

## 1. CERTIFICATION OF COMPLIANCE

Chairman Neiman called the meeting to order at 6:00 p.m. with the Pledge of Allegiance and Mr. Vogt 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, Committeeman Ackerman, Mr. Banas, Mr. Neiman, Mr. Schmuckler, Mr. Follman, Mr. Rennert

## 3. SWEARING IN OF PROFESSIONALS

Mr. Vogt was sworn in.

## 4. PUBLIC HEARING ITEMS

- SD 1850** (Variance Requested)  
Applicant: Lakewood Township MUA  
Location: Syracuse Court, east of New Hampshire Avenue  
Block 1600 Lots 8 & 14  
Minor Subdivision to realign two existing lots

### **Project Description**

This application is for the re-alignment of property lines to provide additional area to the Lakewood Township Municipal Utilities Authority for construction of a new well. Existing Lots 8 and 14 in Block 1600 would be reconfigured as designated on the subdivision plan. The site is situated in the eastern portion of the Township in the Lakewood Industrial Park. It is southeast of the New Hampshire Avenue and Cedar Bridge Avenue intersection and spans between New Hampshire Avenue and Syracuse Court. Syracuse Court is an improved municipal road with a sixty foot (60') right-of-way and a forty foot (40') pavement width. New Hampshire Avenue is a County Road with an existing variable width right-of-way and a fifty foot (50') pavement width. Right-of-way dedication is proposed along New Hampshire Avenue. Curb exists only along the Syracuse Court frontage and no sidewalk exists along either frontage. The total tract area is 3.96 acres. Existing Lot 8 owned by 100 Syracuse Court, LLC, consists of 3.73 acres in area, and is mostly developed as a warehouse site with the exception of a wooded area on the west side of the property. Existing Lot 14 owned by the Lakewood Township Municipal Utilities

Authority, consists of ten thousand square feet (10,000 SF) or 0.23 acres, and is developed with a pump house. The properties generally slope gently downwards from north to south. No freshwater wetlands or state open waters exist on-site or within three hundred feet (300') of the tract. Existing Lot 8 has double frontage. The northeast side of existing Lot 8 fronts Syracuse Court while the west side fronts New Hampshire Avenue, a County Road. Existing Lot 14 only has frontage on New Hampshire Avenue. Access to existing Lot 8 is from Syracuse Court since the Survey shows a fifty foot (50') wide existing Vegetative Buffer Easement along the New Hampshire Avenue frontage. Surrounding lands are all improved with large commercial and industrial land uses. Existing Lot 14 is proposed to be reconfigured into new 60' X 175' Lot 14 consisting of ten thousand five hundred square feet (10,500 SF) or 0.24 acres. As a result, existing Lot 8 is proposed to be reconfigured into new Lot 8 consisting of 3.68 acres. We have the following comments and recommendations per testimony provided at the 6/12/12 Planning Board Plan Review Meeting and comments from our initial review letter dated May 30, 2012: I. Zoning 1. The site is situated within the M-1, Industrial Zone. Per Section 18-903M.1.c., of the UDO, under "permitted uses" in the M-1 zone cites warehouses. Per Section 18-903M.1.h., of the UDO, under "permitted uses" in the M-1 zone cites public utility uses. Statements of fact. 2. Per review of the site plans and application, the following variances appear to be required: • Minimum Lot Area – three (3) acres required, 0.24 acres provided for new Lot 14, proposed condition. It should be noted the lot area of existing Lot 14 was only 0.23 acres. • Minimum Lot Width – three hundred feet (300') required, one hundred seventy-five feet (175') provided for new Lot 14, proposed condition. It should be noted the lot width of existing Lot 14 was only one hundred feet (100'). • Minimum Front Setback – fifty feet (50') required with approval of the Lakewood Industrial Commission, 41.7 feet provided for new Lot 14, proposed condition. It should be noted that the existing pump house was in conformance with the minimum front setback prior to the proposed right-of-way dedication to the County. • Minimum Rear Setback – thirty feet (30') required, 5.3 feet provided for new Lot 14, proposed condition. The Board shall take action on the required variances. 3. Per review of the site plans and application, the following design waivers appear to be required: • Providing concrete curb and sidewalk along the project frontage. There is existing curb, but no existing sidewalk along Syracuse Court. There is no existing curb and sidewalk along New Hampshire Avenue, a County Road. No additional curb and sidewalk is proposed across either of the site frontages. • Providing shade trees and a shade tree and utility easement along the new Lot 8 Syracuse Court project frontage and the new Lot 14 New Hampshire Avenue project frontage. There is a Vegetative Buffer Easement across the New Hampshire Avenue frontage of new Lot 8. The Board shall take action on the required design waivers. II. Review Comments 1. The M-1 Zone Requirements table requires corrections. The applicant's professionals should contact our office to review the provided information. Most of the corrections have been made. The applicant's professionals should contact our office to review the remaining corrections. 2. Off-street parking requirements do not appear applicable to this minor subdivision application. Confirming testimony should be provided. Testimony should be provided on off-street parking. 3. The proposed new lot lines will leave existing improvements such as the dry well and bituminous pavement encroaching onto new Lot 8. Either the proposed new lot lines should be revised or the existing improvements altered. The plans have been revised to note the existing improvements encroaching onto Lot 8 are to be removed by the LTMUA. Site improvement plans are required. 4. Except for the future well location, no new site improvements are proposed. Some of the existing fence for existing Lot 14 is shown to be removed, but no new fencing is proposed. Site improvement plans are required. 5. The Minor Subdivision Plan shows new lot numbers were assigned by the tax assessor's office on 4/12/2012. If approved,

the map shall be signed by the tax assessor. Statements of fact. 6. 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. Existing trees with a diameter of at least ten inches (10") have been located on the Survey. This development, if approved must comply with the Township Tree Ordinance. Only one (1) existing tree with a diameter of twelve inches (12") will be impacted by this minor subdivision. The Board should provide landscaping recommendations, if any. 7. Testimony should be provided on proposed site grading and storm water management. No proposed grading is indicated on the plan. Testimony should be provided on proposed grading and storm water management. 8. Compliance with the Map Filing Law is required. Statement of fact. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance (as applicable); b. Ocean County Planning Board; and c. All other required outside agency approvals.

Committeeman Ackerman stepped down for this application.

Mr. John Doyle, Esq. on behalf of the applicant stated they are asking for a minor subdivision that realigns the boundary between two lots so that the MUA can meet the State regulation, locate the well where it is most appropriate. There is a minimum front setback and rear setback variance.

Mr. Lindstrom, P.E., was sworn in. He stated that the small corner lot is housing the existing MUA well and pump house and the intention is to expand that property and add about 4,500 SF to that lot.

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

A motion was made by Mr. Follman, seconded by Mr. Banas to approve the application.

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

- 2. SP 1987** (Variance Requested)  
Applicant: 100 Syracuse Court, LLC  
Location: Syracuse Court, east of New Hampshire Avenue  
Block 1600 Lot 8  
Preliminary & Final Major Site Plan to add a one-story addition to existing warehouse

### **Project Description**

The applicant is seeking Preliminary and Final Major Site Plan approval to add a twenty thousand four hundred square foot (20,400 SF) one-story warehouse addition to the existing twenty-one thousand square foot (21,000 SF) one-story masonry warehouse building within the Lakewood Industrial Park. The existing facility is located at 100 Syracuse Court. According to the site plan, the thirteen (13) existing off-street parking spaces will be expanded to fifty-seven (57) proposed off-street parking spaces. Three (3) of the proposed spaces will be handicapped, two (2) of which being van accessible. Based on the parking requirements of one (1) space per employee on maximum shift plus ten (10) spaces for executives, this would allow for a total

maximum shift of forty-seven (47) employees. Proposed parking spaces will be a minimum size of 9' X 18'. Access to the site will be provided by an existing driveway from Syracuse Court. The tract will consist of 3.68 acres in area once a Minor Subdivision associated with Application #SD 1850 is filed. The site is mostly developed with the exception of a wooded area on the west side of the property. The property slopes gently downwards from north to south. No freshwater wetlands or state open waters exist on-site or within three hundred feet (300') of the tract. The site has double frontage. The northeast side of the site fronts Syracuse Court while the west side fronts New Hampshire Avenue, a County Road. Access to the site is from Syracuse Court since the Existing Conditions Plan shows a fifty foot (50') wide existing Vegetative Buffer Easement along the New Hampshire Avenue frontage. This Vegetative Buffer Easement will to be reduced to forty-five feet (45') because of a proposed right-of-way dedication of five feet (5') to Ocean County. The adjoining roadways are improved. Municipally supplied water and sewer services are already serving the site. Surrounding lands are all improved with large commercial and industrial land uses. We have the following comments and recommendations per testimony provided at the 6/12/12 Planning Board Plan Review Meeting and comments from our initial review letter dated May 31, 2012: I. Zoning 1. The site is situated within the M-1, Industrial Zone. Per Section 18-903M.1.c., of the UDO, under "permitted uses" in the M-1 zone cites warehouses. Statement of fact. 2. Per review of the site plans and application, the following variance appears to be required: • Minimum Rear Setback – A 17.3 foot rear setback is proposed, whereas a thirty foot (30') rear setback is required, proposed condition. The Board shall take action on the required variance. 3. Per review of the site plans and application, the following design waivers appear to be required: • Providing concrete curb and sidewalk along the project frontage. There is existing curb, but no existing sidewalk along Syracuse Court. There is no existing curb and sidewalk along New Hampshire Avenue, a County Road. No additional curb and sidewalk is proposed across either of the site frontages. • Providing shade trees and a shade tree and utility easement along the Syracuse Court project frontage. There is a Vegetative Buffer Easement across the New Hampshire Avenue frontage. The Board shall take action on the required design waivers. II. Review Comments Per review of the current design plans, the application is generally well prepared. We offer the following comments and recommendations: A. Site Plan/Circulation/Parking 1. Testimony should be provided on loading/unloading for the site. Testimony should be provided at the Public Hearing. 2. Survey data should be provided for the Vegetative Buffer Easement and existing ten foot (10') Utility Easement. The survey data must still be provided. 3. No sight triangles associated with the site access have been indicated, and may not be necessary because of the configuration of Syracuse Court. Testimony on sight triangles should be provided. 4. The General Notes and Development Table require corrections. The applicant's engineer should contact our office to review potential changes. Corrections have been made. The "denotes variance required" symbol shall be removed from the proposed Minimum Combined Sides. The Allowable Impervious shall be reduced to 2.94 acres because of the right-of-way dedications. Required Forest Preservation shall be 0.12 acres which is ten percent (10%) of existing. The percentage of Proposed Forest Preservation is based on Existing Forested Area. Survey Note #2 on the Existing Conditions Plan shall be updated like General Note #4 on the Cover Sheet. B. Architectural 1. The plans show the addition will only house warehouse space. Review of the utility plans indicates that restrooms will be proposed. Testimony should be provided on the proposed floor area usage. Testimony on proposed floor area usage should be provided at the Public Hearing. 2. The rear elevation shows a door which is not on the floor plan. The door is not indicated on the site plan. Coordination is required between the architectural plans and site plans. 3. 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. Renderings should be provided at the Public Hearing. 4. Testimony should be provided as to whether any roof-mounted HVAC equipment is proposed. If so, said equipment should be adequately screened. Two (2) proposed air conditioning units at ground level are shown on the site plans which have vegetative screening. Testimony on HVAC equipment should be provided. C. Grading 1. A review of final grading revisions will be performed during compliance if/when approval is granted. Final grading will be reviewed in detail after resolution compliance submission should approval be granted. D. Storm Water Management 1. Some of the proposed roof leaders on the site plans need to connect to the drainage system. Proposed roof leader revisions have been made which will be reviewed after resolution compliance submission, assuming approval is granted. 2. A small recharge area along the westerly side of the building addition is proposed. This depression will collect runoff from a portion of the wooded area to remain and some lawn area. The flood elevation of this recharge area will overtop the limits of the section provided, revisions are necessary. Corrections can be provided with resolution compliance submission should approval be granted. 3. The flood elevation of the proposed small infiltration basin will back up into the parking lot. The bottom of the proposed basin can be lowered to rectify the problem. Revisions can be provided with resolution compliance submission should approval be granted. 4. A storm water maintenance manual has not been provided in accordance with NJ Stormwater Rule (NJAC 7:8) and Township standards. It is our understanding this document will not be prepared until after the initial CAFRA review. CAFRA is the lead agency for storm water management review. E. Landscaping 1. A landscape plan has been provided for the project, and is generally well-prepared. Proposed landscape planting for the site consists of four (4) Swamp White Oak, four (4) Green Mountain Sugar Maples, fifteen (15) Japanese Pieris, fifteen (15) Morning Light Miscanthuses, and ten (10) Emerald Green Arborvitae. Additional shade trees have been proposed on the revised plans. 2. The applicant has not provided a six foot (6') shade tree and utility easement along the property frontage, and sight triangle easements for the existing site access driveway. If not proposed, design waivers will be necessary. The Board shall take action on the design waivers. 3. Revisions are required to the Planting Details, and can be addressed during compliance review if/when approval is granted. Final review of the landscaping design will be undertaken after resolution compliance submission should approval be granted. F. Lighting 1. Additional lighting appears necessary in portions of the site, and can be addressed during compliance review if/when approval is granted. A point to point diagram will be required. Final review of the lighting design will be undertaken after resolution compliance submission should approval be granted. G. Utilities 1. Testimony should be provided regarding proposed fire protection measures. Testimony should be provided at the Public Hearing. H. Signage 1. No proposed free-standing or wall mounted signage has been provided on the site plans. Statement of fact. I. Environmental 1. Site Summary Per review of the site plans, aerial photography, and a site inspection of the property, the tract is mostly developed with the exception of a wooded area on the west side of the property. The property slopes gently downwards from north to south. No freshwater wetlands or state open waters exist on-site or within three hundred feet (300') of the tract. 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. No environmentally-sensitive areas exist per available mapping. Testimony should be provided by the applicant's professionals as to whether there are any known areas of environmental concern (i.e. fuel

tanks, fuel spills, etc.) that exist within the property. Testimony should be provided at the Public Hearing. 2. Tree Management Plan The project must comply with the new Township Ordinance Chapter XIX, Protection of Trees. The locations of the larger trees are shown on the Existing Conditions Plan. Review of the project indicates that three (3) more replacement trees are required. J. Construction Details 1. 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. Final review of construction details will take place after resolution compliance submission should approval be granted. 2. A depressed curb detail is required. Corrections are required to the dimensions of the depressed curb details. 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. Lakewood Industrial Commission; c. Lakewood Fire Commissioners; d. Lakewood Township Municipal Utilities Authority (water and sewer); e. Ocean County Planning Board; f. Ocean County Soil Conservation District; g. NJDEP CAFRA Individual Permit; and h. All other required outside agency approvals.

Committeeman Ackerman stepped down for this application.

Mr. Vogt stated that the applicant is requested a variance for minimum rear setback.

Mr. John Doyle, Esq. on behalf of the applicant stated the applicant is seeking to add a 20,400 SF addition to an existing warehouse for potential future development. The nature of that development is not yet known other than it would be a structure similar to the one that presently exists. It would be for a conforming potential warehouse use appropriate with the industrial park.

Mr. Lindstrom, P.E. was sworn in. They will continue the curb and landscaping as consistent with current conditions in the industrial park. They are asking for a waiver from the site triangles because they have very good visibility as it is a cult-de-sac.

Mr. Vogt said the only concern they would have would be some way of preventing something that could be put in that area in the future that would obstruct site vision.

Mr. Lindstrom stated there is currently vegetation that exists on the easterly property line including several trees. They will comply with anything else as stated in the engineer's review letter.

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

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

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

- 3. SP 1989** (Variance Requested)  
Applicant: Bnos Brocha  
Location: River Avenue, north of Oak Street  
Block 782 Lot 35

Preliminary & Final Site Plan to construct a 3 story addition to connect 2 existing school buildings

**Project Description**

The applicant is seeking Preliminary and Final Major Site Plan approval for the construction of a three-story addition to connect two (2) existing buildings. The existing girl's school site consists of two (2) existing buildings, a parking lot, playground area, and temporary trailers. An existing one-story building with basement, and an existing two-story building on Lot 35 in Block 782 will remain. The two (2) buildings will be connected by a three-story addition. The proposed girls' school will mainly consist of classrooms, resource rooms, offices, a small library, conference rooms, and a multipurpose room. The architectural plans indicate the proposed school building will contain twenty-eight (28) classrooms, a library, three (3) conference rooms, and twelve (12) offices. Per our interpretation of the UDO, up to forty-four (44) spaces are required. The site plans indicate there are thirty-nine (39) proposed off-street parking spaces, two (2) of which are van accessible handicap. The site is located in the southern central portion of the Township on the east side of River Avenue (Route 9), between High Street and Oak Street. The project has one hundred sixty-five feet (165') of frontage on River Avenue (Route 9). The tract totals 1.5025 acres in area. Curb and sidewalk exist across the entire frontage of the project. The project will be serviced by sanitary sewer and potable water. Lot 35 is an irregular shaped property because of an additional 25' X 210' strip of land added to the southwest side of the original lot due to the vacation of Wallace Place. Access to the site is afforded from Route 9 by a twenty-five foot (25') wide driveway. The northern half of this existing driveway is on the subject site, Lot 35. The southern half of the driveway is located on Lots 15.01 and 16.02. We have the following comments and recommendations per testimony provided at the 6/26/12 Planning Board Public Hearing Meeting and comments from our initial review letter dated June 22, 2012:

I. Waivers A. The following waivers have been requested from the Land Development Checklist:

1. C13 - Environmental Impact Statement.
2. C14 – Tree Protection Management Plan. The requests are being made since the project site has been previously disturbed. Due to the developed nature of the site, the lack of existing trees, and the detail of the Existing Conditions Plan, we support the granting of the requested waivers. The Board shall take action on the requested waivers.

II. Zoning 1. The project is located in the HD-7 Highway Development Zone. Public and private schools are permitted uses in the zone. Statements of fact.

2. A variance is being requested for Minimum Front Setback. A 40.56 foot setback is proposed, while a seventy-five foot (75') setback is required. The existing one-story building with basement is closest to Route 9, while the proposed addition is only marginally farther from Route 9. The revised plans indicate the southwest corner of the existing building is 40.1 feet from the right-of-way line of Route 9. The northwest corner of the proposed addition will be 40.3 feet from the right-of-way line of Route 9. The Board shall take action on the required Minimum Front Setback variance.
3. A variance is being requested for Minimum Rear Setback. A thirty foot (30') rear setback is requested, while a fifty foot (50') rear setback is required. However, the existing building and proposed addition both appear to be in excess of fifty feet (50') from the rear property line. The Schedule of Bulk Requirements has been revised. A Minimum Rear Setback variance is not required.
4. A variance is being requested for Minimum Side Setback. A 1.06 foot setback is proposed, while a thirty foot (30') setback is required. The variance is required for the proposed three-story addition. The revised plans indicate the proposed addition will be 1.25 feet from the side property line. The Board shall take action on the required Minimum Side Setback variance.
5. A variance is being requested for Maximum Building Coverage. A 32.4% building coverage is proposed, while a thirty percent (30%) building

coverage is permitted. The revised architectural plans indicate a total proposed building coverage of 21,678 square feet. Therefore, the proposed building coverage has been increased to 33.1%. The Board shall take action on the required Maximum Building Coverage variance. 6. Relief is required for the location of proposed off-street parking. In accordance with Section 18-903H.6., of the UDO, parking shall be permitted in the required front yard setback for both residential and nonresidential development provided no parking shall be less than sixty-five feet (65') from the centerline of a State highway. Off-street parking is proposed within sixty-five feet (65') of the centerline of Route 9. The revised plans indicate the location of proposed off-street parking will be 52.2 feet from the centerline of Route 9. The Board shall take action on the relief required for the location of proposed off-street parking. 7. A variance is required for the number of parking spaces. Forty-four (44) are required. Thirty-nine (39) off-street parking spaces are proposed for the site. The Board shall take action on the variance required for the number of off-street parking spaces. 8. Per review of the Site Plan and the zone requirements, the following waivers are required for the proposed project: • In accordance with Section 18-906A.1., of the UDO, a ten foot (10') wide buffer is required from nonresidential uses and zones, whereas one foot (1') is provided. Said buffer is required along the northerly property line, where relief is necessary. The revised plans provide a 1.25 foot buffer. • In accordance with Section 18-906B., of the UDO, parking is not permitted in any required buffer and off-street parking is proposed in a buffer area. Parallel off-street parking is proposed adjacent the storage building site. The Board shall take action on the required waivers. III. Review Comments A. Site Plan/Circulation/Parking 1. A Boundary and Topographic Survey has been provided. The Notes indicate "Wallace Place vacated per Road Vacation, Book 8 Page 661, recorded February 25, 1985". The Notes also indicate "Property subject to conditions governing the rights of ingress and egress to the rear of Lot 36, Block 782, as described in the Township of Lakewood Ordinance recorded February 28, 1985". Testimony must be provided regarding the ingress and egress rights among existing Lots 15.01, 16.02, 35, and 36. The applicant's engineer indicates that existing Lot 36 has access rights to existing Lots 15.01 and 16.02 which consist of the southern portion of vacated Wallace Place. The applicant's engineer proposes having an access easement over existing Lots 15.01, 16.02, and a portion of 35 that grants access rights to all adjoining lots for the entire pavement width of twenty-five feet (25'). 2. The Boundary and Topographic Survey should be revised to show the existing depressed curb across the access driveway which is vacated Wallace Place. This existing depressed curb is in poor condition. The existing depress curb has been labeled on the Survey. A revision date shall be added to the Survey when the project is submitted for resolution compliance, should approval be granted. 3. The Boundary and Topographic Survey should also be revised to show the existing playground. The existing chain link fence surrounding the playground encroaches onto the neighboring storage building property. The existing fence must be relocated and the existing playground modified to be handicap accessible. Furthermore, the playground equipment shall be certified as manufactured and installed in accordance with ASTM Standard F1487-Standard Consumer Safety Performance Specification for Playground Equipment for Public Use, ASTM F1292-99, Standard Specification for Impact Attenuation Under and Around Playground Equipment, CPSC Guidelines (Consumer Product Safety Commission), and manufacturer's recommendations. All equipment shall bear an IPEMA Certification logo. A CPSI (Certified Playground Safety Inspector) shall certify that the equipment is installed properly. The Survey has been revised to note the existing playground area. The Site Plan has been revised to indicate the existing chain link fence surrounding the playground shall be relocated so that it does not encroach on the neighboring property. Notes have been added to the Landscape Plan to indicate the existing playground shall be modified as necessary to be handicap accessible

and the necessary certifications provided. 4. The Boundary and Topographic Survey only shows part of the existing wood fence along the northern property line which is in disrepair. The future status of this fence should be indicated. The plans have been revised to indicate that the existing wood fence shall be removed. 5. The site plan shows the existing temporary trailers encroaching onto the storage building site are to be removed. Statement of fact. 6. Proposed setback lines and additional proposed dimensions are required on the Site Plan, to confirm zoning compliance. The proposed front setback line shall be labeled as seventy-five feet (75'). Additional dimensions shall be added, particularly to confirm aisle widths. These corrections can be submitted during resolution compliance should approval be granted. 7. The Schedule of Bulk Requirements should include existing and proposed building square footage since a variance is being requested for Maximum Building Coverage. Corrections to the proposed building square footage as noted in the Zoning can be provided with compliance submission, should approval be granted. 8. The off-street parking requirements should be revised in the Schedule of Bulk Requirements. The Off-Street Parking Requirements should state "one (1) space per classroom / tutor room / library / meeting room / office". The total required off-street parking spaces should be revised, and a variance requested indicated. The Schedule of Bulk Requirements has been revised. 9. Testimony is necessary from the applicant's professionals regarding site operations, such as how the bus drop off and parking areas will be used, including but not limited to times, sizes, and types of vehicles anticipated (i.e., buses, vans, cars, others). A proposed open pavement area with a minimum fifty foot (50') radius is depicted, presumably for a bus drop off area. A proposed striped island is shown for vehicular traffic control from the vacated Wallace Place access driveway. Proposed painted directional arrows for a counterclockwise flow are recommended to be added. The applicant's engineer indicates that the school buses will enter the parking lot, pull up, and drop the children off at the proposed building entrance and then exit the facility. Painted directional arrows for a counterclockwise flow have been proposed. The applicant's engineer indicates that additional testimony regarding the site operations shall be provided at the public hearing. 10. A proposed unscreened trash storage area for individual cans is shown in the front yard where the building addition is contemplated. Based on the current plan, it is assumed Township pickup along Route 9 is proposed, approval from the DPW Director is necessary. Any waste receptacle area should be screened and designed in accordance with Section 18-809.E., of the UDO. The applicant's engineer indicates that Township pickup is proposed and approval from the DPW Director shall be provided. A screened area will be provided on plans submitted for resolution compliance, should approval be granted. 11. The limits of proposed site improvements need to be better clarified, particularly the proposed improvements for the vacated Wallace Place access driveway. The applicant's engineer indicates the existing depressed curb in poor condition along Route 9 shall be removed. A pavement overlay will be completed for the access driveway of vacated Wallace Place. Final design can be provided for resolution compliance submission, should approval be granted. 12. New handicapped ramps shall be provided per requirements where existing handicapped ramps are not in compliance. Proposed striping shall be added between the access aisle for the handicap spaces and the curb ramp. Final design will be reviewed with resolution compliance submission, should approval be granted. 13. Testimony on sight triangles should be provided. A sight triangle is proposed at the intersection of the access driveway and Route 9. The proposed sight triangle shall be approved by NJDOT, not the Township. 14. Shade trees, along with a shade tree and utility easement have not been provided. Unless provided, waivers will be required from the Board. A ten foot (10') wide shade tree and utility easement has been provided. A deed of easement and description shall be provided to the planning board attorney and engineer for review prior to filing with the Ocean

County Clerk. The deed of easement and description can be provided with resolution compliance submission if approved. 15. Proposed building dimensions must be coordinated with the architectural drawings. Final coordination can be provided with resolution compliance submission, should approval be granted. 16. A Legend should be added to the Site Plan sheet. Proposed improvements can be added to the Legend with resolution compliance submission, should approval be granted. 17. Minor corrections are required to the General Notes. The applicant's engineer can review the General Notes with our office prior to submitting drawings for resolution compliance, should approval be granted. B. Architectural 1. Architectural plans have been provided for the proposed school addition and two (2) existing buildings. The set includes floor plans and elevations. The proposed building addition is three (3) floors. Being the proposed building addition is the highest part of the structure, it is easily less than the allowable building height of sixty-five feet (65'). Statements of fact. 2. 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. The architectural elevations have been revised. 3. Though not shown, potable water and sanitary sewer connections are proposed for the school building. The architectural plans indicate the proposed building will include a sprinkler system. Statements of fact. 4. We recommend that the location of proposed HVAC equipment be shown. Said equipment should be adequately screened. Screened, roof mounted HVAC equipment has been added to the architectural plans. C. Grading 1. A grading plan is provided on Sheet 4. The proposed grading has been designed to generally slope southwards, similar to the existing conditions observed during our 6/15/12 site investigation. Statements of fact. 2. Per review of the proposed grading plan, the design concept is feasible. Final grading will be addressed during compliance review if/when approval is granted. Final grading can be addressed during compliance review if/when approval is granted. 3. Proposed spot shots are required for the handicapped spaces to ensure code compliance. The proposed spot shots may require revision during resolution compliance review, should approval be granted. 4. No soil boring locations are indicated on the drawings. Per communications with the applicant's professionals, borings will be provided during compliance if/when Board approval is granted. Soil boring locations have been added to the plans. Soil logs and permeability results have been added to the Storm Water Management Report. D. Storm Water Management 1. A proposed storm sewer management system has been designed. A proposed underground recharge system is located beneath the parking area on the south side of the site. A proposed bubbler inlet is located at the site's entrance from the access driveway to serve as an emergency outlet in case of system failure. Collection of runoff will be from proposed inlets within the on-site paved areas and a trench drain on the north side of the building addition. Necessary revisions can be finalized during compliance review if/when board approval is granted. A final storm water management review will be performed during compliance review if approved. 2. Construction of the Type "B" Inlets proposed along the southerly curb line adjacent the storage building site. We recommend Type "E" Inlets be proposed at the corners of the parking area. The Type "E" Inlets have been proposed at the corners of the parking area. 3. The locations of Soil Borings #1 and #2 are not shown on the plans. Necessary revisions can be finalized during compliance review if/when board approval is granted. Soil boring locations have been added to the plans. Soil logs and permeability results have been added to the Storm Water Management Report. 4. Predevelopment and Post Development Drainage Area Maps have been provided to assist in the review of the design. A final storm water management review will be performed during compliance review if approved. 5. A Storm Water Management Facilities Maintenance Plan has been provided. Confirming testimony shall be provided that the operation and maintenance of

the proposed on-site storm water management system will be the responsibility of the applicant. The Storm Water Management Operation and Maintenance Manual will be reviewed after all design revisions are completed. The applicant's engineer confirms that the applicant shall be operator and maintenance provider for the proposed on-site storm water management system.

**E. Landscaping** 1. A dedicated landscaping plan is provided with the submission; proposed landscaping is depicted on Sheet 5 of the plans. Statement of fact. 2. No shade tree and utility easement is proposed across the frontage of the property. Existing trees in the front yard are not shown on the Landscape Plan. A ten foot (10') wide shade tree and utility easement is proposed across the frontage of the property. Proposed shade trees can be added for resolution compliance submission, should approval be granted. 3. The proposed landscaping on the south side of the existing front school building is comprehensive. Statement of fact. 4. Confirming testimony should be provided that compensatory landscaping is not necessary. Our site investigation revealed no existing trees of consequence would be removed. The applicant's engineer confirms that compensatory landscaping is not necessary for the site based on the existing site conditions. 5. Landscaping should be provided to the satisfaction of the Board. The Board should provide landscaping recommendations, if any. 6. A final review of landscaping can be conducted during compliance, should site plan approval be granted. Final landscaping review shall be conducted after resolution compliance submission, should approval be granted.

**F. Lighting** 1. A dedicated lighting plan is provided with the submission; proposed lighting is depicted on Sheet 5 of the plans. Statement of fact. 2. The lighting plan proposes three (3) twenty-five foot (25') high pole mounted lights and nine (9) wall mounted lights for the proposed site. The proposed point to point lighting calculation diagram indicates the site should be adequately illuminated by the design. Statements of fact. 3. The Lighting Plan proposes a pole mounted fixture off-site and a wall mounted fixture on an existing utility pole off-site. These proposed fixtures will require an agreement from the neighboring storage building site. The applicant's engineer indicates that an agreement shall be obtained from the neighboring storage facility owner for the proposed lights. 4. Lighting should be provided to the satisfaction of the Board. The Board should provide lighting recommendations, if any. 5. Final lighting design can be reviewed during compliance should site plan approval be granted. Final lighting design will be reviewed after resolution compliance submission, should approval be granted.

**G. Utilities** 1. The General Notes indicate the future school will be served by public water and sewer. Statement of fact. 2. Approvals will be required from the New Jersey American Water Company for water and sewer since the project is within their franchise area. Statement of fact.

**H. Signage** 1. The providing of signage information is required. The future status of an existing free-standing sign has not been indicated. The architectural plans show a proposed building-mounted sign on the south face of the addition. The revised plans indicate the existing free-standing sign shall remain. The existing sign does not appear to conform to with respect to setback. Sign details have not been provided to ascertain if the sign is conforming with respect to area and height. The revised architectural plans also propose a building-mounted sign of eighty-eight square feet (88 SF) which would require a variance. Per communications with the applicant's professionals, signage will either be revised to be complying (if approval is granted), or a separate application will be submitted for necessary variances. 2. All signage proposed that is not reviewed and approved as part of this site plan application, if any, shall comply with Township ordinance. Statement of fact.

**I. Environmental** 1. A waiver was requested from submission of an Environmental Impact Statement (EIS) due to the developed nature of the project site. 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. The 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 (i.e. fuel tanks, fuel spills, etc.) that exist within the property. The Board shall take action on the waiver requested from submission of an Environmental Impact Statement. 2. We recommend that all on-site materials from the proposed reconstruction activities be removed and disposed in accordance with applicable local and state regulations. A note has been added to the plans accordingly. 3. A waiver was requested from submission of a Tree Protection Management Plan because virtually no existing trees will be removed with the construction of the project. The Board shall take action on the waiver requested from submission of a Tree Protection Management Plan. 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. Final review of construction details will take place during compliance depending on Board approval of the site plan. 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 (if applicable); c. Ocean County Planning Board; d. Ocean County Soil Conservation District; e. New Jersey Department of Transportation; and f. All other required outside agency approvals.

Mr. Rennert stepped down for this application.

Mr. Abraham Penzer, Esq. on behalf of the application stated there is a need for a girls school.

Mr. Brian Flannery, P.E. was sworn in. They have outgrown the existing buildings so they require this addition. It will provide a nice inside play area. With respect to the bussing, the site as it is now, the buses come into a parking lot. The parents and faculty can not be in the parking lot until after the buses come through because they use the entire parking lot to enter the site. They have provided a 100' radius circle where the buses can come in and they have provided parking in the remainder of the site. They have nine buses that bring the children to the school. they can handle three at a time. They have hired a coordinator who would make sure that there are only three buses in there at once and the remaining busses can stack on Oak Street. They will restrict the parents and faculty from coming during the morning and afternoon drop off.

Mr. Neiman asked about the current parking conditions.

Mr. Flannery stated the issue is currently that the busses come into the parking lot so nobody can park there. The new plan will alleviate that issue and add additional parking.

Mr. Penzer pointed out that there is curb and sidewalk along the entire frontage and they intend to maintain that.

Mr. Banas asked about the typical road coverage section for Route 9.

Mr. Flannery stated that the DOT for this portion of Route 9 has a desired typical section of 114' which would be 57' from centerline. They have one parking space that is within that 57'. If the DOT were to widen that road to the desired typical section, it would eliminate one parking space.

Mr. Banas said he would feel more comfortable if they were to eliminate that parking space to show that we are of good faith.

Mr. Flannery stated that teachers are currently parking on lot 16 which is gravel.

Mr. Schmuckler stated they should meet the ordinance.

Mr. Flannery would follow the direction of the engineer as per ordinance.

Mr. Schmuckler asked about the garbage area.

Mr. Flannery stated that they will have a garbage enclosure per the approval of the Public Works department.

Mr. Neiman opened the microphone to the public.

Mr. Jack Frain was sworn in. He owns the self storage facility adjacent to this application. He is concerned about the traffic. He presented pictures to the Board which Mr. Jackson entered into evidence. He stated that the buses and parents block the driveway on Route 9 for 45 minutes to an hour twice a day. He wants to know what kind of enforcement there will be to make sure there are only three busses at one time. He is also concerned about cars backing out of the parking spaces as there may not be enough room if there is a bus or truck there. At the present time, he allows cars to be parked on his property during school and after school functions if there is room. But if they have the rental trucks there, there is no room to park. He also said that the teachers do have to walk on Route 9 as there is no sidewalk there. There is currently a fence on the back of his property that he would like to be removed.

Mr. Flannery stated that they will put the fence on their property, as the plans indicate. He agrees with Mr. Frain that the current traffic situation is not good. This application will improve it by allowing a place for the busses to turn and it provides additional parking. The school will have to restrict the parents and the faculty from driving in there at that time. The school does have a person to do that and they expect the Board will make that a condition of the approval.

Mr. Neiman suggested sending out a letter to the parents of the school indicating the parking rules and restrictions.

Mr. Flannery said they limit school functions so it is not the whole school at one time. There is parking on Oak and High Streets. With the additional parking that will be provided when the house gets knocked down on Lot 16, it will help the situation.

Seeing no one further, Mr. Neiman closed to the public.

Mr. Vogt reiterated that they will be paving Lot 16 as per ordinance standards. He is not sure about the sidewalk access from Lot 16 and the school.

Mr. Penzer indicated that they do not own the lot between so they can not put sidewalk there.

Mr. Flannery believes the property owners should work it out themselves without making it a condition.

Mr. Vogt stated the other two conditions were the parking space nearest Route 9 will be eliminated and a trash disposal dumpster is going to be provided subject to Public Works.

Mr. Neiman also stated that before they receive a CO, they will have the house knocked down on Lot 16 to add more parking. They will also fence the back of that lot so they do not have access to Lot 16.01.

Mr. Banas can not vote for this project without the sidewalks being added.

Mr. Flannery stated that the applicant is willing to put sidewalks there as long as the property owner of Lot 15 agrees.

A motion was made by Mr. Schmuckler, seconded by Mr. Follman to approve the application.

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

## 5. PLAN REVIEW ITEMS

- 1. SP 1990AA** (No Variance Requested)  
Applicant: Nefesh Hachaim, Inc.  
Location: White Street & Drake Road  
Block 251.02 Lot 99  
Site Plan Exemption for proposed modular classroom facility

### **Project Description**

The applicant is seeking Site Plan exemption/Change of Use approval for conversion an expansion on a property which contains an existing 1-story synagogue, an asphalt driveway and seven (7) paved parking spaces and existing 8-space gravel parking lot, and an existing 30' by 65' gravel parking area. As noted on the plans, a 1,639 sf one story modular classroom building is proposed, and a 2,465 sf building expansion to the synagogue building is identified as "Phase 2". The architectural plans for the synagogue identify two (2) new classrooms, 'A' and 'B'. The site is located in the southwest portion of the Township, between Drake Road and White Road, south of the intersection of these streets. The tract trapezoidal in shape, and is approximately 2.0 acres in size. The surrounding area is rural, with single-family residences and appurtenant uses. 1. Zoning 1. The property is located in the R-40 Single-Family Residential Zone District. Schools are a permitted use in the zone, subject to the requirements of Section 18-906 of the UDO. 2. Per review of the Site Plan and the zone requirements, the existing and

proposed building(s) and site layout comply with the Bulk requirements of the R-40 zone. No new bulk variances appear necessary for the change of use request (school) portion of the applicant's request. 3. A parking schedule is provided on the Change of Use plans which indicate that the sanctuary contains approximately 1,800 sf of main worship space, and resulting from the modular classroom addition, 4 classes and one office will exist at the site. As a result, fifteen (15) off-street spaces are required for the addition per UDO requirements, and fifteen (15) spaces are proposed. We agree with the applicant's professional's calculation of parking requirements based on this information. 4. Testimony should be provided by the applicant's professionals as to additional parking requirements for the proposed 2,465 sf "Future Phase 2 Building Expansion". We note that there is sufficient space on site to provide additional spaces if/when necessary. Additionally, the existing 30' x 65' gravel Bus Drop off and pick-up area is also useable for overflow parking when not used for buses. II. Review Comments 1. Testimony should be provided by the applicant for the Board to support the proposed change in use, including but not limited to the following issues: a. How many students (and employees) are proposed for the school portion of the use. b. Will any students drive and park near the school. c. How many buses are anticipated. d. How students will be dropped off and picked up (by car). e. How many staffers (rabbi, schoolteachers, maintenance, etc.) will be at the site at any one time. 2. Section 18-906A(2) of the UDO requires a minimum 20 foot wide perimeter buffer to adjacent residential uses. The proposed minimum buffer for the modular classroom is 27.47 feet, in excess of UDO requirements. 3. Per the Change of Use site plans and communication with the applicant's professionals, trash and recyclables will continue to be stored in the rear of the site and put curbside for Township pickup. 4. Testimony should be provided regarding proposed existing and proposed lighting (if any). Lighting shall be provided to the satisfaction of the Board. 5. Construction details should be provided for proposed new site improvements deemed necessary (if any), in accordance with Township standards. 6. Information and/or testimony that existing utilities serving the building are adequate for the proposed school use. The Change of Use plans note existing well and septic service on the site, with no additional service proposed for the modular classroom. 7. Any information necessary to document compliance with Section 18-906, "Public and Private Schools" of the UDO. 8. The site plan waiver (if approved) does not relieve the applicant's obligation to obtain necessary building permits and construction code reviews.

Mr. Abraham Penzer, Esq. on behalf of the applicant.

Mr. Bill Stevens, P.E. was sworn in. The applicant is proposing to put up a modular classroom building which will be adjacent to the existing facility. Access to the site comes off of Drake Road. There is a cleared area in the front of the site that allows for parking and for recreation. The proposed facility requires no variances and waivers. It is a boys high school which anticipates having 70 students in September. No students will be driving or parking near the school. There will be approximately two full size busses. No students will be dropped off or picked up by car. There will be five rabbis, administrative personal, teachers, maintenance, etc. at any one time.

Mr. Penzer stated that the parking calculation does not include phase 2 and there is more than enough area there where they can add parking for phase 2. They are providing a 27' buffer which exceeds the UDO requirements of 20'.

Mr. Stevens stated that currently the applicant is utilizing trash receptacles for pick up and they are located on the northern portion of the existing driveway. He believes the existing utilities are adequate to service the facility.

Mr. Penzer stated that the applicant has agreed to put up a 6' vinyl fence along the left side of the property, which is Lot 96, to block access. The owner was complaining that the students do not know where the property line is and a lot of times go onto her property. In order to avoid that they have agreed to put up the fence.

Mr. Neiman asked if there is going to be a dormitory.

Mr. Stevens said not at this point.

Mr. Neiman asked if there is currently a school there now.

Mr. Penzer said yes. He stated there are currently 60 students.

Mr. Neiman reiterated that with this application they will be adding 10 students so there will be a total of 70 students. He asked how long the school has been in existence.

A gentleman replied 4 years.

Mr. Neiman asked about the cooking.

Mr. Penzer said no. The food gets shipped to the school.

Mr. Neiman asked about the busses drop off and pick up.

Mr. Stevens stated the busses drop off/pick up the students on Drake Road.

Mr. Neiman opened the microphone to the public.

Mr. Gregory Miick, 63 Drake Road, was sworn in. He expressed his frustration with the fact that the school has been there for four years. He stated that phase 1 is done and they have started phase 2. He stated there is no supervision of the kids. He also said the traffic is bad with the school busses. He said he called the Board of Health as well as the State.

Mr. Ackerman stated he is aware of the problems with the kids and they would request the application to put up a fence around the property.

Mr. Neiman left the meeting

Mr. Mario Pascarello, was sworn in. He lives behind the school. They said it was going to be a synagogue and he had no problem with that. The owners snuck in a school that has 60 boys. He said there is no recreation for these boys. That is why they are walking off the property.

Ms. Ariel Shuman, was sworn in. She stated that White and Drake roads are rural roads. There are no shoulders. It is not safe for the kids to walk. She doesn't believe the kids should be

dropped off on Drake Road. She said when she got an addition on her house, it was a big deal to make sure the septic system was sufficient. She hopes that the Board does consider the safety of the children.

Mr. Jackson explained that the applicant would have to get outside agency approvals before they can build.

Mr. Vogt asked if they are aware of any wetlands on this property.

Mr. Stevens said there is not.

Mr. Tony DiStefano, 72 White Road, was sworn in. He asked if they received any permits for this project so far. He expressed his frustration further that they did not receive any permits.

Mr. Penzer said when he came on to the scene, his client thought that he was allowed to build as a matter of right. He told him that he was wrong and they made an immediate application. There are no permits and there are outstanding tickets issued by the inspection department. Per the ordinance, schools are allowed in every area and the Planning Board has to follow that law. He said that they are prepared to meet with the neighbors.

Mr. DiStefano reiterated that he is not against the school but they should not be given approval to build the addition.

Mr. German Tikhner, 68 White Street, was sworn in. He said that they like the school and the boys. He is concerned about the safety of the children.

Seeing no one further, Mr. Banas closed to the public.

Mr. Schmuckler stated that the busses will have to pull into the lot. There is not a proper area for the turnaround on the plans. He suggested to take the plans, sit down with the neighbors and then come back to the Board.

Mr. Franklin stated that they should designate where the recreation area is and that the parking should all be paved.

Mr. Mordechai Hirth, the president of the Yeshiva, was sworn in. He thanked the neighbors for their acceptance and patience. He was not aware of the issues with the children. His son has been going back and forth between Lakewood and Baltimore so the supervision may have been lax. He expressed the time constraints for the school as they will be opening in mid August.

Mr. Banas stated the first available date will be August 21, 2012.

A motion was made by Mr. Franklin, seconded by Mr. Schmuckler to carry the application to the August 21, 2012 meeting.

Mr. Jackson announced no further notice is required.

Affirmative: Mr. Franklin, Committeeman Ackerman, Mr. Banas, Mr. Schmuckler, Mr. Follman

2. **SD 1848** (Variance Requested)  
Applicant: Pinchas Wolhendler  
Location: Spruce Street, east of River Avenue (Route 9)  
Block 778.06 Lot 59  
Minor Subdivision to create two lots

### **Project Description**

The applicant seeks minor subdivision approval to subdivide an existing lot totaling twenty-one thousand four hundred fifty square feet (21,450 SF) or 0.492 acres in area known as Lot 59 in Block 778.06 into two (2) new residential lots consisting of a duplex unit on two (2) zero lot line parcels. The proposed properties are designated as proposed Lots 59.01 and 59.02 on the subdivision plan. The site contains an existing one-story dwelling and a shed. It appears the structures will be removed from existing Lot 59 along with all other existing site improvements. Proposed Lots 59.01 and 59.02 will become two (2) zero lot line properties for a duplex unit. Public water and sewer is available. Curb and sidewalk exist across the frontage of the tract. The site is situated in the central portion of the Township on the north side of Spruce Street between Route 9 and Sharon Court. Proposed Lots 59.01 and 59.02 will be equal 32.50' X 330' zero lot line properties of ten thousand seven hundred twenty-five square feet (10,725 SF) each in area. The lots are situated within the R-10 Single Family Residential Zone. Lot width variances are required to create this subdivision. We have the following comments and recommendations: I. Zoning 1. The parcel is located in the R-10 Single-Family Residential Zone District. Duplex housing on zero lot line properties is a permitted use in the zone. 2. Per review of the Subdivision Map and the zone requirements, the following variance is required: • Minimum Lot Width for zero lot line properties (proposed Lots 59.01 and 59.02, 32.50 feet, 37.50 feet required) – proposed condition. 3. The applicant must address the positive and negative criteria in support of the requested variance. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including but not limited to aeriels and/or tax maps of the project area and surroundings to identify the existing character of the area. II. Review Comments 1. A Survey Plan without topography has been submitted for review. The source of the existing topography used for the Improvement Plan has not been provided. 2. The existing shed shown on the survey has not been indicated on either the Minor Subdivision Map or Improvement Plan. A side yard setback variance for an accessory structure will be required for proposed Lot 59.02 unless the shed is removed. 3. The Survey Certification on the Minor Subdivision Plan indicates the survey date to be 5-2-2012. This date must be corrected. 4. The revision dates on the plans should be corrected. 5. The Minor Subdivision Plan should be labeled as sheet 1 of 2. 6. Sheet 2 of 2 should be titled Improvement Plan for Minor Subdivision. 7. The existing gas line should be shown on the Improvement Plan. 8. The Schedule of Bulk Requirements indicates that four (4) off-street parking spaces will be required for each unit. The Improvement Plan shows a proposed circular driveway configuration for the proposed duplex which is an excellent design along a heavily traveled road. However, the circulation is limited for the four (4) off-street parking spaces proposed for each lot. Since the proposed lots are extremely deep, we recommend moving the duplex unit further back from the road and reconfiguring the parking in the front yard to provide additional maneuverability. Parking shall be provided to the satisfaction of the Board. 9. The Improvement Plan indicates basements will be proposed for the future dwellings on proposed Lots 59.01 and 59.02.

Therefore, a minimum of four (4) off-street parking spaces would be required to comply with the Township Parking Ordinance. 10. Since basements are proposed, seasonal high water table information will be required. The Notes on the Improvement Plan indicate seasonal high water table is greater than ten feet (10') as determined by Lines Engineering, LLC. The General Notes also indicate that seasonal high water table information will be provided with plot plan submissions. 11. 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. 12. General Note #2 on the Improvement Plan should be eliminated since it may not be true. 13. The project will be serviced by New Jersey American Water Company since it is located 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 59.01 and 59.02. The proposed easement areas shall be shown on an individual lot basis. 15. An "October Glory Maple" street tree is proposed within the circular driveway island of Lots 59.01 and 59.02. Ten (10) "Japanese Holly" are proposed to break up the parking area. 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 many existing trees on-site. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review for proposed Lots 59.01 and 59.02. 16. The applicant proposes to construct new curb, sidewalk, and driveway aprons along the property frontage of new Lots 59.01 and 59.02. The width and location dimensions shall be removed from the Concrete Sidewalk Detail since the existing sidewalk will be matched. The existing trees within the right-of-way shall be removed since they will damage the sidewalk and curb. 17. The Improvement Plan shall be revised to provide a consistent proposed grade for the gutter. Accordingly, the Typical Pavement Widening Section shall be revised to increase the reconstruction limits and the mill and overlay limits of the road to the centerline. The existing pavement is in poor condition and the proposed grading and utility connections will disturb more than twenty percent (20%) of the asphalt area. 18. Testimony is required on the disposition of storm water from the development of proposed Lots 59.01 and 59.02. The property slopes northward toward the rear. The proposed grading requires revision since proposed runoff is being directed off-site. The General Notes on the Improvement Plan state that storm water management shall be provided when plot plans are submitted. 19. Testimony should be provided on proposed site grading. The proposed grading is indicated on the Improvement Plan and is directing runoff off-site. Proposed spot grades are required for the circular driveway area. Proposed grading revisions shall be submitted. The General Notes on the Improvement Plan indicate that proposed grading will be included on the plot plan submittals. 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. The Legend shall be revised to "monument to be set". 22. Compliance with the Map Filing Law is required. 23. A Pavement Trench Repair Construction Detail shall be added to the Improvement Plan. 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. New Jersey American Water Company will be responsible for water and sewer service.

Mr. Abraham Penzer, Esq. stated that they agree to the comments in the review letter.

Mr. Vogt stated variances are being requested for minimum lot width. He asked Glenn Liens to include the Percal map at the public hearing.

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

Mr. Jackson announced that no further notice is required.

Affirmative: Mr. Franklin, Committeeman Ackerman, Mr. Banas, Mr. Schmuckler, Mr. Follman

- 3. SD 1853** (Variance Requested)  
Applicant: HK Investment Holdings, LLC  
Location: Ridge Avenue, south of Lanes Mill Road  
Block 190 Lots 67, 70.01 & 70.29  
Minor Subdivision to adjust lot line to create 1 additional lot for a total of 3  
Lots

### **Project Description**

The applicant seeks minor subdivision approval to subdivide three (3) existing lots totaling 1.73 acres in area known as Lots 67, 70.01, and 70.29 in Block 190 into four (4) new lots, designated as proposed Lots 67.01, 67.02, 70.30, and 70.31 on the subdivision plan. Two (2) of the three (3) existing lots contain existing dwellings. An existing one-story dwelling with garage and shed fronting Ridge Avenue on Lot 67 will remain on proposed Lot 67.01. An existing two-story dwelling at the intersection of Venice Court and Tuscany Terrace on Lot 70.01 will remain on proposed Lot 70.30. Proposed Lot 67.02 fronting Tuscany Terrace is being created for a proposed single-family dwelling. Proposed Lot 70.31 at the intersection of Tuscany Terrace and County Line Road East cannot be developed without the granting of variances. Proposed Lot 67.01 would be a fifteen thousand square foot (15,000 SF) lot fronting Ridge Avenue, which is a County Highway. Proposed Lot 67.02 would front Tuscany Terrace, just north of proposed Lot 67.01. The Minor Subdivision would make the proposed area of Lot 67.02, 30,160 square feet (0.69 acres). Proposed Lot 70.30 at the intersection of Venice Court and Tuscany Terrace would increase in area to 22,693 square feet (0.52 acres). Proposed Lot 70.31 at the intersection of Tuscany Terrace and County Line Road East would only be 7,386 square feet (0.17 acres) and could not be developed without variances. County Line Road East is also a County Highway. No construction is proposed at this time under this application. The site is situated in the northeastern portion of the Township. Venice Court and Tuscany Terrace are newly improved roads with curb and sidewalk from a recently constructed major subdivision project. Final improvements along the County Line Road East frontage have yet to be completed with this same major subdivision project. No curb and sidewalk exists along the Ridge Avenue frontage. The proposed lots are entirely situated within the R-15, Single-Family Residential Zone. The site is in a developed section of the Township. The surrounding area contains mostly residential uses. Public water and sewer is available. We have the following comments and recommendations: 1. Zoning 1. The proposed lots are located in the R-15 Single-Family Residential Zone. Single-family detached housing is a permitted use in the zone. The uses for proposed Lots 67.01, 67.02, and 70.30 has been indicated to be single-family residential. Testimony must be given on the proposed use for new Lot 70.31. 2. Per review of the Minor Subdivision Map, the application, and the zone requirements, the following variances are required: • Minimum Lot Area (proposed Lot 70.31, 7,386 SF; 15,000 SF required) – proposed condition. • Minimum Lot Width (proposed Lots 67.01 and 70.31, 63.98 feet and 27.35

feet respectively; 100 feet required) – proposed condition. • Minimum Side Yard Setback (proposed Lot 70.30, 9.9 feet; 10 feet required) – existing condition. • Minimum Accessory Side Yard Setback (proposed Lot 67.01, 3.3 feet for the garage and 7.8 foot for the shed; 10 feet required) – existing conditions. 3. Setback variances for all yards will be required to develop proposed Lot 70.31. 4. 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. II. Review Comments 1. Ridge Avenue is depicted with a variable width right-of-way. Since Ridge Avenue is a County Highway, the right-of-way width will be determined by Ocean County. Accordingly, the County is requiring a half right-of-way width of forty feet (40'). Therefore, a Minimum Front Yard Setback variance will be required because of the dedication. The minor subdivision should be revised to maintain the minimum lot area of proposed Lot 67.01. This may be accomplished since proposed Lot 67.02 is presently oversized. 2. The minor subdivision plan shows no construction is proposed at this time. 3. The existing and proposed uses of the existing and proposed lots should be added to the plan. 4. The schedule of bulk requirements requires revisions. The provided front yard setback for proposed Lot 67.01 will require correction for the distance from the existing building to the proposed right-of-way of Ridge Avenue. The provided side yard setback and aggregate side yard setback for proposed Lot 67.01 shall be corrected to 13.2 feet and 35.3 feet. The provided side yard setback for proposed Lot 70.30 shall be corrected to 9.9 feet, while the aggregate side yard setback is not applicable. The provided accessory rear yard setbacks for the garage and shed on proposed Lot 67.01 shall be corrected, depending on where the rear lot line is moved to. 5. A proposed dimension shall be added for the provided accessory rear yard setback of the shed on proposed Lot 67.01. 6. A proposed dimension shall be added from the Tuscany Terrace right-of-way to the closest existing building corner on proposed Lot 70.30. It is not clear whether the existing front yard setback is nonconforming and needs a variance. 7. The General Notes indicate the topographic information has been field surveyed on May 23, 2012. The Minor Subdivision plan is dated May 22, 2012. Therefore, a revision date shall be added. 8. The General Notes state shade trees are provided within the shade tree and utility easement along Tuscany Lane. The note shall be corrected to refer to the existing easement along Venice Court and Tuscany Terrace. Missing existing shade trees shall be added to the plan. 9. A six foot (6') wide shade tree and utility easement along Venice Court, Tuscany Terrace, and County Line Road East should be depicted as existing. Survey information should be provided for the proposed new lots and the easement areas provided on a per lot basis. 10. Unless waivers are sought, shade trees, as well as a shade tree and utility easement shall be provided across the frontage of proposed Lot 67.01. 11. Unless waivers are sought, both sidewalk and curb shall be constructed along Ridge Avenue. 12. A sight triangle easement is shown at the intersection of Tuscany Terrace and County Line Road East. The sight triangle easement shall be depicted as existing and dedicated to Ocean County. 13. A sight triangle easement is shown at the intersection of Venice Court and Tuscany Terrace. The sight triangle easement shall be depicted as existing and dedicated to Lakewood Township. 14. The proposed lot numbers have been assigned by the Tax Assessor and the plat must be signed by the Tax Assessor. 15. The General Notes indicate the proposed home for Lot 67.02 shall comply with the RSIS and Lakewood Township parking requirements. The proposed off-street parking spaces will be depicted on the plot plan at the time of Building Permit submission. Confirming testimony should be provided that off-street parking requirements for the existing dwellings on proposed Lots 67.01 and 70.30 are met. 16. The General Notes indicate that water and sewer services to proposed Lot 67.02 will be

provided from the existing mains in Tuscany Lane. The notes shall be corrected to "Tuscany Terrace". These service connections have already been installed prior to the newly placed top course on Tuscany Terrace. Lakewood Township Municipal Utilities Authority approval will be required since the project is within their franchise area. 17. The General Notes indicate that a driveway apron with depressed curb will be provided for the future dwelling on proposed Lot 67.02. The proposed driveway will be depicted on the Building Permit plot plan. Furthermore, a note shall be added that any existing curb and sidewalk damaged during construction will be replaced as directed by the Township Engineer. 18. The General Notes indicate that a test pit will be conducted to determine depth to seasonal high water table prior to the issuance of a Building Permit. 19. Testimony should be provided on proposed grading and storm water management of new Lot 67.02. 20. Detectable warning surface must be added at the existing curb ramps of the Venice Court/Tuscany Terrace and Tuscany Terrace/County Line Road East intersections. 21. Since the subdivision has yet to be approved, the Legend shall be revised to "capped rebar to be set" and "concrete monument to be set". 22. The approval signature block for the Secretary should be corrected. 23. Compliance with the Map Filing Law is required. 24. Improvement plans will be required for the Ridge Avenue and County Line Road East frontages. 25. Construction details must be provided for any improvements required by the Board and County. 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 (if necessary); and d. All other required outside agency approvals.

Mr. Vogt stated the applicant is requested variances for minimum lot area, lot width, side yard setback, accessory side yard setback.

Mr. Doyle, Esq. stated that they are going to ask the County for an easement rather than a dedication.

Mr. Ackerman asked if the client can get together with the neighbors to work on a few things.

Mr. Vogt stated he will need revised plans two weeks prior to the August 7<sup>th</sup> meeting.

A motion was made by Mr. Schmuckler, seconded by Committeeman Ackerman to advance the application to the August 7, 2012 meeting.

Mr. Jackson announced that no further notices are required.

Affirmative: Mr. Franklin, Committeeman Ackerman, Mr. Banas, Mr. Schmuckler, Mr. Follman

- 4. SD 1854** (Variance Requested)  
Applicant: Dewey Court, LLC  
Location: Dewey Avenue, south of East Fourth Street  
Block 247 Lots 11-16  
Preliminary & Final Major Subdivision to create 12 zero lot line lots  
(6 duplex units)

### **Project Description**

The applicant is seeking a Zero Lot Line Major Subdivision approval in accordance with Section 18-911 of the UDO. The applicant proposes the subdivision of six (6) existing lots to create twelve (12) proposed lots with six (6) duplex structures. The existing six (6) lots of approximately 1.63 acres known as Lots 11 - 16 in Block 247 are proposed to be subdivided into proposed Lots 11.01 - 11.12 on the Major Subdivision Plan. A cul-de-sac for the subdivision project is proposed, upon which most of the residential lots would front. The subject property is located on the westerly side of Dewey Avenue, a Township road, in the north central portion of the Township, south of East Fourth Street. Dewey Avenue is improved with sidewalk, curb, and driveway aprons constructed across the frontage of the site. The existing right-of-way width of Dewey Avenue is forty feet (40'), and no additional right-of-way dedication or road widening has been proposed. The site is currently occupied by six (6) single-family homes with associated driveways and accessory structures. All existing improvements will be removed to make way for the proposed residential subdivision. Besides the existing single-family dwellings the site contains mostly grassed areas. The land slopes gently from north to south with minimal existing elevation drop. The tract is basically bordered with developed residential lands. Proposed storm water management facilities and utilities are associated with this project. The project site discharges runoff to the surrounding area. Accordingly, proposed storm water management devices are proposed for water quantity and quality treatment. An underground recharge system is proposed for the cul-de-sac, as well as perimeter site recharge, and individual roof recharge systems. Proposed sanitary sewer will connect to an existing system in Dewey Avenue. Proposed potable water for the subdivision will connect to an existing main on the west side of Dewey Avenue. Four (4) off-street parking spaces are proposed for each duplex unit. The number of bedrooms for the units is not specified on the subdivision plans. The project is also proposing curb and sidewalk throughout. The subject site is located within the R-7.5 Single Family Residential Zone District. Duplex housing is a permitted use in the zone district. The site is situated within a predominantly residential area. We have the following comments and recommendations: 1. Zoning 1. The site is situated within the R-7.5, Single-Family Residential Zone District. Per Section 18-902G.1.b., of the UDO, "Two Family Housing and Duplexes, provided that existing lots have a minimum lot size of ten thousand (10,000) square feet and newly created lots have a minimum lot size of ten thousand (10,000) square feet and have a minimum lot width of sixty (60) feet" are permitted. Zero lot line subdivisions for duplexes are permitted in the R-7.5 Zone. 2. According to our communications with the applicant's attorney, the Major Subdivision Plan will be revised to eliminate the following lot width variances for the zero lot line subdivision approval requested: • Minimum Lot Widths – Proposed Lots 11.05, 11.06, and 11.08 are less than thirty feet (30') at the front setback line, where thirty feet (30') is required. Revised plans will be submitted to increase the proposed front yard setback on the cul-de-sac lots to thirty-six feet (36'), which permits off-street parking in front of the units. The minimum lot widths will become conforming by making this change. 3. At least two (2) non-radial lot lines have been proposed around the cul-de-sac for the project to meet the minimum required lot areas. All non-radial lines shall be designated and a design waiver requested from the Board under Section 18-805 of the UDO. 4. The right-of-way width of Dewey Avenue is forty feet (40'). Unless waived by the Board a proposed right-of-way dedication of five feet (5') is required for Dewey Avenue which would bring the half right-of-way width to the proper dimension of twenty-five feet (25'). Should the Board waive the required right-of-way dedication, we recommend that a road widening easement of five feet (5') be proposed. 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. II. Review Comments A. General 1. Off-street parking: According to communications with the applicant's attorney, the plans will be revised to provide four (4) off-street parking spaces per unit, for a total of forty-eight (48) off-street parking spaces for the proposed twelve (12) units. The four (4) on-street parking spaces proposed for the cul-de-sac will be eliminated, as the proposed locations of the on-street parking spaces would restrict school bus turnaround in the bulb. 2. It is not indicated whether trash and recyclable collection is to be provided by the Township of Lakewood. Each unit shall have an area designated for the storage of trash and recycling containers. This matter is not addressed on the site plans and architectural plans have not been submitted. 3. The Storm Water Management Report indicates that the ownership and maintenance of the proposed storm water management system will be a homeowners association. This would include the proposed system beneath the cul-de-sac. The General Notes should address the ownership and maintenance of the proposed storm water management system. Testimony should also be provided as to whether the proposed cul-de-sac will be privately owned. 4. A new road name for the cul-de-sac has not been proposed for the project. 5. The proposed lot numbers on the Preliminary Plat are in conflict with the Final Plat. In addition, the proposed zero lot lines through the duplex buildings are not shown on the Preliminary Plat. 6. The proposed multiple building configurations indicate the requirements in 18-821 (Building Uniformity in Residential Developments) will be met. A minimum of two (2) basic house designs are required for developments consisting of between four (4) and six (6) homes. 7. A half width roadway improvement will be required for Dewey Avenue since the project construction and proposed utility connections will disturb more than twenty percent (20%) of the existing pavement in front of the site. The existing pavement is already in poor condition. B. Plan Review 1. Zone boundary lines need to be added to the plans. The Zoning Map on the Title Sheet incorrectly lists the project to be in the R-10 Zone. 2. The Existing Conditions Plan includes Lot 31, which is not part of the Survey. The Existing Conditions Plan must be corrected. 3. The following corrections should be made to the Zoning Requirements: a. Single-family residential should be eliminated since all proposed units are two-family residential. b. The required lot area for two-family residential is ten thousand square feet (10,000 SF). c. The required lot width for two-family residential is sixty feet (60'). d. The provided maximum building coverage should be less than thirty percent (30%). 4. Sight Triangle Easements of 25' X 25' have been proposed at the intersection of the cul-de-sac with Dewey Avenue. A six foot (6') wide Shade Tree and Utility Easement is proposed along all of the road frontages. 5. The Preliminary Plat shall have typical dimensions and road stationing added. 6. Horizontal Datum shall be addressed. Vertical Datum is assumed and a benchmark shall be indicated. 7. Proposed off-street parking spaces shall be provided with minimum dimensions. 8. Curb and sidewalk is proposed throughout the development. The plans and construction details shall be coordinated to indicate a consistent five foot (5') proposed sidewalk width. The existing curb and sidewalk along Dewey Avenue will be replaced since it is unsalvageable with the proposed project development. Proposed sidewalk width shall be dimensioned along with distances from face of curb and right-of-ways. Proposed handicapped ramp locations should be added at the intersection. C. Grading 1. Detailed grading is provided on a Grading & Drainage Plan which is Sheet 4 of 7. A storm sewer collection system is proposed to collect runoff and recharge it within dry wells, a partial site perimeter recharge system, and the recharge system under the right-of-way of the cul-de-sac. 2. Road profiles are required for the cul-de-sac and Dewey Avenue. 3. Off road profiles are required for the proposed perimeter storm drainage recharge system. The elevation of the proposed system should be lowered to better keep runoff on-site. In addition, the perimeter system shall be expanded to eliminate runoff being directed off-site.

The expansion of the perimeter storm sewer recharge system will allow the number of dry wells to be reduced. 4. A detailed review of the grading can be completed during compliance submission; if/when this subdivision is approved. D. Storm Water Management 1. A proposed storm sewer collection system has been designed to convey storm water runoff into three (3) forms of underground recharge systems. The proposed collection system discharges into dry wells, a partial perimeter recharge system, and the recharge system located under the site access road. The Storm Water Management Report indicates the ownership and maintenance of the storm water management system will be by a homeowners association. 2. A soil boring location and log has been provided within the proposed project to confirm the seasonal high water table. The permeability rate used in the recharge calculations is acceptable based on the soils information provided. 3. Roof recharge beds are proposed for most of the buildings to allow recharge of runoff from roof leaders. 4. The Storm Water Management Report and Design will be reviewed in detail after revisions to the project are made. 5. A Storm Water Management Operation & Maintenance Manual must be submitted per the NJ Storm Water Rule (NJAC 7:8) and Township Code. E. Landscaping 1. A Landscape Plan has been provided on Sheet 5 of 7. 2. 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. 3. Landscaping shall be reviewed in detail during compliance should subdivision approval be granted. F. Lighting 1. A Lighting Plan has been provided on Sheet 5 of 7. 2. Proposed lighting has been provided for the cul-de-sac area. The Plan indicates three (3) pole mounted fixtures are proposed. According to the Lighting Fixture Details and Schedules, the mounting height will be twelve feet (12'). 3. A point to point diagram must be provided to verify the adequacy of the proposed lighting. 4. Lighting shall be reviewed in detail during compliance should subdivision approval be granted. G. Utilities 1. Potable water and sanitary sewer service will be provided by the New Jersey American Water Company. The project is within the franchise area of the New Jersey American Water Company. 2. The proposed sanitary sewer will connect to an existing system in Dewey Avenue. 3. Potable water is proposed to be extended from an existing main on the west side of Dewey Avenue. 4. The plans state that all utilities shall be provided underground. H. Signage 1. Proposed regulatory signage has not been shown on the plans and should be added. Regulatory sign details have been provided. 2. No project identification signs are proposed. 3. All signage proposed that is not reviewed and approved as part of this application, if any, shall comply with Township ordinance. I. Environmental 1. Site Description Per review of the site plans, aerial photography, and a site inspection of the property, the tract has six (6) existing residential dwellings located on the west side of Dewey Avenue. The site contains mostly grassed and partially wooded yards with several sheds, driveways, and other improvements. The existing on-site topography slopes from north to south. 2. Environmental Impact Statement An Environmental Impact Statement (EIS) report was prepared and submitted for the project, and addresses environmental concerns as applicable. The proposed project amounts to the redevelopment of a previously constructed site. 3. Tree Management A Tree Protection Plan has been submitted, but is incomplete. The plan should be revised in accordance with Chapter XIX, Protection of Trees. The plan only locates existing trees having a diameter greater than ten inches (10"). An inventory is required, compensatory planting must also be addressed. J. Construction Details 1. Construction details are provided on Sheets 6 and 7 of the plans. 2. All proposed construction details must comply with applicable Township or NJDOT standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete. 3. Final review of construction details will take place during compliance review, if/when this project is approved by the Board. K. Final Plat (Major Subdivision) 1. The Zoning Requirements need revisions,

similar to the Preliminary Plat. 2. A proposed six foot (6') wide Shade Tree and Utility Easement has been shown behind the road right-of-ways. Proposed survey information should be completed and easement areas provided for the individual lots. 3. The proposed ten foot (10') wide Drainage Easement should be dedicated to the homeowners association. 4. The proposed non-radial lot lines shall be labeled. 5. Compliance with the Map Filing Law is required. 6. The Final Plat will be reviewed in detail after design revisions are undertaken for the project. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Developers Agreement at the discretion of the Township; b. Township Tree Ordinance; c. Ocean County Planning Board; d. Ocean County Soil Conservation District; and e. All other required outside agency approvals. New Jersey American Water Company will be responsible for constructing potable water and sanitary sewer facilities.

Mr. John Doyle, Esq. on behalf of the applicant.

The variances for minimum lot widths for proposed Lots 11.05, 11.06, and 11.08 are less than 30' at the front setback line, where 30' is required. Revised plans will be submitted to increase the proposed front yard setback on the cul-de-sac lots to 36', which permits off-street parking in front of the units. The minimum lot widths will become conforming by making this change.

Mr. Doyle stated that they will be seeking a road widening easement instead of a right-of-way dedication.

Mr. Carpenter agreed to meet with Mr. Vogt to discuss the drainage.

A motion was made by Mr. Schmuckler, seconded by Mr. Follman to advance the application to the August 7, 2012 meeting.

Mr. Jackson announced that no further notice is required.

Affirmative: Mr. Franklin, Committeeman Ackerman, Mr. Banas, Mr. Schmuckler, Mr. Follman

## 6. CORRESPONDENCE

## 7. PUBLIC PORTION

## 8. APPROVAL OF MINUTES

## 9. APPROVAL OF BILLS

A motion was made and seconded to approve.

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

**10. ADJOURNMENT**

The meeting was hereby adjourned. All were in favor.

Respectfully submitted  
Sarah L. Forsyth  
Planning Board Recording Secretary