the Township Committee to change the parking configuration in accordance with the request to the neighbors. He agrees to satisfy the comments in the engineer's review letter.

Mr. Neiman opened to the public.

Mr. Yosef Portnoy was sworn in. He likes this much better than the shul application. He said the applicant agrees to deal with any stormwater on their own property. There is parking on both sides of Rena Lane. He is concerned about the additional traffic/cars this application will bring. He would request that there be no parking on the east side. The applicant agreed to that as well.

Mr. Neiman said he agrees it is very congested over there. They would have to make that request to the Township Committee.

Mr. Neiman closed to the public.

Mr. Rennert said the building would only be 30 ft away if Route 9 gets widened. He believes that is too close to a state highway.

Mr. Neiman agrees. There have been discussions among the board members and they are hoping one day that Route 9 gets widened. Initially it was a 100 ft setback which was then shrunk to 75 ft.

Mr. Flannery said the 30 ft isn't to the traffic or roads. This will be further back than a lot of the existing buildings on Route 9. It will not prohibit the State from widening Route 9. The shul was approved on this site which was even closer. The alternative, if this does not get approved, would be the shul and it is not what the neighbors want.

Mr. Sussman does not feel comfortable approving this as they do not know what is going to happen with Route 9. He also does not want to set a precedent for future development on Route 9.

Mr. Saul Mizrahi, 3 Sienna Way, was sworn in. He said there is a 30 ft backyard with a fence and beyond there is more space before it hits Route 9. It will not impede or restrict the widening of Route 9. He said there is someone interested in purchasing this lot to build the approved synagogue. The neighbors want to see these houses here as opposed to the synagogue.

A motion was made by Mr. Rennert, seconded by Mr. Franklin to approve.

Affirmative: Mr. Franklin, Mr. Pervis, Mr. Banas, Mr. Sussman, Mr. Neiman, Mr. Rennert

6. CORRESPONDENCE

- **SD 1586C Serenity Estates** – request to modify approved basin landscaping

Mr. Flannery said this is the Serenity that was at the Board a long time. There was some neighborhood opposition back then. That has since gone away and everyone loves it. The basin is constructed. At the time approval was granted, there was some push to have trees all around the basin so it was not visible. If you go out there now, it is beautiful. The potential homeowners do not want additional trees and they would rather see the lake feature. They propose a wildflower mixture which would be easier for the Township to maintain. The Crystal Lake Preserve is also right behind it.

Mr. Neiman passed by this and he agrees that it looks beautiful and it would be a waste to block it with trees. The basin is fenced and the flowers would be around the fencing.

Mr. Flannery said that is correct.

The Board agrees that it is not a material change to the application and it does not require Board action.

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