

1. CERTIFICATION OF COMPLIANCE

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

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

2. ROLL CALL

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

3. SWEARING IN OF PROFESSIONALS

Mr. Magno was sworn in.

4. PUBLIC HEARING ITEMS

- SP 1994AA** (No Variance Requested)
Applicant: Rabbi Chaim Eidelman
Location: West Cross Street
Block 494 Lot 2.01
Change of Use/Site Plan Exemption to convert existing house to school. Barn to be converted for future classrooms

Project Description

The applicant is seeking Site Plan Exemption/Change of Use approval for conversion of an existing single-family residential dwelling into a proposed school building with classrooms and offices. In addition, an existing indoor arena steel building would be converted into proposed classrooms and offices. New site plan improvements are proposed with this request. A new access driveway with bus turnaround loop is proposed along with a new parking lot and new access ways to the buildings. The site is located on the southwest side of West Cross Street, opposite of its intersection with Niemann Road. West Cross Street is a County Highway with no curb and sidewalk. The property is irregular in shape, and contains 7.88 acres in area. The site is currently surrounded primarily by low density development. 1. Zoning 1. The property is located in the R-40 (Single Family Residential) Zone. Private 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, it is our opinion the proposed project requires a Rear Setback

variance. The existing indoor arena to be converted to proposed classrooms and offices should not be considered an accessory structure. This structure to be converted is only twenty-one feet (21') from the rear property line, whereas a rear setback of thirty feet (30') is required. 3. Except as noted above, no other bulk variances appear necessary for the change of use request. 4. Per review of the Site Plan, the following design waivers are required for proposed project: • Providing sidewalk and curb along the West Cross Street frontage of the site. • Providing a paved bus turnaround. • Providing shade trees and a shade tree and utility easement across the site frontage. • Providing site lighting. • Providing a full topography. • Providing proposed grading. II. Review Comments 1. As noted on the plans there is a significant amount of new building space and site improvements proposed. The Board must confirm that this application can be considered as a change of use site plan versus a conventional major site plan application. 2. A Survey Plan without topography or tree locations has been provided. The right-of-way of West Cross Street is listed as fifty-five feet (55'). Based on the tax maps and our knowledge of the area, the value appears to be incorrect. 3. The Survey shows existing fencing encroaching off-site in numerous locations. We recommend any approvals be conditioned upon adjudicating all off-site fence encroachments. 4. General Note #19 states the following: a. Topographic information is provided around the front structure to be used as the school building for the first phase of occupancy. b. The remainder of the site will remain as is. c. Proposed improvements will be constructed at grade. d. A partial waiver is requested for existing topography on the remainder of the site and proposed grading. While our office can accept the waiving of a complete topography, the existing and proposed grading must be expanded for us to properly review the proposed project. In addition, our site investigation on 9/26/12 noted poor sight visibility at the proposed access driveway location from oncoming traffic traveling southeast on West Cross Street. We recommend an alternate proposed location be considered. 5. The Change of Use Site Plan incorrectly lists the project in Block 294. 6. General Note #12 indicates existing structures and site improvements to remain. Testimony should be provided on the future uses of the existing buildings not being converted. 7. Off-street parking is being proposed per UDO requirements (18-906). The plan indicates a total of fifteen (15) offices and classrooms are proposed. Therefore, fifteen (15) off-street parking spaces are required and fifteen (15) off-street parking spaces are being proposed. 8. Fifteen (15) off-street 9'x18' parking spaces are being proposed. No consideration for handicap accessible parking has been provided and is required. General Note #16 states that no student vehicles will be permitted on site. Parking should be provided to the satisfaction of the Board. 9. A waiver has been requested from landscaping and the plan notes no changes to the landscaping are proposed. Testimony should be provided on existing landscaping. Landscaping shall be provided to the satisfaction of the Board. 10. As depicted on the Change of Use Site Plan, trash and recycling will be stored in robo-cans on the side of the building. Solid waste and recycling to be collected curbside for by the Township DPW. 11. A waiver has been requested from site lighting. General Note #17 indicates that only building mounted lighting is proposed, and any details are to be provided prior to construction. Testimony should be provided regarding any existing or proposed security lighting associated with the proposed use. 12. General Note #15 says that the school is to be serviced by existing public water service and existing private septic system. No existing water services and septic systems are shown. Potable water approval will be required from New Jersey American Water Company since the project is within their franchise area. The Ocean County Board of Health must approve the use of any existing or proposed septic systems. 13. General Note #7 states that no changes to the existing utilities are proposed. Testimony shall be provided on existing utilities and whether HVAC is already provided to the indoor arena being converted to a school building. Existing overhead electric on the site has not

been shown. 14. General Note #10 states no new impervious coverage is proposed. Our review indicates this statement is not factual. Proposed storm water management must be addressed. Calculations must be provided to show whether the project is not "major development". Should the Board require the paving of the bus loop turnaround; the project will definitely exceed the threshold for "major development". 15. General Note #18 indicates that no free standing signage is proposed and building mounted signage will be compliant with Township Ordinances. 16. Building setback lines shall be added to the plan. 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 (as applicable); b. Township Tree Ordinance (as applicable); c. Ocean County Planning Board; d. Ocean County Soil Conservation District; e. Ocean County Board of Health; and f. All other required outside agency approvals.

Mr. Magno stated that a potential rear yard setback will be required for the rear building on the site. There is also a number of design waivers that would be required including sidewalks and curbs along West Cross Street frontage, paved bus turnaround, shade trees and utility easement along the site frontage, site lighting, topography, and grading. The Board should also consider whether in fact this is a change of use site or whether it should be deemed a major site plan application. There is a concern about the visibility of the driveway at West Cross Street as far as the site distance is concerned.

Mrs. Miriam Weinstein, Esq. on behalf of the applicant. The applicant is seeking a change of use approval to convert an existing single family residential dwelling to a school. The only variance that they seek is for the rear yard setback for the existing arena that is 20 ft from the rear property when a rear yard setback of 30 ft is required. That will also be converted into additional classrooms and office use for the school. This is a pre-existing condition. She explained that the current school has outgrown it's current property and has made a contract to purchase this property to make room for it's growing student body. This is a temporary solution so the school will have ample classroom space for the immediate future. They expect to be back before the Board in a year or two for a full major site plan application for a new school building and campus.

Mr. Brian Flannery, P.E., P.P., was sworn in. This was a horse farm for many years. The existing building are proposed to be used in their current state. This is a temporary solution and they do expect to be back with a site plan. The waivers we are asking for are because it is an existing site and it is temporary. The site visibility does comply with standards. The other comments can be met at compliance.

Mr. Banas is happy with the size of this property as there will be room to grow. He asked what the kitchen will be converted to.

Mrs. Weinstein stated a classroom.

Mr. Banas asked about the basement.

Rabbi Chaim Eidelman was sworn in. The basement will not be used for storage. There will be two classrooms on the first floor and two classrooms on the second floor.

Mr. Banas would like to see a plan for the basement. He asked how many students there will be.

Rabbi Eidelman stated the more the merrier.

Mr. Franklin thinks the driveway should be paved. You can not plow on gravel.

Mr. Banas asked if the site triangle exiting and entering the building is sufficient.

Mr. Flannery stated that the site distance as it exists is sufficient and certainly information will be provided to the Board engineer to document that. They could provide a temporary site triangle as well.

Mr. Magno asked if the existing building is part of this application.

Mr. Flannery confirmed that it is.

Mr. Banas opened the microphone to the public.

Ms. Noreen Gill, 192 Coventry Drive, was sworn in. She is concerned about the septic system capacity.

Mr. Banas said that in past experience that when you change from a home to a school, there is less water used during the schooling cycle than there would be a family home.

Mr. Flannery stated that the septic system is based on the anticipated flow. As Mr. Banas indicates, it is not based on the number of occupants. When you have a home, you do laundry, take showers, etc. But in order to get a CO for this school we would have to get a approval from the Ocean County Health Department. They will determine if the septic is big enough. If it is not big enough they would have to increase the size or provide a new septic system.

Ms. Gill would like to know how many rooms were in this home before it became a school and she again questioned the septic.

Mr. Flannery reiterated that they will have to get approval from OC Health.

Ms. Gerri Balwinz, Governer's Road, was sworn in. She asked where the school is located.

Mrs. Weinstein stated that they are in rented quarters elsewhere.

Ms. Balwinz asked about the barn being converted into future classrooms.

Mr. Banas stated that is for the future plans.

Mrs. Weinstein stated that the applicant is asking for the barn to be converted into classrooms now.

Mr. Flannery stated that it is an arena with four walls which was used for the horses. Everything will be submitted to the building department for approval.

Mr. Banas stated that he is only interested in seeing the classrooms in the house. It should be necessary to have plans for the barn/arena.

Mrs. Weinstein said the applicant will come back to the Board prior to using the barn/arena.

Ms. Balwinz is concerned about the rear yard setback variance for the future approval.

Mr. Walter Lucas, Newport Avenue, was sworn in. He handed out exhibits containing photographs to the Board members. The photos were of houses in the area. He explained that the area is nice and quiet.

Mr. Banas explained that a school can be constructed in any zone in Lakewood.

Mr. Jackson explained that the Board is constrained to follow the ordinances.

Mr. Banas closed to the public.

A motion was made by Mr. Schmuckler, seconded by Mr. Percal to approve the application, design waivers on the conditions that the rear building is not part of this application and the bus access driveway will be paved.

The Board is currently not addressing the rear yard setback variance.

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

- 2. SP 1997AA** (No Variance Requested)
Applicant: Larson Family Partnership
Location: Route 88
Block 569 Lot 113
Site Plan Exemption request to add entry vestibule to the existing
Larson Ford sales building

Project Description

The applicant is seeking Site Plan Exemption approval for façade renovations which include a new entrance vestibule with concrete steps, a 2' X 24' new façade wall to the west front corner of the building, a 2' X 8' new façade wall to the east front corner of the building, and reconfiguration of front customer parking. The project involves a proposed façade improvement and new entry vestibule to the main showroom and business offices. The entry will encroach upon two (2) existing parking spaces resulting in the reconfiguration of parking around the front of the building. The proposed eighty-five square foot (85 SF) vestibule will function as an energy saving feature to limit loss of heating or cooling. Existing Lot 113 contains a new and used vehicle sales and service dealership. Existing public water and sewer and other existing utilities service the site. No new utility extensions are required. No curb, sidewalk, and shade trees exist across the frontage of the tract. The property is situated in the northeast portion of

the Township on the south side of Ocean Avenue (Route 88), east of New Hampshire Avenue. Route 88 is a State Highway with a varying width right-of-way. The existing pavement width is approximately thirty-eight feet (38'). The site is an irregular shaped lot containing three (3) existing buildings. The tract has an area of about 6.6 acres. No variances are being requested for the accompanying site plan. I. Waivers 1. The following waivers are being requested from the Mapping/Technical Data: C-13 Landscape & Lighting C-14 Topography & Proposed Grading We can support the Landscape and Lighting Design waiver request since the proposed work around the building only affects the existing planter. The proposed construction will not affect the existing site landscaping and lighting. We can support a waiver request from providing Topography and Proposed Grading for the entire site. However, a Partial Topography and Proposed Grading Plan should be provided for the limited area of site improvements proposed around the building. This is important not only from a design aspect, but also for ADA compliance. II. Zoning 1. The property is located in the B-4 Wholesale Service Zone. Auto dealership, service, and repair are permitted uses in the zone. 2. Per review of the Site Plan and the Zone Requirements, the proposed addition is in compliance with the Bulk Requirements of the B-4 Zone. No variances have been requested. 3. The architectural plans proposed new building signage. Proposed variances for the three (3) new building signs shall be addressed. 4. Per review of the Site Plan, the following design waivers are required for the proposed project: • Providing sidewalk and curb along the Route 88 frontage of the site. • Providing shade trees and a shade tree and utility easement across the site frontage. It should be noted that this commercial area is not subject to pedestrian traffic. Any existing curb and sidewalk along this section of Route 88 is sporadic. Furthermore, none of the surrounding commercial sites have existing shade trees along Route 88. III. Review Comments 1. Per review of the plans and as stated in the General Notes no part of the proposed work is located in a flood area or riparian or wetland buffer. 2. General Note #10 indicates no increase of drainage will occur with the proposed project and does not impact existing on/off site storm water facilities. We concur with the assessment. 3. As noted on the architectural floor plan, a new proposed entry vestibule of 85.25 square feet is depicted. The minimal increase in floor area does not require any additional off-street parking. A total of one hundred ten (110) off-street parking spaces are required and one hundred seventy-one (171) off-street parking spaces are proposed. The total number of handicap parking spaces shall be addressed. 4. As depicted on the Plan, existing parking stall dimensions are at a minimum of 9'x18' for employees and customers. 5. An "Inset Plan" details the proposed work around the front of the building. We recommend a two foot (2') parking space gore be striped in the proposed eleven foot (11') wide space which will be encroached by the new façade wall. 6. General Note #12 indicates existing refuse removal by private carter. 7. A waiver has been requested from landscaping and the plans note no changes to the landscaping are proposed. Testimony should be provided on existing landscaping. Landscaping shall be provided to the satisfaction of the Board. 8. A waiver has been requested from site lighting and the plans note no changes to the lighting are proposed. Testimony should be provided regarding any existing site lighting associated with the project. 9. General Note #5 indicates that existing utilities service the site and no new extensions are proposed. 10. Construction details should be provided for proposed improvements. 11. The requested Site Plan Exemption approval, if granted, does not alleviate the applicant's obligation to obtain any other necessary outside local or outside agency approvals necessary for the proposed project.

Mr. Ben Montenegro, Esq. on behalf of the applicant.

Mr. Magno stated that are waivers which the Board should act on including landscape, lighting, topography and grading. The applicant needs to address the variance for building signs.

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

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

Mr. Smilezins, P.P., A.I.A., was sworn in. The existing dealership sells new and used cars as well as services those cars. There will be an entry vestibule added to the front entry. The customers currently go through a side entry. This will afford the building a climate control facility. Two parking spaces will be occupied by the vestibule which will be relocated. There is sufficient parking on site. There is no proposed changes to the site circulation. A partial topography plan will be provided as part of approval.

Mr. Montenegro said the variances for the signs are existing conditions that will change but will actually be reduced in terms of the total square footage.

Mr. David Plewa, P.P., AIA, was sworn in. Mr. Plewa prepared the architectural plans for the facade. This plan is a recommendation from Ford for upgrades to the facade which would be in keeping with other Ford dealerships in the country.

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

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

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

5. PLAN REVIEW ITEMS

- 1. SP 1996** (Variance Requested)
Applicant: Talmud Torah Bais Avrohom
Location: New Hampshire Ave and Route 70
Block 1160.03 Lot 47.01
Minor Site Plan for an addition to existing school

Project Description

The applicant is seeking Preliminary and Final Site Plan approval for the construction of an addition to an existing private school. The site plans indicate a proposed addition to the southeast corner of the existing school building. The site has an existing one-story masonry building and a trailer. Substantial areas of bituminous concrete paving surround the existing building. The pavement provides areas for existing parking and play areas, mostly multiple basketball courts. Some of this paving extends off-site onto the adjacent property to the north. This off-site pavement is clearly being used by the school site for recreation and parking areas. The survey states that there are forty-nine (49) existing parking spaces, one (1) of which is handicap accessible. The plans also show three (3) asphalt driveway access points to the property from New Hampshire Avenue, a County Road. The southern most access driveway is

clearly a one-way in since it is narrow and angled for the incoming north bound traffic. The other two (2) driveway access points are wide enough to permit two-way traffic. The site is located in the southern portion of the Township on the east side of New Hampshire Avenue, north of the intersection with Route 70. Route 70 is a State Highway bordering the south side of the tract. A circular turning ramp is in close proximity to the property, but the westbound travel lanes are not. No access exists or is proposed along the Route 70 frontage. The tract consists of about 3.185 acres in area. Most of the property is developed and few trees exist on the site. The tract is irregular in shape. New Hampshire Avenue has a variable width right-of-way and a seven foot (7') wide road widening easement dedicated to the County is shown across a portion of the frontage. No sidewalk exists, or is proposed across the project frontages. However, it should be noted that sidewalk is not appropriate for the area since the land intersects two (2) major highways. Curb does exist along the project frontage. There are a number of existing monitoring wells on the site since it is located within a Groundwater Contamination Area. The project is serviced by the Lakewood Township Municipal Utilities Authority for both sanitary sewer and potable water. As mentioned previously, the project encroaches onto the existing property to the north. Except for the encroaching improvements, the neighboring land to the north is undeveloped. The site to the east consists of self storage buildings. The surrounding lands to the south and west are major highways. We offer the following comments and recommendations for the Board's consideration: I. Waivers A. Our review of the project indicates this is a Major Site Plan application and not a Minor Site Plan application as submitted, because the proposed building addition exceeds fifteen hundred square feet (1,500 SF). Therefore, a Land Development Checklist shall be submitted for Major Site Plan with any submission waiver requests listed. II. Zoning 1. The parcel is located in the M-1 Industrial District. According to Section 18-903M.1.m. of the UDO, quasi-public and private educational facilities are permitted uses in the zone. 2. A front yard setback of fifty feet (50') for the building addition is proposed along the Route 70 frontage. A proposed front yard setback of fifty feet (50') is permitted subject to approval by the Lakewood Industrial Commission. Otherwise, the allowable front yard setback is one hundred feet (100'). 3. The existing property is a corner lot. Since the project has frontage and access on New Hampshire Avenue, we interpret the rear yard should be opposite the New Hampshire Avenue frontage. Therefore, we interpret that a rear yard setback variance is required rather than the side yard setback variance requested. A twenty foot (20') setback is proposed from neighboring Lot 44.02, whereas a thirty foot (30') setback is required. 4. There is an above ground pool and elevated wood deck in the northeast corner of the site. Variances may be required for accessory structures. 5. Under Section 18-906A., of the UDO, schools require a ten foot (10') buffer from nonresidential uses or districts. Pavement expansion is proposed to the property line of the neighboring self storage site. 6. Per review of the Site Plan, the following design waivers are required for proposed project: • Providing sidewalk along the New Hampshire Avenue and Route 70 frontages of the site. However, it should be noted that no sidewalk exists along New Hampshire Avenue or Route 70 in the vicinity of the site. Furthermore, the area is not conducive to pedestrian traffic since the roads are major highways. Therefore, we recommend the Board grant this design waiver. • Providing shade trees, and shade tree and utility easements along the project frontages. However, it should be noted that the travel lanes of Route 70 westbound are far away from the front property line. Also, a thirty foot (30') wide sanitary sewer easement exists along the New Hampshire Avenue frontage. • Providing on-site curb. There is some existing curb on-site, but the bulk of the pavement is without existing curb. 7. The applicant must address the positive and negative criteria in support of any variances that may be required. At the discretion of the Planning Board, supporting documents will be required at the time of Public Hearing, including

but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. III. Review Comments A. Site Plan/Circulation/Parking 1. An ALTA/ACSM Land Title Survey has been provided for Lot 47.01. However, the site improvements encroach onto neighboring Lot 47.02. Partial topography has been provided for Lot 47.02 which shows these existing improvements. Testimony must be provided regarding this encroachment and whether a Minor Subdivision will be pursued to rectify the situation. 2. Testimony should be given regarding proposed circulation with the site layout (parking, loading area, access, etc.). Three (3) driveway access points exist on the New Hampshire Avenue frontage of the site. A narrow asphalt driveway which is not dimensioned exists near the southwest corner of the site. This existing unmarked asphalt driveway is only wide enough to provide one-way circulation which we assume to be one-way in based on its configuration. The other two (2) driveway access points which are not dimensioned seem wide enough to permit two-way circulation. 3. Pavement expansion is proposed in the southeast corner of the site to permit school bus access around the proposed addition. The circulation route has not been completed and will travel through a fenced recreation area with multiple basketball courts. The existing gates for the fenced area should be shown and the circulation route completed. 4. The survey and site plans indicate that forty-nine (49) off-street parking spaces are being provided, only one (1) of which is handicapped. However, at least two (2) handicapped spaces are required for the site, one (1) of which must be van accessible. This is a requirement that cannot be waived. The plans do not address off-street parking spaces as required per UDO standards 18-906C. 5. Testimony should be provided on bussing and student parking on-site. Testimony should also be provided as to the maximum number of staff professionals at the site during school operations. 6. Testimony should be given that adequate turning movements will be provided for any proposed bus drop off area, emergency vehicles, refuse collection, and deliveries. A vehicle circulation plan should be provided as confirmation. 7. Testimony is necessary from the applicant's professionals regarding how any drop off area will be used, including but not limited to times, sizes, and types of vehicles anticipated (i.e., buses, vans, cars, others). 8. The General Notes reference the survey from Clearpoint Services. The General Notes also state that vertical elevation is based on assumed datum. A bench mark shall be provided. Horizontal datum shall also be addressed. 9. The General Notes state that solid waste and recycling is to be collected by the Township. No proposed refuse enclosure is depicted on the site and must be provided. Our site investigation on 10/24/12 noted several exposed dumpsters located in the northwest corner of the site. Since Township pickup is proposed, approval from the DPW Director is necessary. Any waste receptacle area shall be screened and designed in accordance with Section 18-809E., of the UDO. 10. Regulatory signage should be added to the site plan, such as handicapped, do not enter, and one-way signs. 11. Sight Triangle Easements should be proposed for any vehicular egress points to New Hampshire Avenue. 12. Unless waivers are granted, proposed shade trees, as well as shade tree and utility easements should be provided. 13. Testimony should be provided addressing proposed handicap accessibility of the existing on-site facilities. The site must be upgraded to meet current ADA standards. 14. Existing and proposed dimensioning must be added throughout the site. Existing parking space sizes and parking area aisle widths are inadequate in many instances. 15. Proposed setback lines shall be added to the site plan and the zoning schedule amended accordingly. 16. The on-site pavement is in poor condition. Testimony should be provided on reconstruction plans. 17. The existing fencing is in poor condition. Testimony should be provided on fence replacement. Existing fence will be removed for construction of the proposed addition. 18. There is an existing playground on the site. A certification is required from a CPSI (Certified Playground Safety Inspector) that the equipment

is installed properly over an impact-absorbing surface. A certification is also required that playground equipment was manufactured and installed in accordance with ASTM Standard F1487-Standard Consumer Safety Performance Specifications 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 should bear an IPEMA Certification logo. 19. A Legend must be added to the site plan. 20. The lot number for the adjacent self storage site shall be corrected to Lot 44.02. B. Architectural 1. No architectural plans have been provided for the proposed addition and are required. The site plans indicate the building height will be less than thirty-five feet (35'). The zone permits a building height of sixty-five feet (65'). C. Grading 1. No grading plan has been provided and is required. 2. Per review of the existing elevations and per review of site conditions during our 10/24/12 site inspection, on-site grades generally slope to the southeast. D. Storm Water Management 1. Our review of the plans indicates that there will be a minor increase in impervious area for the proposed pavement expansion. It appears less than a quarter acre of impervious surface will be added to the project site since the proposed building addition would be located within an area that is currently paved. Furthermore, it appears site disturbance will be less than an acre. Therefore, we are assuming the applicant will be requesting a waiver from Storm Water Management design with calculations. E. Landscaping and Lighting 1. Unless a waiver is requested and granted, a dedicated landscaping plan shall be provided. 2. Testimony should be provided as to whether compensatory landscaping will be proposed (or is necessary). A Tree Protection Management Plan must be provided to comply with new Tree Ordinance Chapter XIX. 3. Landscaping should be provided to the satisfaction of the Board. 4. Unless a waiver is requested and granted, a dedicated lighting plan shall be provided. 5. Any proposed Lighting Plan should include a point to point diagram to indicate that the site will be adequately illuminated by the design. 6. Lighting should be provided to the satisfaction of the Board. F. Utilities 1. The site will be served by public water and sewer. The project is within the franchise area of the Lakewood Township Municipal Utilities Authority. 2. Approvals will be required from the Lakewood Township Municipal Utilities Authority. G. Signage 1. No signage information is provided. A full signage package for free-standing and building-mounted signs identified on the site plans (requiring relief by the Board) must be provided for review and approval as part of the site plan application. 2. All signage proposed that is not reviewed and approved as part of this site plan application, if any, shall comply with Township ordinance. H. Environmental 1. To assess the site for environmental concerns, our office performed a limited natural resources search of the property and surroundings using NJ Department of Environmental Protection (NJDEP) Geographic Information Mapping (GIS) system data, including review of aerial photography and various environmental constraints data assembled and published by the NJDEP. Data layers were reviewed to evaluate potential environmental issues associated with development of this property. The site is located within a Groundwater Contamination Area. Accordingly, the survey indicates a number of monitoring wells on the site. 2. A Tree Protection Management Plan must be provided to comply with new Tree Ordinance Chapter XIX. I. Construction Details 1. All proposed construction details must comply with applicable Township and/or applicable standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete. A detailed review of construction details will occur during compliance review; if/when this application is approved. IV. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Developers Agreement at the discretion of the Township; b. Township Tree Ordinance (as applicable); c. Lakewood Industrial Commission; d. Lakewood Fire

Commissioners; e. Lakewood Township Municipal Utilities Authority (water and sewer); f. Ocean County Planning Board; g. Ocean County Soil Conservation District; and h. All other required outside agency approvals.

Mr. Magno stated that this should be amended to major site plan based on the fact that the addition is going to be over 1,500 SF. The Lakewood Industrial commission shall approve the 50 ft front yard setback variance. A rear yard setback will be required, variances may be required for accessory structures for the above ground pool, a 10 ft buffer, sidewalks along New Hampshire and Route 70, shade trees, utility easements and providing on-site curb waivers. Also, site improvements encroach on neighboring lot 47.02 so a minor subdivision or an easement would have to be done to rectify the situation.

Mr. Lines stated that there is an existing parking easement on lot 47.02 which goes to lot 47.01. The parking easement must remain even if the lot is sold. He said he would get a copy of the easement for the public hearing.

Mr. Jackson would review the easement when submitted.

A motion was made by Mr. Rennert, seconded by Mr. Franklin to advance the application to the December 18, 2012 meeting. Notice is required.

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

- 2. SD 1859** (Variance Requested)
Applicant: S&H Builders
Location: Hope Chapel Road
Block 26 Lot 8.01
Minor Subdivision to create two lots

The applicant has requested that this application be carried to the January 8, 2013 meeting.

A motion was made by Mr. Herzl, seconded by Mr. Franklin to carry the application. No further notice required.

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

- 3. SD 1873** (Variance Requested)
Applicant: Yehoshua Frenkel
Location: East Spruce Street
Block 855.01 Lots 31 & 34
Minor Subdivision to create three lots

Project Description

The applicant seeks minor subdivision approval to subdivide two (2) existing 90' X 500' lots totaling 2.07 acres in area known as Lots 31 and 34 in Block 855.01 into three (3) new lots,

designated as proposed Lots 34.01, 34.02, and 34.03 on the subdivision plan. Existing Lot 31 contains a shed setback significantly from East Spruce Street. Existing Lot 34 contains a one-story framed dwelling. Proposed Lots 34.01 and 34.02 would become 90' X 225' lots of twenty thousand two hundred fifty square feet (20,250 SF) fronting East Spruce Street. Proposed Lot 34.03 would be subdivided from the rear (northeastern) portion of the property. The proposed 180' X 275' property of forty-nine thousand five hundred square feet (49,500 SF) will have limited frontage (50') on Colon Avenue, an unimproved street. The plan implies that the existing structures would be removed. No construction is proposed at this time under this application. The site is situated in the central portion of the Township on the northeast side of East Spruce Street, southeast of its intersection with Albert Avenue. In addition to the existing structures, the tract is mostly wooded with small trees and appears to slope southeastward. East Spruce Street is a paved municipal road in good condition with no curb and sidewalk, and has an existing right-of-way width of fifty feet (50'). Existing utility poles are located on the north side of East Spruce Street. An existing water main constructed from New Hampshire Avenue dead ends hundreds of feet to the east of the site. Therefore, sanitary sewer and potable water is not available. The proposed lots are entirely situated within the R-20 Single-Family Residential Zone. The surrounding area is predominately single-family residential and vacant land. Variances will be required to create this subdivision. We have the following comments and recommendations: I. Zoning 1. The proposed lots are located in the R-20 Single-Family Residential Zone. Single-family detached housing is a permitted use in the zone. 2. Proposed Lot 34.03 is to be subdivided from the rear (northeastern) portion of the property. This lot will have limited fifty foot (50') frontage on the terminus of Colon Avenue, which is an unimproved street. All lots must have frontage on an improved street. Therefore, a variance is required. 3. Per review of the Minor Subdivision Map, the application, and the zone requirements, the following additional variances are required: • Minimum Lot Width (proposed Lots 34.01 and 34.02, 90 feet; 100 feet required) – proposed condition. 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. The General Notes reference a Boundary & Topographic Survey map which has been used for the base map of this Minor Subdivision plan. Two (2) copies of this survey map should be provided for the Planning Board files. 2. The future status of the existing structures must be clearly shown on the plan. 3. The applicant must demonstrate that proposed Lot 34.03 can be serviceable by emergency and public vehicles such as garbage trucks. There is adequate room available on proposed Lot 34.03 to create a cul-de-sac bulb for the terminus of Colon Avenue while making the proposed lot conforming. 4. The Surveyor's Certification has not been signed since the monuments have not been set. 5. General Note #1 shall be revised to correct the tract area to 2.07 acres. 6. The General Notes indicate that horizontal and vertical datum is assumed. A bench mark must be provided. 7. The plan does not address off-street parking. 8. The minor subdivision plan shows no construction is proposed at this time. 8. The General Notes state shade trees are to be provided within the shade tree and utility easement along East Spruce Street. The proposed shade trees should be added to the plan. 9. Proposed easement survey information should be provided for the proposed new lots and the easement areas provided on a per lot basis. 10. Unless waivers are granted, both sidewalk and curb shall be constructed along East Spruce Street. 11. The proposed lot numbers must be assigned by the Tax Assessor and the plat must be signed by the Tax Assessor. 12. The General Notes indicate that water and sewer services to proposed Lots 34.01, 34.02, and 34.03 to be provided by individual septic systems and wells.

13. Any well and septic approvals will be required from the Ocean County Board of Health. 14. The General Notes indicate that any existing curb and sidewalk damaged during construction will be replaced as directed by the Township Engineer. 15. General Note #14 should be revised to indicate that a test pit will be conducted for each proposed lot to determine depth to seasonal high water table prior to the issuance of a Building Permit. 16. Testimony should be provided on proposed grading and storm water management for the new lots. 17. A Zone Line should be added along the northeasterly site boundary. 18. Compliance with the Map Filing Law is required. 19. Improvement plans will be required for the East Spruce Street frontage and any improvement to Colon Avenue. 20. Construction details must be provided for any improvements required by the Board. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance (as applicable); b. Ocean County Planning Board; c. Ocean County Soil Conservation District; d. Ocean County Board of Health; and e. All other required outside agency approvals.

A variance is being requested for minimum lot width.

Mr. John Doyle, Esq. on behalf of the applicant. The applicant will have to improve Colon Road to provide a driveway. The comments in the engineer's letter can be met.

Mr. Macfarlane does not agree with the comment to construct a cult-de-sac as part of the application. They would propose to pave part of Colon Avenue to provide a driveway.

A motion made by Mr. Schmuckler, seconded by Mr. Franklin to advance the application to the January 22, 2013 meeting. No further notices required.

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

4. **SD 1874** (No Variance Requested)
Applicant: Karen Christen
Location: Forest Drive
Block 12.01 Lot 6
Minor Subdivision to create two lots

Project Description

The applicant is proposing to subdivide one (1) existing residential property into two (2) conforming single family lots. Existing Lot 6 in Block 12.01 would be subdivided into proposed Lots 6.01 and 6.02 as designated on the subdivision plan. Existing Lot 6 contains 0.65 acres and has an existing bi-level frame dwelling with a shed. The subdivision would create a new proposed building lot to be known as Lot 6.01 containing 14,425.97 square feet (0.33 acres) and a new lot for the existing bi-level to be known as Lot 6.02 containing 14,152.69 square feet (0.32 acres). The site is situated in the northwestern portion of the Township on the south side of Forest Drive, east of Miller Road. The property slopes generally downward to the northeast. Forest Drive is an improved municipal road with a fifty foot (50') right-of-way. The south side of the street has been patched from trenching to install a water main. No curb and sidewalk exists, but is proposed. Potable water is available, but sanitary sewer is not. The proposed lots are situated within the R-12, Single-Family Residential Zone. The surrounding land uses are

residential. We have the following comments and recommendations: I. Zoning 1. The parcels are located in the R-12 Single-Family Residential Zone District. Single-family detached dwellings are a permitted use in the zone. 2. No variances or waivers are requested for this proposed subdivision. II. Review Comments 1. A Survey is required for Lot 6. 2. Coordinates are provided on three (3) outbound corners. Horizontal datum has been assumed. 3. A bench mark of elevation 50.0 has been provided on the Improvement Plan. The Minor Subdivision indicates 1929 vertical datum. 4. The status of the existing shed which would be located on proposed Lot 6.01 should be addressed. 5. The Zoning Data Table needs some revisions. The proposed rear yard for Lot 6.02 shall be from the wood deck since it is elevated. The proposed aggregate side yards for Lot 6.02 shall be revised since the westerly side yard is from the elevated deck. The proposed building coverage for Lot 6.02 shall be revised to include the elevated decks. Accessory structure setbacks shall be added if the shed on proposed Lot 6.01 remains. 6. The NJ R.S.I.S. requires 2.5 off-street parking spaces for a single-family dwelling when the number of bedrooms is not specified. The Zoning Data indicates that four (4) off-street parking spaces are required and being provided. The existing driveway for the dwelling on proposed Lot 6.02 is large enough to accommodate four (4) vehicles. Testimony should be provided on the number of bedrooms anticipated for the proposed dwelling on Lot 6.01 and the number of bedrooms for the existing dwelling on Lot 6.02. Testimony on off-street parking shall be provided. 7. Should a basement be proposed for the new dwelling on Lot 6.01, a test pit log must be provided indicating a minimum two foot (2') separation from seasonal high water table has been maintained. Testimony should be provided on whether any basement proposed will be unfinished. In any event, parking shall be provided in accordance with parking ordinance 2010-62. 8. There is an overwrite obscuring some of the shade tree and utility easement information for proposed Lot 6.01. 9. The surveyor should check the curve lengths for proposed Lot 6.01. 10. A twenty foot (20') dimension should be added to the shade tree and utility easement for proposed Lot 6.01. 11. Proposed dimensions for location and grades will be required for the construction of curb and sidewalk on the Improvement Plan. 12. Testimony is required on the disposition of storm water management for the proposed development of Lot 6.01. 13. Proposed dimensions and grades for curb along with topography will determine whether the edge of pavement along Forest Drive requires reconstruction and/or widening. Our site investigation indicates drainage will not be necessary along the proposed curb line. 14. Testimony should be provided on proposed site grading. Proposed lot grading should maximize the direction of runoff to Forest Drive and minimize runoff directed towards adjoining properties. 15. The project is located within the New Jersey American Water Company franchise area. The existing water main on the south side of Forest Drive should be included on the Improvement Plan. The location of the existing septic system for the existing dwelling must be indicated. 16. New lot numbers should be assigned by the Tax Assessor. The map shall be signed by the Tax Assessor should approval be granted. 17. A proposed six foot (6') wide shade tree and utility easement is shown along the property frontage. Survey data has been provided for the proposed easement on an individual lot basis. 18. Nine (9) October Glory Maple shade trees are shown within the proposed six foot (6') wide shade tree and utility easement on the subdivision plan. Shade trees should be provided to the satisfaction of the Board and should conform to recommendations (if any) from the Township Shade Tree Commission as practicable. 19. Our site investigation indicates there are some large trees on the property. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan review for proposed Lot 6.01. 20. Poles with overhead electric exist on Forest Drive. This information should be added to the plan. 21. 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. 22. A monument shall be proposed at the southwest outbound corner of Lot 6. 23. Compliance with the Map Filing Law is required. 24. Construction details have been included on an Improvement Plan. Construction details will be reviewed after plan revisions are submitted. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance (as applicable); b. Ocean County Planning Board; c. Ocean County Soil Conservation District; d. Ocean County Board of Health (septic); e. New Jersey American Water Company (water); and f. All other required outside agency approvals.

Mr. Lines will make revisions as requested by the engineer.

A motion made by Mr. Percal, seconded by Mr. Franklin to advance the application to the January 22, 2013 meeting. No further notices required.

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

5. **SD 1875** (Variance Requested)
Applicant: ARM Developers, LLC
Location: East Fourth Street and Manetta Ave
Block 242 Lot 12, 14, 22, 24
Minor Subdivision to create eight lots

Project Description

The applicant seeks minor subdivision approval to subdivide four (4) existing lots totaling 1.62 acres in area known as Lots 12, 14, 22, and 24 in Block 242 into eight (8) new residential lots. The subdivision proposes to provide for three (3) duplex buildings on six (6) zero lot line properties, and two (2) duplex buildings on two (2) lots. The proposed lots are designated as Lots 12.01 through 12.08 on the subdivision plan. Proposed Lots 12.01 and 12.02 will contain the duplex buildings on single lots. Proposed Lots 12.03 through 12.08 will contain the three (3) duplex buildings on zero lot line properties. Public water and sewer is available. The site contains existing dwellings. The plans state that all existing structures within the subdivision are to be removed. The site is situated in the north central portion of the Township on the northern corner of East Fourth Street and Manetta Avenue. The existing right-of-way width of East Fourth Street in front of the site is thirty-three feet (33'). A variable width right-of-way exists for Manetta Avenue, varying in width from thirty-three feet (33') to thirty-five feet (35'). A waiver from additional right-of-way dedication on East Fourth Street is requested for the subdivision approval. An eight and a half foot (8.5') wide right-of-way easement is requested for this project since the existing right-of-way is only thirty-three feet (33') wide. This project proposes a variable width right-of-way dedication along Manetta Avenue. A six and a half foot (6.5') right-of-way dedication is proposed for the first one hundred fifty feet (150') from East Fourth Street. An eight and a half foot (8.5') wide right-of-way dedication is proposed for the next one hundred fifty feet (150'). East Fourth Street is a paved road with a width of about twenty-eight feet (28'), curbing and sidewalk in poor condition exists along the property frontage. Manetta Avenue is a paved road with a width of approximately twenty-five feet (25'), curbing and sidewalk in poor condition exists along the property frontage. Since the curbing and sidewalk is in poor condition the Improvement Plan indicates it to be replaced along the property frontages. The surrounding

area is predominantly residential. No variances will be required to create this subdivision. The lots are situated within the R-7.5 Single Family Residential Zone. We have the following comments and recommendations: I. Zoning 1. The parcels are located in the R-7.5 Single-Family Residential Zone District. Duplex housing with a minimum lot size of ten thousand square feet (10,000 SF) and zero lot line subdivisions for duplexes are permitted uses in the zone. 2. A waiver is required to permit an eight and a half foot (8.5') wide right-of-way easement, which is being proposed instead of a right-of-way dedication. 3. No variances are being requested with this subdivision. II. Review Comments 1. An incomplete Survey of the property without topography has been provided. Existing topography is shown on the Improvement Plan. However, the source of this existing topography has not been provided. The submission of a completed survey is required. 2. The beginning of the General Notes is overwritten. 3. General Note #1 should be revised to indicate Block 242. 4. Horizontal datum has been assumed. However, the coordinates shown on the survey are missing from the Minor Subdivision plan. 5. General Note #6 should indicate vertical datum is NGVD 1929. A bench mark should be provided. 6. During our site investigation we noted the site is partially wooded with small trees. These small trees have not been located on the survey. 7. The outbound corner markers from the survey should be shown on the Minor Subdivision plan. 8. The Surveyor's Certification should match the survey date of 6/11/12. 9. Zone Boundary Lines should be added to the plan. 10. A signature block for the owner of existing Lot 12 should be added. 11. A six and a half foot (6.50') dimension should be added for the right-of-way dedication at the intersection of East Fourth Street and Manetta Avenue. An eight and a half foot (8.50') dimension should be added for the right-of-way dedication along Manetta Avenue at the northeast corner of the site. A proposed area should be included for the right-of-way dedication to Lakewood Township. 12. The required lot widths in the Zoning Data should be revised to sixty feet (60') and thirty feet (30') for the zero lot line properties. 13. The Zoning Data for Duplex 1 and 2 should be revised to indicate one (1) overall lot, not zero lot line properties. 14. The side yard requirements for the zero lot line properties should be revised in the Zoning Data. 15. Four (4) off-street parking spaces will be provided per unit. This exceeds the three (3) off-street parking spaces which are required for units with five (5) bedrooms to comply with the NJ R.S.I.S. parking requirements. The Zoning Data should be revised to show a minimum of four (4) off-street parking spaces per unit. Proposed Duplex 1 and 2 are showing eight (8) off-street parking spaces per lot and four (4) off-street parking spaces per unit. Parking should be provided to the satisfaction of the Board and comply with ordinance 2010-62. 16. If basements are proposed for the future dwellings on Lots 12.01 through 12.08, seasonal high water table information will be required. 17. While the subdivision proposes a right-of-way dedication along Manetta Avenue, no road widening is being provided. The Planning Board should consider a physical widening of Manetta Avenue. Besides the narrow existing pavement width on Manetta Avenue, the curb and sidewalk is in poor condition, and there is an existing drainage problem because of poor slope near the intersection with East Fourth Street. Improvement Plan layout and grading revisions will be necessary. 18. Proposed six foot (6') wide shade tree and utility easements are shown on the subdivision plan. Survey data with easement areas to the hundredth of a foot for the proposed individual lots has been completed. 19. A sight triangle easement has been provided at the intersection of East Fourth Street and Manetta Avenue. 20. Concrete sidewalk is proposed along the project and should be widened to five feet (5') unless pedestrian passing lanes are added. A proposed curb ramp with detectable warning surface is necessary at the intersection of East Fourth Street and Manetta Avenue. 21. Should proposed utility connections and pavement reconstruction on Manetta Avenue disturb more than twenty percent (20%) of the road length in front of the site, an overlay

would be required. 22. Proposed lot numbers must be approved by the tax assessor's office. 23. Twelve (12) October Glory Maple shade trees are proposed within the shade tree and utility easements for the project. 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. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan Review for the proposed lots. 24. Proposed grading is required on the Improvement Plan. Coordination of proposed grading is necessary because of the numerous lots proposed. 25. Storm water management from development of proposed Lots 12.01 through 12.08 must be addressed. The project is major development since over a quarter acre of impervious surface will be added and over an acre of disturbance will occur. 26. Water and sewer service is to be provided by New Jersey American Water Company since the project is within their franchise area. 27. Monuments should be proposed at the intersections of easements and property lines in cases where right-of-way and property lines conflict with sidewalk. 28. Compliance with the Map Filing Law is required. 29. The Improvement Plan must be revised to include grading, drainage, and construction details as required. This Improvement Plan may be provided during compliance if approval is given. Other plan revisions should be addressed prior to the public hearing. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance; b. Ocean County Planning Board; c. Ocean County Soil Conservation District; and d. All other required outside agency approvals.

Mrs. Weinstein stated that they can stipulate to everything in the engineer's report. The applicant will provide individual recharge systems which they will show on the plot plans.

Mr. Magno stated that the application is technically a minor subdivision by the lot count. There will be five duplex buildings proposed. The Board will have to take action on a waiver request from providing a dedication along East 4th Street. They are proposing a right-of-way easement instead. There is enough development on the project where it does qualify as major development and that impacts the drainage design. No variances are being requested.

A motion made by Mr. Schmuckler, seconded by Mr. Franklin to advance the application to the January 22, 2013 meeting. No further notices required.

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

- 6. SD 1876** (Variance Requested)
Applicant: CliftonRock, LLC
Location: John Street
Block 769 Lot 16
Minor Subdivision to create three lots

Project Description

The applicant seeks minor subdivision approval to subdivide an existing lot totaling 15,104 square feet (0.347 acres) in area known as Lot 16 in Block 769 into three (3) new residential lots. The subdivision proposes to provide a duplex building on two (2) zero lot line properties, and a single family house on one (1) lot. The proposed lots are designated as Lots 16.01

through 16.03 on the subdivision plan. Proposed Lots 16.01 and 16.02 will contain the duplex building on zero lot line properties. Proposed Lot 16.03 will contain the single family residence on a single lot. Public water and sewer is available. The existing site is wooded with small trees. The land rises abruptly from the adjoining streets and lies significantly above these neighboring roads. The site is situated in the central portion of the Township on the southeast corner of Arlington Avenue and John Street. The existing right-of-way width of Arlington Avenue varies, but is 52.81 feet in front of the site. The existing right-of-way for John Street is sixty-six feet (66'). Arlington Avenue is a paved road in fair condition, curbing in poor condition exists along the property frontage, but sidewalk does not. However, new sidewalk is proposed. John Street is a narrow paved road offset within the north side of the existing right-of-way. No curbing and sidewalk exists along the property frontage of John Street, but is proposed. Except for the adjoining properties to the south and east, the surrounding area is predominantly residential. Variances will be required to create this subdivision. The lots are situated within the R-7.5 Single Family Residential Zone. We have the following comments and recommendations: I. Zoning 1. The parcel is located in the R-7.5 Single-Family Residential Zone District. Single family detached housing is a permitted use in the zone. Two-family housing and duplexes with a minimum lot size of ten thousand square feet (10,000 SF) and a minimum lot width of sixty feet (60') are a permitted use in the zone. Zero lot line subdivisions for duplexes are permitted in the zone. 2. The existing Arlington Avenue right of way as noted on the subdivision plan in 52.81 feet, in excess of the 50-foot Township ROW requirement for local roads. As proposed, the subdivision will result in incorporating the residual 2.81 feet of the existing Arlington Avenue right-of-way and adding it to the proposed site. This would reduce the proposed right-of-way width of Arlington Avenue in front of the site to fifty feet (50'). 3. Planning Board approval, if/when granted, will require Township approval of the above-referenced a partial street vacation. Per communications with the applicant's professionals, the applicant agrees to meeting this condition. 4. Per review of the Subdivision Map and the zone requirements, the following variances are required for the proposed duplex on Lots 16.01 and 16.02: • Minimum Front Yard Setback – 20 feet proposed, 25 feet required – proposed condition. • Maximum Building Coverage – 30% allowed, proposed footprint slightly exceeds 30% – proposed condition. 5. Per review of the Subdivision Map and the zone requirements, the following variances are required for the proposed single family house on Lot 16.03: • Minimum Lot Area – 5,667 square feet proposed, 7,500 square feet allowed – proposed condition. • Minimum Front Yard Setback – 20 feet proposed, 25 feet required – proposed condition. • Maximum Building Coverage - 30% allowed, proposed footprint exceeds 30% – proposed condition. 5. 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. A Boundary and Topographic Survey of the property has been provided. The survey notes that field work was performed on 11/16/12. However, the survey is dated 11/12/12. A correction is necessary. 2. The survey shows an abandoned masonry well encroachment from adjoining Lot 18. This encroachment must be addressed since the well location spans two (2) properties. Ocean County Board of Health must be involved with the removal. 3. the survey indicates that horizontal and vertical datum has been assumed. A bench mark has been provided. The vertical datum and bench mark should be referenced on the Minor Subdivision Plan. 4. General Note #1 should be revised to be singular since there is only one (1) existing lot. 5. General Note #2 should list the existing use as vacant. 6. General Note #3 should be revised to indicate one (1) duplex on two (2) lots. 7. General Note #4 should correct the existing lot number to 16. 8.

The Schedule of Bulk Requirements shall be revised to include zero lot line requirements. 9. Unless the proposed building footprints are revised, variances will be required for maximum lot coverage. 10. Off-street parking has not been addressed. The proposed front yards are only twenty feet (20') and existing utility poles will impede the location of off-street parking spaces. Parking should be provided to the satisfaction of the Board and comply with ordinance 2010-62. 11. If basements are proposed for the future dwellings on Lots 16.01 through 16.03, seasonal high water table information will be required. 12. Proposed six foot (6') wide shade tree and utility easements are shown on the subdivision plan. Survey data with easement areas to the hundredth of a foot for the proposed individual lots should be completed. 13. No sight triangle easement has been provided at the intersection of Arlington Avenue and John Street. 14. Zone Boundary Lines should be added to the plan. Properties on the west side of Arlington Avenue are in the R-M Zone. 15. The concrete curb which is in poor condition along Arlington Avenue should be replaced. Concrete sidewalk proposed along Arlington Avenue and John Street should be widened to five feet (5') unless pedestrian passing lanes are added. A proposed pavement taper from the end of the curb and sidewalk should be provided along John Street. A proposed curb ramp is shown at the intersection of Arlington Avenue and John Street. Per communications with the applicant's professionals, these items will be addressed during compliance if approval is granted. 16. Should proposed utility connections on Arlington Avenue disturb more than twenty percent (20%) of the road length in front of the site, an overlay would be required. Existing utilities should be shown. 17. Proposed lot numbers must be approved by the tax assessor's office. 18. No shade trees are proposed within the shade tree and utility easements for the project and are required unless a waiver is granted. 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. This development, if approved must comply with the Township Tree Ordinance at time of Plot Plan Review for the proposed lots. 19. Storm water management from development of proposed Lots 16.01 through 16.03 must be addressed. 20. Water and sewer service is to be provided by New Jersey American Water Company since the project is within their franchise area. 21. The Legend requires revision as the monuments have yet to be set and proposed outbound corner markers have not been identified. 22. The note regarding the Permit extension act is no longer valid since this map will not be filed in 2012. 23. Compliance with the Map Filing Law is required. 24. An Improvement Plan must be provided to include grading and construction details as required. This Improvement Plan may be provided during compliance if approval is given. III. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: a. Township Tree Ordinance; b. Ocean County Planning Board; c. Ocean County Soil Conservation District; d. Ocean County Board of Health; and e. All other required outside agency approvals.

Mr. Rennert stepped down.

Mr. Vogt stated that two of the lots will be for a zero lot line duplex and the third lot will be for a single family. The right-of-way of Arlington Avenue in front of the site is in excess of the normal 50 ft. In order to create this subdivision, a partial road vacation is required to give some of that land back to the property owner. The duplex lots will need minimum front yard setback and maximum building coverage variances. The single family will need minimum lot area, minimum front yard setback and maximum building coverage variances.

Mr. Flannery stated that there will be four parking spaces each. They will comply with all the comments in the engineer's letter. Mr. Flannery asked if this application could be heard on the December 18th meeting.

A motion made by Mr. Schmuckler, seconded by Percal to advance the application to the December 18, 2012 meeting. No further notices required.

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

6. CORRESPONDENCE

7. PUBLIC PORTION

8. APPROVAL OF MINUTES

9. APPROVAL OF BILLS

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

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

10. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted
Sarah L. Forsyth
Planning Board Recording Secretary