

I. CERTIFICATION OF COMPLIANCE

Mr. Kielt called the meeting to order at 6:00 p.m. with the Pledge of Allegiance and Mr. Kielt 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. REORGANIZATION

OATH OF OFFICE

- Class I Member-one year appointment to December 31, 2012
 - Mayor Miller
- Class II Member-one year appointment to December 31, 2012
 - Tony Arcchi
- Mayor's Designee to serve to December 31, 2012
 - Eli Rennert
- Class III Member-one year appointment to December 31, 2012
 - Deputy Mayor Aisik Ackerman
- Class IV Member-four year appointment
 - Carl Fink
 - Stan Banas
 - Yechiel Herzl
- Planning Board Member alternates
 - Enrique Percal

Mr. Jackson gave the oath of office to the Planning Board members

ELECTION OF OFFICERS FOR THE CALENDAR YEAR OF 2012

- Chairman

Michael Neiman was nominated by Mayor Miller seconded by Mr. Percal.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Rennert, Mr. Percal, Mr. Schmuckler

- Vice Chairman

Stanley Banas was nominated by Mr. Percal seconded by Mr. Schmuckler.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Neiman, Mr. Rennert, Mr. Percal, Mr. Schmuckler

- Secretary

Kevin Kiehl was nominated by Mayor Miller seconded by Mr. Schmuckler.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Rennert, Mr. Percal, Mr. Schmuckler

- Recording Secretary

Sarah Forsyth was nominated by Mr. Schmuckler seconded by Mr. Percal

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Rennert, Mr. Percal, Mr. Schmuckler

Mr. Neiman said the board was going into closed session to discuss the next item, which is the selection of consultants and other personnel. Motion was made by Mayor Miller seconded by Mr. Banas. All were in favor.

Mr. Neiman called the meeting back to order. He said they reviewed the bids and announce the following.

SELECTION OF CONSULTANTS AND OTHER PERSONNEL

- Attorney

King, Kitrick & Jackson was nominated by Mr. Herzl seconded by Mr. Percal.

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

- Planner

Remington, Vernick & Vena Engineers were nominated by Mr. Schmuckler seconded by Mr. Percal.

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

- Engineer

Remington, Vernick & Vena Engineers were nominated by Mr. Schmuckler seconded by Mr. Percal

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

2. ROLL CALL

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

3. SWEARING IN OF PROFESSIONALS

Mr. Vogt was sworn in.

4. PLAN REVIEW ITEMS

1. **SP 1972** (Variance Requested)
Applicant: Hamesivta B' Bensonhurst
Location: Massachusetts Avenue, opposite North Drive
Block 442 Lots 3.01 & 3.02
Preliminary & Final Major Site Plan for proposed boys high school & dormitory

Project Description

The applicant is seeking Preliminary and Final Site Plan approval for the construction of a three-story boy's high school and post high school building with dormitories. The proposed project within a 13,780 square foot footprint includes an improved basement, first floor classrooms and offices, and two (2) upper floors of dormitory rooms. The site plans and architectural plans indicate the proposed first floor of the school building will contain six (6) classrooms and four (4) offices. The upper floors will contain thirty-three (33) dorm rooms for sixty (60) high school students and ninety (90) post high school students, complete with bathrooms and a laundry. The basement contains recreation area and dining rooms. An interior parking area consisting of eighteen (18) parking spaces, two (2) being handicapped accessible, and site improvements are also proposed within the property, including a one-way bus drop-off area. Access to the proposed high school is provided from Massachusetts Avenue, a County Road. The site is

located in the southwestern portion of the Township on the west side of Massachusetts Avenue, across from North Drive. The tract consists of two (2) lots that total forty-four thousand square feet (44,000 SF) in area. Existing Lots 3.01 and 3.02 are both lightly wooded vacant properties. Existing Lot 3.01 is rectangular with frontage only on Massachusetts Avenue. Existing Lot 3.02 is "L" shaped with double frontage. The westerly boundary of existing Lot 3.02 fronts on Bushwick Avenue, an unimproved fifty foot (50') right-of-way. Curb and sidewalk are proposed across part of the Massachusetts Avenue frontage. The proposed project would be serviced by sanitary sewer and potable water. The surrounding lands are mainly vacant. Residential uses exist east of the project site. I. Waivers A. The following waiver has been requested from the Land Development Checklist: 1. C13 - Environmental Impact Statement. The subject property is lightly wooded and vacant. The applicant's professionals found there are no environmentally sensitive elements on this property and within two hundred feet (200'). Based on our limited environmental research of the site, no environmentally-sensitive areas exist per available mapping. Therefore, we recommend the granting of the requested waiver. II. Zoning 1. The parcels are located in the R-20/12 Cluster Residential District. Private schools are a permitted use in the zone. 2. Per review of the Site Plan and the zone requirements, the following variances are required for proposed project: • Maximum Building Coverage – twenty-five percent (25%) permitted, 31.3 % proposed. • In accordance with Section 18-906A of the UDO, a twenty foot (20') wide perimeter landscape buffer is required from residential uses and zones. Said buffer is required along the property lines. Relief is necessary on some portions of the project. It should be noted the surrounding lands are vacant and zoned residential. 3. The site plans indicate that six (6) classrooms and four (4) offices are proposed for the facility. Confirming testimony regarding the facility should be provided by the applicant's professionals. 4. A partial design waiver is required from providing sidewalk and curb along the entire Massachusetts Avenue frontage of the site. The proposed sidewalk and curb terminates twenty-five feet (25') from the curb return at the exit driveway rather than extending to the southerly property line. The construction of proposed sidewalk and curb along the Bushwick Avenue frontage is unnecessary since it is an unimproved right-of-way that does not provide site access. 5. 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. Site Plan/Circulation/Parking 1. The Zone should be indicated as R-20/12 Cluster. A Zone Line should be added on Claremont Street to the north since the R-M Zone exists north of this street. 2. Testimony should be given regarding proposed circulation with the site layout (parking, loading area, access, etc.). 3. The General Notes require editing and updating to match the latest project proposal. 4. Sheet 2 of the plans should be titled "Boundary & Topographic Survey of Property" with the following added: a. Completion of bearings, distances, and areas for existing individual Lots 3.01 and 3.02 since they have not been consolidated yet. b. Completion of existing contours for Massachusetts Avenue. 5. Proposed dimensions and building overhangs must be shown for the three-story building. Corrections must be made in the Zone Requirements Table. 6. Proposed dimensioning must be completed on the site plan for the sizes and locations of improvements. 7. As indicated previously, an eighteen (18) space parking lot with two (2) handicapped spaces are being provided for the proposed school. Since a total of ten (10) classrooms and offices are proposed, ten (10) off-street parking spaces are required per UDO standards. Testimony should be provided as to whether any Tutor Rooms, Libraries, or Meeting Rooms are proposed as described per Section 18-906C of the UDO. 8. The General Notes indicate all high school students will be bused, and

no student shall be permitted to drive to and from school. Confirming testimony should be provided by the applicant's professionals that no students (including those using the proposed dormitories) will be allowed to park on-site. Testimony should also be provided as to the maximum number of staff professionals at the site during school operations. 9. A one-way bus drop off area, which is included in the proposed parking area, runs parallel to Massachusetts Avenue. Although it appears that adequate turning movements will be provided for the proposed bus drop off area, refuse collection, and deliveries, a vehicle circulation plan should be provided as confirmation. 10. Testimony is necessary from the applicant's professionals regarding how the proposed bus drop off area will be used, including but not limited to times, sizes, and types of vehicles anticipated (i.e., buses, vans, cars, others). 11. The proposed sidewalk should be extended to the curbing in front of the curved section of the bus drop-off. 12. A proposed refuse enclosure is depicted on the northern side of the site. 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 shall be screened and designed in accordance with Section 18-809.E. of the UDO. 13. A lot consolidation is recommended (if feasible). 14. A retaining wall is proposed to the north of the building and to the west of the parking area. 15. Additional regulatory signage should be added to the site plan, such as handicapped and one-way signs. 16. It should be clarified whether concrete driveway aprons are proposed for the vehicular access points to Massachusetts Avenue. The site plan indicates the proposed sidewalk crossing the driveway access points. 17. No sidewalk is proposed for the basement access on the south side of the building. 18. A proposed shade tree and utility easement should be provided across the Bushwick Avenue frontage. B. Architectural

1. Architectural plans have been provided for the proposed high school. The set includes floor plans and elevations. The proposed building includes three (3) floors and a finished basement. The plans shall be corrected accordingly. The proposed building height must be confirmed. The allowable building height is thirty-five feet (35'). 2. The proposed basement depth will be eleven feet four inches (11'-4") below the first floor. Seasonal high water table information substantiates the proposed basement floor elevation. 3. As noted on the proposed architectural plans, the basement is finished and contains numerous facilities, the first floor is mainly classrooms and offices, and the second and third floors contain dorm rooms. An elevator is proposed to make all floor levels handicapped accessible. Confirming testimony is required from the architect on the specific uses for the individual floors. 4. Proposed water and sewer connections are shown for the proposed school building. The basement cannot be serviced by gravity sewer. The proposed building will include a sprinkler system. 5. We recommend that the location of proposed air conditioning equipment be shown. Said equipment should be adequately screened. 6. The applicant's professionals should provide testimony regarding the facades and treatments of the proposed new building. We recommend that renderings be provided for the Board's review and use prior to the public hearing, at a minimum. C. Grading

1. Per review of the proposed grading plan, the design concept is feasible. However, the following should be addressed: a. Additional proposed elevations for the handicapped parking spaces to insure slope compliance. b. Additional proposed contours are required to complete the grading design, especially for the widening of Massachusetts Avenue. c. Proposed elevations should be provided at control points, such as building landings. Final grading can be addressed during compliance review if/when approval is granted. 2. Per review of the existing elevations and per review of site conditions during our 12/16/11 site inspection, on-site grades generally slope to the south and east. 3. The proposed grading should be coordinated with the architectural plans. 4. Profiles are required for Massachusetts Avenue, storm sewer, and sanitary sewer. 5. The soil boring information shall be corrected for Soil Boring #2 on the drawings. The seasonal high

water table information provided in the Storm Water Management Report justifies the proposed basement elevation of the school and the depth of the storm water recharge systems. D. Storm Water Management 1. To mitigate the increase in runoff expected from the construction of the proposed improvements, two (2) infiltration systems have been designed, one (1) below the parking lot and one (1) behind the building. The proposed system behind the building accounts for most of the roof runoff. The proposed system below the parking lot accounts for most of the site and includes a Stormceptor pretreatment device. 2. The design should be corrected by revising the grading to divert some bypass area to the proposed system beneath the parking lot and adjusting the size of the system accordingly. 3. The runoff summaries in the Report must be revised to the Plan inverts. 4. A design is required for the storm water collection piping for the roof of the proposed school building. 5. A Storm Water Management Facilities Maintenance Plan must be provided. Confirming testimony shall be provided that the operation and maintenance of the proposed storm water management system will be the responsibility of the applicant. E. Landscaping and Lighting 1. A dedicated landscaping plan is provided with the submission; proposed landscaping is depicted on Sheet 6 of the plans. 2. A six foot (6') wide shade tree and utility easement is proposed across the Massachusetts Avenue frontage of the property. Seven (7) Armstrong Maple shade trees are proposed within the easement. The Shade Tree Commission recommends the caliper of these shade trees be increased to a minimum of three inches (3"). We recommend that an easement and shade trees be added along the Bushwick Avenue unimproved right-of-way since proposed grading will extend to the property line. 3. The Shade Tree Commission also recommends the addition of five (5) ornamental flowering trees of two and a half to three inch (2-1/2" - 3") caliper north of the parking lot. 4. Some of the proposed Japanese Holly conflict with the access to the covered porch. 5. The symbol for Steeds Japanese Holly should be coordinated between the plan call out and the plant list. 6. The Shore Juniper count should be corrected to ninety-four (94). 7. Testimony should be provided as to whether compensatory landscaping is proposed (or necessary). The Tree Protection Management Plan must be revised to comply with new Tree Ordinance Chapter XIX. 8. Landscaping should be provided to the satisfaction of the Board. 9. A dedicated lighting plan is provided with the submission; proposed lighting is depicted on Sheet 7 of the plans. 10. The Lighting Plan shows five (5) pole mounted lights and nine (9) wall mounted lights for the proposed project. The proposed project should be adequately illuminated by the design. 11. Testimony is required clarifying the mounting heights of the various light fixtures. It appears no mounting heights will exceed fifteen feet (15'). 12. Lighting should be provided to the satisfaction of the Board. F. Utilities 1. The plans indicate the site will be served by public water and sewer. 2. An existing water main on the east side of Massachusetts Avenue is not being extended across the frontage of the site. A proposed domestic water service and a separate fire suppression line are being connected to the school building from the existing main on the east side of Massachusetts Avenue at the north end of the site. Fire hydrants are not proposed for the project. 3. A proposed sanitary sewer lateral for the new school is indicated to connect to an existing main in Massachusetts Avenue at the North Drive intersection. The existing main is not deep enough to allow the proposed basement to be serviced by gravity sewer. 4. Approvals will be required from the New Jersey American Water Company for water and sewer since the project is within their franchise area. G. Signage 1. Other than a signage area shown on the front elevation of the architectural plans, no signage information is 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 site plan application, if any, shall comply with Township ordinance. H. Environmental 1. A waiver from preparing an

Environmental Impact Statement (EIS) was requested for this project. To assess the site for environmental concerns, our office performed a limited natural resources search of the property and surroundings 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. No environmentally-sensitive areas exist per available mapping. Per communications with the applicant's professionals, there are no known areas of environmental concern that exist within the property. 2. Virtually no existing trees with a diameter of ten inches (10") or greater can be saved during construction. The Tree Protection Management Plan must be revised to comply with new Tree Ordinance Chapter XIX. I. Construction Details 1. All proposed construction details must comply with applicable Township and/or applicable 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. A detailed review of construction details will occur during compliance review; if/when this application is approved. 2. Retaining wall details should be added. 3. Dimensions for the footings should be completed on the Trash Enclosure Details. The reinforcing for the slab should be installed three inches (3") from the bottom. 4. The Protective Bollard Detail footing dimension should be a diameter. 5. The rims shall be corrected on the Concrete Drainage Manholes Detail. 6. The elevations shall be corrected on the Recharge System in the Lawn Area Detail. 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 (as applicable); c. Ocean County Planning Board; d. Ocean County Soil Conservation District; e. Water and sewer utilities, prior to occupancy permits; and f. All other required outside agency approvals.

Mr. Rennert stepped down.

Mr. Vogt stated that Based on our limited environmental research of the site, no environmentally-sensitive areas exist per available mapping. Therefore, we recommend the granting of the requested waiver.

A motion was made by Mr. Herzl and seconded to grant the waiver.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Follman, Mr. Percal, Mr. Schmuckler

Mr. Vogt stated there are variances being sought for maximum building coverage and 20' wide perimeter landscape buffer.

Mr. Penzer on behalf of the applicant. He stated they are seeking to put together six classrooms, four offices on the first floor and a dormitory on the second floor. We have ten more parking spaces than are required. The neighbor's main concern was parking on Massachusetts Avenue but they feel they have more than enough parking spaces. They have no problems taking care of everything in the report. Some of the students will be bussed to the school everyday.

A motion was made by Mr. Banas, seconded by Mr. Percal to advance the application to the January 17, 2012 meeting.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Follman, Mr. Percal, Mr. Schmuckler

Mr. Jackson stated the application will be advanced to the January 17, 2012 meeting. No further notices are required.

2. **SD 1831** (Variance Requested)
Applicant: Yehoshua Frankel
Location: East Spruce Street, south of Albert Avenue
Block 855.02 Lot 20
Minor Subdivision & Variance to create two (2) lots

Project Description

The applicant proposes to subdivide the existing 150' X 300' tract into two (2) equal separate lots. Existing Lot 20 in Block 855.02, containing forty-five thousand square feet (45,000 SF), would be subdivided into proposed Lots 20.01 and 20.02 as designated on the subdivision plan. There is an existing dwelling and shed on the property. All existing structures on the tract are to be removed. Public water and sewer is not available. The site is situated in the south central portion of the Township on the south side of East Spruce Street, east of its intersection with Albert Avenue. The surrounding area is predominantly single-family residential, with some vacant land. East Spruce Street is a narrow paved road in good condition that has an existing right-of-way width of fifty feet (50'). Curbing and sidewalk does not exist along the property frontage, but is proposed. Road widening is proposed since the existing pavement is narrow. The existing forty-five thousand square foot (45,000 SF) property which would be subdivided into twenty-two thousand five hundred square foot (22,500 SF) lots falls within the R-20 Single Family Residential Zone. Lot width variances are requested to create this subdivision. We have the following comments and recommendations: I. Zoning 1. The property is located within the R-20 Single-Family Residential Zone District. Single-family detached dwellings are a permitted use in the zone. 2. The applicant has requested bulk variances for lot width on proposed Lots 20.01 and 20.02. Lot widths of seventy-five feet (75') are proposed where the ordinance requires a minimum of one hundred feet (100'). 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 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 Survey Certification indicates that a Survey of Lot 20 was prepared by Harry W. Mager, Jr., P.L.S., dated 8/24/11. A copy of this survey should be provided. 2. The General Notes indicate vertical elevations are based on an assumed datum. A bench mark must be provided. 3. The NJ R.S.I.S. requires 2.5 off-street parking spaces for unspecified number of bedroom single-family dwellings. The zoning schedule indicates that four (4) off-street parking spaces are required and will be provided for the proposed future dwellings. The applicant should provide testimony detailing the number of bedrooms proposed for the future dwellings. Parking must be provided to the satisfaction of the Board. 4. Testimony should be provided whether basements will be proposed for the future dwellings on proposed Lots

20.01 and 20.02. The notes on the Improvement Plan imply basements will be proposed and a minimum of four (4) off-street parking spaces would be required to comply with the Township Parking Ordinance. 5. If basements are proposed, seasonal high water table information will be required. The Notes on the Improvement Plan indicate seasonal high water table information will be provided with plot plan submissions. 6. The Minor Subdivision Plan shows new lot numbers were assigned by the tax assessor's office on 8-5-2011. If approved, the map shall be signed by the tax assessor. 7. The Notes on the Improvement Plan should be labeled. 8. The Improvement Plan includes a note that private well and septic are to be provided and approved by the Ocean County Board of Health. Furthermore, proposed well and septic locations will be shown when plot plans are submitted. 9. Six foot (6') wide shade tree and utility easements dedicated to the Township are proposed along the property frontages of new Lots 20.01 and 20.02. The proposed easement areas are shown on an individual lot basis. 10. Four (4) October Glory Maple street trees are proposed along the property frontage of new Lots 20.01 and 20.02. 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 on 12/16/11 indicates there are many small existing trees, but few existing large trees on the property. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review for proposed Lots 20.01 and 20.02. 11. The applicant proposes to construct road widening with curb, sidewalk, and driveway aprons along the property frontage of new Lots 20.01 and 20.02. The proposed sidewalk will be five feet (5') wide and setback two feet (2') behind the back of curb. The proposed half pavement width shall be increased to at least fifteen feet (15') and pavement widening construction details provided. 12. Proposed curb grades will be required for the improvements along East Spruce Street. The proposed gutter grade should slope eastward toward New Hampshire Avenue. 13. Note #4 on the Concrete Curb Detail shall be eliminated since it does not apply to curb being constructed with road widening. The pavement repair strip on the detail shall be replaced with road widening specifications. 14. Testimony is required on the disposition of storm water from the development of proposed Lots 20.01 and 20.02. The property slopes northward toward East Spruce Street. The Notes on the Improvement Plan state that storm water management shall be provided when plot plans are submitted. 15. Testimony should be provided on proposed site grading. No proposed grading is indicated on the plan. The Notes on the Improvement Plan indicate that proposed grading will be included on the plot plan submissions. 16. 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. 17. Monuments shall be added to the rear property corners of the existing lot. 18. The address should be corrected on the Owners Certification. 19. Compliance with the Map Filing Law is required. 20. Final review of construction details will be conducted during compliance if approval is given. 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 (well and septic system approvals); and e. All other required outside agency approvals.

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

The attorney stated it was a straight forward application.

Mr. Schmuckler asked that they bring a map of the area showing other lots in that area.

A motion was made by Mr. Schmuckler, seconded by Mr. Percal to advance the application to the February 21, 2012 meeting.

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

Mr. Jackson stated the application will be advanced to the February 21, 2012 meeting. No further notices are required.

- 3. SD 1829** (No Variance Requested)
Applicant: David Amoyelle
Location: East Seventh Street, west of Nowlan Place
Block 235 Lots 11, 12 & 13
Minor Subdivision to create four (4) zero lot line lots

Project Description

The applicant proposes to subdivide the existing 150' X 150' tract composed of three (3) lots into four (4) equal separate lots for two (2) zero lot line duplex units. Existing Lots 11 - 13 in Block 235, containing twenty-two thousand five hundred square feet (22,500 SF), would be subdivided into proposed Lots 11.01 - 11.04 as designated on the subdivision plan. There are existing dwellings and garages on the property, all of which would be removed. Public water and sewer is available. The site is situated in the northern portion of the Township on the south side of East Seventh Street, west of its intersection with Nowlan Place. The surrounding area is predominantly residential. East Seventh Street is a paved road in good condition that has an existing right-of-way width of sixty feet (60'). Curbing and sidewalk exist along the property frontage. The existing twenty-two thousand five hundred square foot (22,500 SF) property would be subdivided. The proposed zero lot line duplexes have been designed such that each pair of lots exceeds ten thousand square feet (10,000 SF) in area. The lots fall within the R-7.5 Single Family Residential Zone. No variances are requested to create this subdivision. We have the following comments and recommendations: I. Waivers A. The following waivers have been requested from the Land Development Checklist: 1. B1 - Topography of the site. 2. B3 - Contours on the site to determine the natural drainage. 3. B9 - Man-made features on-site. Waivers have been requested since the applicant's engineer indicates that all of the above will be supplied on the plot plans. We recommend the granting of the requested waivers. II. Zoning 1. The property is located within the R-7.5 Single-Family Residential Zone District. Two Family and Duplex Housing, with a minimum lot size of ten thousand square feet (10,000 SF), are a permitted use in the zone. 2. No variances are being requested nor do any appear necessary. 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 1. The Survey Certification indicates that a Survey was prepared by Vincent Lungari, P.L.S., dated 11/21/11. A copy of this survey should be provided. 2. The General Notes indicate coordinates are based on an assumed datum. A vertical datum and bench mark must be provided. 3. The required lot widths in the Zoning Data should be corrected to fifty feet (50') and twenty-five feet (25') respectively. 4. The General Notes indicate that 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. The plan indicates that four (4) off-street parking spaces will be provided for the proposed future dwellings. The applicant should provide testimony that the NJ R.S.I.S. and Township Parking Ordinance will be complied with. Parking must be provided to the satisfaction of the Board. 5. Testimony should be provided whether basements will be proposed for the future dwellings on proposed Lots 11.01 – 11.04. The General Notes imply basements are proposed. 6. The General Notes indicate seasonal high water table information will be provided with plot plan submissions. 7. The Minor Subdivision Plan shows new lot numbers were assigned by the tax assessor's office on November 28, 2011. If approved, the map shall be signed by the tax assessor. 8. Six foot (6') wide shade tree and utility easements dedicated to the Township are proposed along the property frontages of new Lots 11.01 – 11.04. The proposed easement areas are shown on an individual lot basis. 9. The General Notes indicate that shade trees are to be provided per Township Ordinance and delineated on the plot plans when submitted. 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 on 12/16/11 indicated only a few large trees on the property. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review for proposed Lots 11.01 – 11.04. 10. The General Notes indicate that damaged curb and sidewalk to be replaced at the direction of the Township Engineer. The notes should be revised to replace all the curb and sidewalk along the project frontage since the construction of driveway aprons and utility connections will disturb virtually all of the existing curb and sidewalk. 11. The General Notes indicate that proposed grading based on existing topography will be included on the plot plan submittals. 12. The General Notes state that storm water management shall be provided when plot plans are submitted. 13. The plan indicates the new lots are to be serviced by public water and sewer. The project is within the New Jersey American Water franchise area. 14. 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. 15. The monument certification has not been signed since the monuments have not been set. The Monument symbols must be added at the rear outbound property corners. 16. It should be noted on the Plan that the existing lot lines will be eliminated. 17. Compliance with the Map Filing Law is required. 18. Final review of construction details will be conducted during compliance and plot plan reviews if approval is given. IV. 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. Lines stated they are going to have a total of four zero lot line lots with two duplexes with a basement apartment. They provided four parking spaces with a total of sixteen spots.

Mr. Vogt stated they are requesting waivers for site topography, contours and man-made features. Waivers have been requested since the applicant's engineer indicates that all of the above will be supplied on the plot plans.

A motion was made by Mr. Schmuckler, seconded by Mr. Percal to grant the waivers and to advance the application to the February 21, 2012 meeting.

Affirmative: Mr. Herzl, Mr. Franklin, Mr. Banas, Mr. Neiman, Mr. Follman, Mr. Percal, Mr. Schmuckler

Abstained: Mr. Rennert

Mr. Jackson stated the application will be advanced to the February 21, 2012 meeting. No further notices are required.

- 4. SP 1969** (No Variance Requested)
Applicant: Star Developers/Dr. Samuel Perschel
Location: Southeast corner of West County Line Road & Forest Avenue
Block 58 Lots 9 & 10
Preliminary & Final Site Plan for proposed office building

Project Description

The applicant is seeking Preliminary and Final Site Plan approval in order to construct a three-story, 5,752-square foot office building with parking areas on a corner property along West County Line Road at the intersection of Forest Avenue. There is an existing one-story frame dwelling on Lot 9 and an existing one-story frame office building on Lot 10 which will be removed as part of this plan. The applicant has proposed a total of twenty-nine (29) parking spaces for the proposed use. The tract is located in the northern portion of the Township on the south side of West County Line Road at the southeast intersection with Forest Avenue. The intersection is signalized. Developed lots border the site to the east and south. The subject site is located within a developed area with residential and commercial uses. There is existing curbing, which is in poor condition, along the property frontages. No sidewalk exists along the project frontages. The applicant has proposed sidewalk along the Forest Avenue and West County Line Road frontages. Forest Avenue is a wide municipal road with an eighty foot (80') right-of-way. West County Line Road is a County Road with a forty-nine and a half foot (49.50') right-of-way. A dedication to Ocean County of ten and a half feet (10.50') has been proposed to widen the right-of-way to sixty feet (60'). The parcel is located in the OT Office Transitional Zone District. Professional office uses are permitted in the OT Zone. 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. C6 -- Profiles. Waivers have been requested from B2, B4, and B10. We support these waiver requests since the Survey submitted provides sufficient information for design. A waiver has been requested from C6, providing profiles. We can support the granting of the requested waiver from C6, provided there is an agreement to provide profiles as a condition of approval. The profiles will be needed to insure the recharge design does not conflict with the proposed pavement section. II. Zoning 1. The site is situated within the OT, Office Transitional Zone. Professional offices are permitted uses in this zone. 2. A waiver is required from Ordinance Section 18-803 E.2.a., which states: "Except as otherwise stated in this chapter, non-residential development shall provide a minimum twenty-five foot (25') wide buffer area as measured from the property line toward the proposed use. Except as otherwise stated in this chapter, the buffer shall be increased to fifty feet (50') wide where the non-residential development is adjacent to an existing single-family residential development or an area zoned for residential land uses." 3. Per review of the site plans and application, the following design waivers are required per

the current design: • Providing shade tree and utility easements along the project frontage. The addition of shade tree and utility easements will impact the proposed parking. • Providing shade trees along the West County Line Road frontage. • Any and all other design waivers deemed necessary by the Board. 4. Corrections are required to the zoning requirements in order to account for the proposed dedication. Testimony should be provided to confirm that no variances are being created. 5. 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. Site Plan/Circulation/Parking 1. Zone boundary lines must be added to the plans to assist the Board in evaluating the required buffer waiver. 2. Two (2) separate proposed parking areas will access Forest Avenue. A nineteen (19) space proposed parking area will access Forest Avenue on the south side of the site. A ten (10) space proposed parking area will access Forest Avenue on the north side of the site. Testimony should be provided on the proximity of the proposed access for the northern parking area to the signalized intersection. 3. Additional dimensions are required on the site plan for the various site improvements. 4. Curb in poor exists along the entire frontage of the property. No sidewalk exists along the property frontage. The applicant has proposed curb replacement and new sidewalk along the entire frontage of the project. 5. Large existing trees have not been provided on the Survey or Site Plan. The proposed sidewalk will conflict with existing large trees on the West County Line Road frontage. Consideration for constructing the proposed sidewalk around the existing trees should be given. 6. All existing features shown on the Survey should be added to the plans. These features such as fences, inlets, traffic signals, and electric manholes must be accounted for in the proposed design. 7. Testimony should be provided on site operations, including deliveries, and circulation for trucks and emergency vehicles. 8. The width of the proposed sidewalks along the parking areas should be corrected to six feet (6'). 9. Proposed building access points need to be coordinated with the architectural plans. Handicap ramps shall be properly placed for accessibility to the parking. 10. Proposed handicap ramps shall be added at the intersection of West County Line Road and Forest Avenue. 11. The first floor and total building square footages should be increased since the 2nd floor building overhang is only partially across the north side. The proposed building footprint should be revised accordingly. 12. We recommend the consolidation of existing Lots 9 and 10 be made a condition of site plan approval. 13. A 10' X 10' refuse area is proposed on-site. Construction details with dimensions have been provided. Testimony is required regarding the adequacy of the refuse area. The Environmental Impact Statement indicates that collection will be private. This information should be added to the plans. The refuse area should be designed in accordance with Section 18-809.E., of the UDO. No screening has been proposed. 14. Testimony should be provided on the need for sight triangles at the access driveways. 15. The Existing Conditions/Demolition Plan is incomplete. All existing site features should be shown in order to complete the plan. 16. The reference to subdivision should be removed from the approval box on Sheet 3. B. Architectural 1. A preliminary architectural plan was submitted for review. The floor plans at the building access points do not match the site plan. 2. Testimony should be provided that the building height complies with the allowable height of thirty-five feet (35'). 3. Information should be provided for utility connections. Location of air conditioning equipment should be

shown. Said equipment should be adequately screened. 4. Testimony should be provided on ADA accessibility. According to the preliminary architectural plan, only the first floor is ADA accessible. 5. The applicant's professionals should provide testimony regarding the proposed building facade, and treatments. We recommend that renderings be provided for the Board's review and use prior to the public hearing, at a minimum. C. Grading 1. A detailed grading plan is provided on Sheet 4. The General Notes require minor editing. 2. The following additional information is required for review of the grading plan: a. Proposed building corner elevations. b. Proposed contour lines. c. The limits of pavement reconstruction on adjoining streets associated with the curb replacement. d. Adjusting the locations of proposed curb elevations. e. Small proposed retaining walls along sections of the site perimeter. Final grading can be addressed during compliance review if/when approval is granted. D. Storm Water Management 1. In order to mitigate the additional runoff created by the increase in impervious area due to the proposed development, an underground recharge system is proposed to infiltrate the roof runoff from the building and the runoff from the parking areas. 2. Per our review of the proposed improvements as described in the report, less than 0.25 acres of additional impervious coverage is proposed and less than one (1) acre of disturbance will occur. This exempts the project from being "major development" as defined in the Township Code and in the NJ Storm Water Rule. 3. Soil test pits are required to demonstrate that a two foot (2') vertical separation between the proposed bottom of the storm water management recharge system and the seasonal high water table is maintained 4. Permeability test results are required to justify the recharge calculations used for the project. 5. The storage items listed in the Report should be checked for concurrence with the Plan design. 6. Information such as cleanouts and inverts regarding the proposed roof leaders and their discharge(s) into the storm water collection system must be provided. 7. Access to the proposed recharge system for maintenance purposes should be improved. 8. Since the project is not classified as major development, a Storm Water Management Operations & Maintenance Manual is not required. Testimony should be provided that the operation and maintenance of the proposed storm water management system will be the responsibility of the applicant. E. Landscaping 1. The applicant has provided a landscape plan as part of this submission. Landscaping has been proposed to partially screen the eastern and southern sides of the site with a row of alternating Leyland Cypress and White Pine. 2. Four (4) Red Sunset Maples are proposed on the plan, but only three (3) are indicated on the plant list. The proposed Red Maples are along the Forest Avenue frontage; however, three (3) of the proposed shade trees conflict with the recharge system. 3. Inkberry and Japanese Holly are shown in the plant list, but are not indicated on the plan. 4. The Planting Notes and Landscape Details require editing. 5. Testimony should be provided as to whether irrigation is proposed since the Planting Notes imply it will be. 6. The overall landscape design is subject to review and approval by the Board. F. Lighting 1. Site lighting is being provided by three (3) proposed wall mounted fixtures. However, the design will be inadequate for lighting the east and west sides of the proposed building which have the access points according to the preliminary architectural plan. 2. The plan notes state "pole mounted lighting to be back shielded from adjacent lots". However, no pole mounted lights are shown on the Lighting Plan. 3. The overall lighting design is subject to review and approval by the Board. G. Utilities 1. Public water and sewer services will be provided by New Jersey American Water Company. New services connecting from Forest Avenue are proposed for the site. 2. Testimony should be provided

as to whether a separate fire service line is being proposed for the building. 3. Electric service is available from Jersey Central Power & Light Company. Gas service is available from New Jersey Natural Gas Company. H. Signage 1. No signage information is provided on the Site Plan other than traffic signage. The preliminary architectural plan shows a proposed building mounted signage location on the west side elevation. 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 site plan 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 developed. Per our investigation of the site, Lot 9 contains an existing one-story residential frame dwelling. The dwelling fronts Forest Avenue and has driveway access to Forest Avenue. Lot 10 contains an existing one-story frame office building. One-way ingress is provided from West County Line Road, with egress provided to Forest Avenue. 2. Environmental Impact Statement The applicant has submitted an Environmental Impact Statement. Revisions are required to conform to the latest site plan design. We agree with the conclusions that there were no environmental issues found to be associated with this developed property. 3. Tree Management Plan The Tree Protection Plan must be revised to show the existing trees on-site. The applicant must comply with the requirements for tree protection and removal as applicable on the site in accordance with the Township's Tree Ordinance.J. Construction Details 1. Construction details are provided on Sheets 6 and 7 of the plans. 2. All proposed construction details must be revised to 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. A detailed review of construction details will occur during compliance submission; if/when this application is approved. 3. An overwrite needs to be corrected on the Vinyl Gate Detail for the Trash Enclosure Detail. 4. "Unimproved Driveway" should be removed from the Concrete Driveway Apron Detail. 5. The elevation view of the Concrete Driveway Apron Detail does not correlate to the Site Plan. 6. Dimensions should be completed for the Underground Recharge System Detail. 7. A Gutter Repair Detail must be added. 8. Performance guarantees should be posted for any required improvements in accordance with Ordinance provisions. 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 (as applicable); c. Ocean County Planning Board; d. Ocean County Soil Conservation District; e. Water and sewer utilities, prior to occupancy permits; and f. All other required outside agency approvals.

Mr. Vogt stated there are waivers requested for topography, contours, man-made features within 200 feet which we have no problem recommending. The profile waiver, we recommend that if an approval is granted that we get this during compliance.

Moved and seconded to approve the requested waivers.

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

Mr. Carpenter stated there was no fence proposed at this time. They do propose some landscaping along the easterly property line.

The Board members stated that they would like to see a fence.

Mr. Carpenter stated he will revise the plans.

A motion was made by Mr. Herzl, seconded by Mr. Banas to advance the application to the February 21, 2012 meeting.

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

Mr. Jackson stated the application will be advanced to the February 21, 2012 meeting. No further notices are required.

5. CORRESPONDENCE

1. Applicant: Yeshiva Shagas Aryeh
Location: Northeast corner of Neiman Road & Cross Street
Block 251.03 Lot 19
Eliminate a condition of a previously approved site plan for proposed school

Mr. Pfeffer on behalf of the applicant stated they are seeking to eliminate curbs and sidewalks on Cross Street.

Mr. Lines stated that if they put sidewalks in then the County will require curbs and that will require widening the road five feet. To widen the road five feet they would have to relocate all the utility poles. He stated there are currently no sidewalks on West Cross Street and there is not much, if any, pedestrian traffic.

Rabbi Kanerek was sworn in. He also stated that there are no existing sidewalks along Cross Street and there are trees along the sidewalk that would have to be removed if sidewalks were to be added.

Mr. Banas expressed his concerns about children walking down that street without a sidewalk with the speed limit at 45 mph.

Mr. Schmuckler asked if it was possible to put some type of walkway on their property.

Mr. Lines stated they may be able to get a gravel or asphalt path behind the trees on their property.

Mr. Vogt stated near the edge of the parking area.

Mr. Lines stated along the inside edge of our parking area so it is outside the right-of-way. If we do it in asphalt we won't have as many problems if we are too close to the trees.

Mr. Vogt stated they would have a pedestrian walkway from one end of the property to the other and they are outside the County right-of-way.

A motion was made by Mr. Schmuckler and seconded by Mr. Follman to approve the request with the exception that they will create an asphalt sidewalk on their property line, before the trees and in the future if there is to be a need for sidewalks that the applicant agree to put them in.

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

6. PUBLIC PORTION

7. APPROVAL OF MINUTES

A motion was made and seconded to approve.

Affirmative: Mr. Franklin, Mr. Rennert, Mr. Banas, Mr. Percal, Mr. Schmuckler

8. APPROVAL OF BILLS

A motion was made and seconded to approve.

Affirmative: Mr. Franklin, Mr. Rennert, Mr. Banas, Mr. Percal, Mr. Schmuckler

9. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Sarah L. Forsyth
Planning Board Recording Secretary