

OCEAN COUNTY PLANNING BOARD
PO Box 2191
129 Hooper Avenue
Toms River, New Jersey 08754

Regular meeting, Wednesday, December 5, 2018, 6:00 PM, Engineering Conference Room, Third Floor, 129 Hooper Avenue, Toms River, New Jersey.

Chairman Russell presiding. Attending: Donald Bertrand, Elaine McCrystal, Earl Sutton, Joseph Bilotta, John Ernst, Laura Benson, Anthony Agliata and Robin Florio.

Chairman Russell asked if the Planning Board meeting was in compliance with the Open Public Meetings Act. Ms. Florio advised the Chairman that adequate notice of this meeting was provided.

On a motion by Mr. Bilotta, seconded by Ms. McCrystal, the minutes of the meeting of November 20, 2018 were moved for approval with the following correction: Tuesday, November 20, 2018 instead of Wednesday, November 20, 2018. The motion was unanimously carried.

SUBDIVISION AND SITE PLAN REVIEW

BARNEGAT: Lots 1 & 2 Block 92.19 (BAT323) Walters Development Co., LLC

This two-lot minor subdivision is for a lot line adjustment at the intersection of two local roads. County facilities are not impacted. On a motion by Mr. Sutton, seconded by Ms. McCrystal, this minor subdivision was given final approval contingent upon the applicant to address the following items: (1) add three corner coordinates to the final plat in accordance with the Recordation Act, and (2) identify the existing lot line to be eliminated. All of the above conditions must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. The motion was unanimously carried.

BARNEGAT: Lots 16 & 17 Block 92.19 (BAT324) Walters Development Co., LLC

This two-lot minor subdivision is for a lot line adjustment at the intersection of two local roads. County facilities are not impacted. On a motion by Mr. Bertrand, seconded by Ms. McCrystal, this minor subdivision was given final approval contingent upon the applicant to address the following items: (1) add three corner coordinates to the final plat in accordance with the Recordation Act, and (2) identify the existing lot line to be removed. All of the above conditions must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. The motion was unanimously carried.

BARNEGAT: Lots 24 & 25 Block 92.17 (BAT325) Walters Development Co., LLC

This two-lot minor subdivision is for a lot line adjustment at the intersection of two local roads. County facilities are not impacted. On a motion by Mr. Bilotta, seconded by Ms. McCrystal, this minor subdivision was given final approval contingent upon the applicant to address the following item: (1) identify the existing lot line to be eliminated. The above condition must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. The motion was unanimously carried.

BARNEGAT: Lots 1,2,3,23,24,25 Block 92.18 (BAT326) Walters Development Co., LLC

This six lot minor subdivision is for a lot line adjustment at the intersection of three local roads. County facilities are not impacted. On a motion by Mr. Sutton, seconded by Mr. Bertrand this minor subdivision was given final approval contingent upon the applicant to address the following item: (1) provide three corner coordinates in accordance with the Recordation Act. The above condition must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. The motion was unanimously carried.

BERKELEY: Lots 1 Block 882 (BT347J) Ragucci, Maray

This two-lot minor subdivision is located at the intersection of Route 9 and JFK Boulevard. The NJDOT "desired typical section" for this section of NJ Route 9 consistent with the current NJDOT

access code is indicated on the plans. The final plat appears to have been prepared in accordance with the Recordation Act. County facilities will not be impacted. On a motion by Mr. Bilotta, seconded by Ms. McCrystal, this minor subdivision was given final approval. The motion was unanimously carried.

BERKELEY: Lots 137, 1381, 1382, 1384, 1385, 1386/116, 1177, 1178, 1179, 1188, 1181, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369/984, 985, 986, 987/1397, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401/1182-1196, 1347-1361/988-1002, 1153-1167/943-957, 957.01, 958-972, 972.01, 973-983/1402-1416/1197-1211, 1132-1346/100, 113-114, 1008-1017/1417-1419, 1420-1431, 1521-1535/1212-1217, 1326-1331/102, 112-113, 1018-1027/1432-1439, 1512-1520/1126-1132/953-960, 1039-1046/781-788, 867-874/609-616, 695-702/416-423, 503-509/424-444, 510-530/230-251, 330-337/252-272, 338-358/141-143/144-165/166-186/66-67/62, 64, 71, 2.01, Block 24/25/26/27/28/29/30/31/32/33/34/35/36/37/176/180/184/188/191/192/195/196/198/199/200/4/4293(BT676) Homes for All

This 51-lot major subdivision is for Homes for All, Inc. Manitou Park – Phase IV for 51 single family houses with 102 driveway parking spaces to be located in Berkeley Township, although access to these lots will be through South Toms River by way of Access Drive/Railroad Avenue and Magnolia Avenue. On a motion by Ms. McCrystal, seconded by Mr. Sutton, this major subdivision was given preliminary and final approval contingent upon the applicant to address the following items: (1) revise the final plat to include three corner coordinates in accordance with the Recordation Act, (2) submit a copy of the CAFRA permit or a Jurisdictional Determination letter from the NJDEP, and (3) pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer. All of the above conditions must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. Construction shall not commence until all conditions have been met. The motion was unanimously carried.

LAKEWOOD: Lots 1, 2.02, 3 & 4 Block 1019 (LAT1376A) BJFM Partners, LLC

This five-lot minor subdivision is for five single family dwellings to be located on a local road. County facilities will not be adversely impacted. The final plat appears to be prepared in accordance with the Recordation Act. On a motion by Ms. McCrystal, seconded by Mr. Sutton, this minor subdivision was given final approval. The motion was unanimously carried.

LAKEWOOD: Lots 1, 2, 12 & 54.01 Block 430 (LAT1449B) Silvestro Drive Holdings LLC

This nine-lot major subdivision is for nine single family residences with 36 driveway parking spaces. The applicant is proposing to construct two local roads to gain access to the new lots. County facilities will not be impacted. The final plat appears to be prepared in accordance with the Recordation Act. On a motion by Mr. Sutton, seconded by Mr. Bilotta, this major subdivision was given final approval contingent upon the applicant to address the following item: (1) pay an off-tract traffic improvement fee in an amount of \$7,500.00. The above condition must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. Construction shall not commence until all conditions have been met. The motion was unanimously carried.

LAKEWOOD: Lots 39 & 40 Block 248.02 (LAT2041) Tauber, Esther

This four-lot minor subdivision is for four duplex units to be located on a local road. County facilities will not be impacted. The final plat appears to have been prepared in accordance with the Recordation Act. On a motion by Ms. McCrystal, seconded by Mr. Bilotta, this minor subdivision was given final approval. The motion was unanimously carried.

LAKEWOOD: Lots 1 & 2 Block 12.12 (LAT2042) Szanzer, Nachum

This two-lot minor subdivision is for a lot line adjustment at the intersection of two local roads. County facilities are not impacted. On a motion by Mr. Bertrand, seconded by Mr. Bilotta, this minor subdivision was given final approval contingent upon the applicant to address the following item: (1) provide three corner coordinates in accordance with the Recordation Act. The above condition must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. The motion was unanimously carried.

LAKEWOOD: Lots 4 Block 1037 (LAT2043) Vine Heaven, LLC

This four-lot minor subdivision is for two duplex buildings (four dwelling units) and 16 proposed parking spaces to be located on a local road. It is part of the overall Oak Street Corridor Improvement Plan for 179 duplexes (358 units) and three single family home dwellings. County facilities are not impacted. On a motion by Ms. McCrystal, seconded by Mr. Sutton, this minor subdivision was given final approval. The motion was unanimously carried.

LAKEWOOD: Lots 2.09 Block 961 (LAT944Y3.01) Cornerstone Equities, LLC

This site plan is for a 73,990 s.f. office and daycare with 250 proposed parking spaces to be located on Boulevard of the Americas in the Cedar Bridge Corporate Campus. On a motion by Mr. Bertrand, seconded by Mr. Bilotta, this site plan was given final approval contingent upon the applicant to address the following items: (1) provide a trip generation statement and distribution, (2) update the title block and vicinity map to properly reflect the lots subject of this application, (3) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer, and (4) pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer. All of the above conditions must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. Construction shall not commence until all conditions have been met. The motion was unanimously carried.

LITTLE EGG HBR: Lots 3 Block 79 (LEHT425C) Enviro Productions, LLC

This two-lot minor subdivision is located on North Green Street (CR 539) at the intersection with paper street, Parker's Country Road. On a motion by Ms. McCrystal, seconded by Mr. Bilotta, with Mr. Sutton abstaining, this minor subdivision was given final approval contingent upon the applicant to address the following items: (1) dimension the existing right-of-way half width and full width of the County road on the plan, if less than 33 feet from centerline then submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 33' from centerline to Ocean County, (2) submit a sight right easement form and metes and bounds description for a sight triangle easement at the intersection in accordance with County standards to Ocean County, and (3) revise the plans to properly show the striping in the County road. If the Township requires curb and sidewalk, then the applicant will need to return to the Ocean County Planning Board for review and approval of road widening improvements. All of the above conditions must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. Construction shall not commence until all conditions have been met. The motion was unanimously carried.

TOMS RIVER: Lots 1 Block 724.24 (TRT1301C) JGAG, LLC

This site plan application is to amend the site use from an automotive repair and gas station to an automotive repair, used car sales and truck rental facility with 32 parking spaces (ten proposed for customer parking and 22 existing for display) located on Fischer Boulevard. Ocean County requires the applicant to address the following items: (1) dimension the existing right-of-way half width and full width of the County road on the plan, if less than 50 feet from centerline then submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 50' from centerline to Ocean County, (2) submit a sight right easement form and metes and bounds description for sight triangle easements at the existing access points and intersections in accordance with County standards to Ocean County, (3) submit a drainage report (waiver requested), (4) revise the plans to show all existing features within 200 feet of the site, including existing features on the opposite side of the road, County road striping, and pavement half width dimension, (5) reconstruct the existing intersection curb radius in accordance with Section 610:E, (6) remove the proposed parking from within 20' of the County right-of-way in accordance with Section 603.A, (7) redesign all existing access points to be in accordance with County standards in Figure 600-2 and Table 600-4 to improve the safety along Fischer Boulevard, and (8) pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer. Approval recommended upon fulfillment of the above contingencies and the Board's decision on the waiver request.

A letter dated November 12, 2018 was read from Frank Baer of WSB Engineering requesting a waiver from providing drainage/stormwater calculations since no new impervious area is being proposed. No changes to the site access or building are being proposed other than the existing

parking area and vehicle surface will be repaved to what was previously existing prior to removal of the fuel tanks.

On a motion by Mr. Ernst, seconded by Mr. Sutton, the Board granted a waiver from providing a drainage report; this site plan was given final approval contingent upon the applicant to address the following items: (1) dimension the existing right-of-way half width and full width of the County road on the plan, if less than 50 feet from centerline then submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 50' from centerline to Ocean County, (2) submit a sight right easement form and metes and bounds description for sight triangle easements at the existing access points and intersections in accordance with County standards to Ocean County, (3) revise the plans to show all existing features within 200 feet of the site, including existing features on the opposite side of the road, County road striping, and pavement half width dimension, (4) reconstruct the existing intersection curb radius in accordance with Section 610:E, (5) remove the proposed parking from within 20' of the County right-of-way in accordance with Section 603.A, (6) redesign all existing access points to be in accordance with County standards in Figure 600-2 and Table 600-4 to improve the safety along Fischer Boulevard, and (7) pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer. All of the above conditions must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. Construction shall not commence until all conditions have been met. The motion was unanimously carried.

TOMS RIVER: Lots 6 Block 173 (TRT3432) TEB Management, LLC

This site plan is for a 15,000 s.f. auto body repair business with 41 proposed parking spaces to be located on Route 9. The NJDOT "desired typical section" for this section of NJ Route 9 in accordance with the current NJDOT access code is indicated on the plans. On a motion by Mr. Bertrand, seconded by Ms. McCrystal, this site plan was given final approval contingent upon the applicant to address the following items: (1) pay an off-tract drainage improvement fee in an amount of \$6,000.00, and (2) pay an off-tract traffic improvement fee in an amount \$8,542.00. All of the above conditions must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. Construction shall not commence until all conditions have been met. The motion was unanimously carried.

* * * * *

THE OCEAN COUNTY ENGINEER HAS DETERMINED THAT THE FOLLOWING APPLICATIONS WERE INCOMPLETE FOR REVIEW

- LAKWOOD:** Lots 8.01, 8, 7 Block 26 (LAT1808A.01) Congregation Kol Aryeh of Lakewood Inc.
- LAKWOOD:** Lots 1, 2 & 4 Block 183 (LAT1981.01) Herzog, David
- LAKWOOD:** Lots 2.10, 2.11 Block 961 (LAT944Y4.01) CSR Equity, LLC
- OCEAN:** Lots 5.01 Block 221.02 (OT167B) Crest Construction Group, LLC

* * * * *

CORRESPONDENCE:

BRICK: Block 1446.03, Lot 5 (BRT832E) Burnt Tavern Realty Assoc. LLC. This site plan received conditional approval on July 18, 2018. A letter dated November 20, 2108 was read from Walter Hopkin of WJH Engineering requesting a waiver from the County standard sight triangle easement. The applicant is proposing an AASHTO 15' x 445' sight distance for the parking lot exit lane in lieu of the County standard. This is based upon a posted speed of 40 mph at this location. A waiver is requested from providing a right-of-way dedication to 43' from centerline. The County recently acquired the increased right-of-way for the Garden State Parkway improvements and the NJDOT does not recommend sidewalks along this side of Lanes Mill Road. Furthermore, the maximum curb to curb width of improvements have already been installed. A waiver is requested from removing the proposed parking spaces from within 20' of the County right-of-way. The two existing parking spaces within 20' of the County right-of-way will be eliminated for the entrance drive aisle, however we are requesting that the two existing aisle spaces remain at a distance of approximately 10' off the right-of-way. A waiver is requested from the driveways to be "right turn-in only and right turn-out only" based on the traffic gap analysis submitted by John Rea. Therefore, the applicant is requesting a left turning movement into the site. On a motion by Mr. Ernst,

seconded by Mr. Sutton; the Board accepted the AASHTO sight triangle easement in lieu of the County standard easement, granted a waiver from providing a right-of-way dedication to 43' from centerline, will permit the two existing aisle spaces to remain at a distance of approximately 10' off the right-of-way, and permit the left turn-in southbound to the site. The motion was unanimously carried.

JACKSON: Block 13801, Lot 1.02 (JT1573B) Jackson Township Board of Education. This site plan received conditional approval on November 7, 2018. A letter dated December 4, 2018 was read from Beth Kenderdine of Edwards Engineering requesting a waiver from Conditions #1 through #3 for this project. The project site is located well inside the subject property, more than 300' from East Veterans Highway and more than 700 feet from North Hope Chapel Road. A traffic impact study prepared by Dynamic Engineering concludes that the surrounding roadways will experience no significant degradation due to the proposed transportation facility. Significant improvements to East Veterans Highway and North Hope Chapel Road (widening, striping and signage) were made as part of the construction of Jackson Liberty High School in 2006. The proposed improvements will not impact any County drainage facilities. The Jackson School district does not have a current survey of the Jackson Liberty High School property. The documents from the construction of the school building show what appears to be a property line, but does not include metes and bounds of the property lines. Therefore, providing the requested right-of-way dimensions and dedications would require the preparation of a boundary survey, which would significantly impact both the schedule and budget of this public project. In lieu of the requested right-of-way dedications, we request that the Resolution from the Jackson Township Board of Education stating that all necessary dedications will be provided to the County should North Hope Chapel Road or East Veterans Highway be widened in the future. This will provide the County with a level of comfort that the right-of-way is available if and when required for future roadway improvements. On a motion by Mr. Ernst, seconded by Mr. Bilotta, the Board denied the request to waive showing the features within 200' of the project access to County roads as this information will be needed to address Condition #4 (turning movements to County roads), denied the request to waive providing dimensions and dedications along County roadways and from providing dimensions for the existing right-of-way widths of North Hope Chapel Road, as this is a standard condition for all applications fronting County roadways. The motion was unanimously carried.

LAKEWOOD: Block 174.11, Lots 41.01, 42, 43.07 & 45.01 (LAT662C) Somerset Management, LLC. This minor subdivision received conditional approval on June 20, 2018. A letter dated November 20, 2018 was read from Glenn Lines of NewLines Engineering requesting that this application be withdrawn. On a motion by Mr. Ernst, seconded by Mr. Sutton, the Board acknowledges the request to withdraw this application. The motion was unanimously carried.

LAKEWOOD: Block 1081, Lot 4 (LAT1755A.01) Rabinowitz, Sam. This major subdivision received conditional preliminary and final approval on August 3, 2016. A letter dated November 8, 2018 was read from Brian Flannery of FWH Associates requesting two (2) one-year extensions in accordance with Section 318.E of Municipal Land Use Law. As per Municipal Land Use Law, extensions of the approval may be granted after the approval has expired. On a motion by Mr. Ernst, seconded by Mr. Bilotta, the Board granted a one-year extension to August 3, 2019 and hereby amends the minutes to include additional conditions to address the revisions to the application as follows: (1) dimension the existing right-of-way full width of the County road on the plan, (2) dimension the existing pavement width on the plan, (3) provide detail for the booster pump station. If it is to be located within the clear zone, install guiderail and approved end terminals in accordance with NJDOT specifications on the applicant's property. Include a note that the guide rail is to be maintained by the property owners and is not the responsibility of the County, (4) provide a drainage design to be reviewed and approved by the Ocean County Engineer, (5) provide a secondary emergency access way for developments involving 25 or more dwelling units in accordance with Section 611.C.3, (6) pay an off-tract drainage improvement fee in an amount of \$6,000.00, and (7) pay an off-tract traffic improvement fee in an amount of \$64,583.00. The motion was unanimously carried.

LAKEWOOD: Block 445, Lot 17 (LAT1296C.02) 4th Street Properties. This major subdivision received conditional preliminary and final approval on May 18, 2016. On a motion by Mr. Ernst, seconded by Ms. McCrystal, the minutes are hereby amended to withdraw this application as the owner has proceeded with another development known as LAT1296D.03. The motion was unanimously carried.

LAKEWOOD: Block 961.02, Lots 1.04, 1.05 & 1.06 (LAT944Z1.02) Ave. of the States Office LLC, C/O AOTSR, LLC. This site plan received conditional approval on October 17, 2018. On a motion by Mr. Ernst, seconded by Ms. McCrystal, the minutes are hereby amended to reflect that Condition #2 shall be eliminated since the applicant has agreed to construct a raised curbed median island that prohibits the left-turn movements and ensures right-in/right-out only. Condition #7 shall be eliminated as it has been determined that no additional right-of-way is required. Condition #8 is amended to indicate "existing" traffic signal in lieu of "future" traffic signal. An additional condition shall be added stating that when a site plan comes in for Lot 1.04, the right turn lane extension and Lot 1.04 frontage improvements along the frontage of Cedar Bridge Ave will be required at that time. The motion was unanimously carried.

TOMS RIVER: Block 608, Lot 2.02 (TRT897L) K-Land Corp. No. 7. This minor subdivision received conditional approval on December 20, 2017. A letter dated November 30, 2018 was read from Bret Kaplan of Kaplan Companies requesting a waiver of roadway dedications. Kaplan is making a formal request for the roadway easements in lieu of the roadway dedications for this application. The request is mad because Kaplan is the ground lessee of the undeveloped portion of the Property and not the owner. In speaking with the owner of the property he indicated that obtaining the approval for the dedications from his lender would be nearly impossible, but easements would likely be approved. On a motion by Mr. Ernst, seconded by Mr. Bertrand, the Board granted road easements in lieu of dedications and grant a traffic signal easement in lieu of a dedication. The motion was unanimously carried.

TOMS RIVER: Block 608, Lots 2.01 & 2.03 (TRT897M) K-Land Corp. No. 7. This site plan received conditional approval on December 20, 2017. A letter dated November 30, 2018 was read from Bret Kaplan of Kaplan Companies requesting a waiver of roadway dedications. Kaplan is making a formal request for the roadway easements in lieu of the roadway dedications for this application. The request is made because Kaplan is the ground lessee of the undeveloped portion of the Property and not the owner. In speaking with the owner of the property he indicated that obtaining the approval for the dedications from his lender would be nearly impossible, but easements would likely be approved. On a motion by Mr. Ernst, seconded by Mr. Bertrand, the Board granted road easements in lieu of dedications and granedt a traffic signal easement in lieu of a dedication. The motion was unanimously carried.

TOMS RIVER: Block 658, Lots 49 & 50 (TRT3364) Krean's Auto Body. This site plan received conditional approval on December 7, 2016. A letter dated November 20, 2018 and a letter dated December 5, 2018 were read from Matthew Smith of O'Donnell Stanton requesting the County accept a road easement in lieu of a dedication. A dedication would create a front yard setback variance as the required front yard setback is five feet. Additionally, a one-year extension until December 7, 2019 is requested. On a motion by Mr. Ernst, seconded by Mr. Bilotta, the Board will accept a road easement in lieu of a dedication and granted a one-year extension of this application to December 7, 2019. The motion was unanimously carried.

TOMS RIVER: Block 410, Lot 25 (TRT2507C) Dover Shopping Center Associates, LLC. This site plan received conditional approval on July 19, 2017. Condition #5 required the payment of an off-tract drainage improvement fee in an amount to be determined by the County Engineer and Condition #6 required the payment of an off-tract traffic improvement fee to be determined by the County Engineer. The County Engineer has determined the off-tract drainage improvement fee to be \$2,500.00 and the off-tract traffic improvement fee to be \$71,250.00. On a motion by Mr. Ernst, seconded by Mr. Sutton the minutes are hereby amended to accurately indicate the number of parking spaces to be 342, not 236 consistent with the CAFRA permit, the Board accepted the traffic report as presented, and required the payment of an off-tract drainage improvement fee in the amount of \$2,500.00 and the payment of an off-tract traffic improvement fee in the amount of \$71,250.00. The motion was unanimously carried.

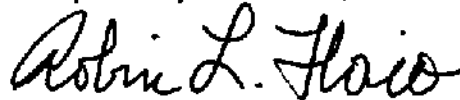
* * * * *

THE FOLLOWING PLANS HAVING BEEN GIVEN CONDITIONAL APPROVAL AT A PREVIOUS MEETING HAVE NOW MET THE CONTINGENCIES AND CAN BE SIGNED:				
MUNICIPALITY:	LOT:	BLOCK:	MEETING DATE:	CONTINGENCIES MET:
JACKSON JT1688	8	20802	11/01/17	12/05/18
LAKWOOD LAT2012	4	1051.09	05/16/18	12/05/18
LAKWOOD LAT2009	10, 11, 12	249	05/16/18	12/04/18
LAKWOOD LAT632D	9.01-9.47	431	09/19/18	12/04/18
LAKWOOD LAT2008	118-123, 164-167	189	05/02/18	12/05/18
LAKWOOD LAT2008A	125, 126, 182.01, 182.02, 185.01, 185.02	189	08/01/18	12/04/18
LAT2016	156-158, 175.01, 174.01, 174.02	189.02	06/06/18	12/04/18
TOMS RIVER TRT3418	5.02	235	07/18/18	12/03/18
TOMS RIVER TRT3397	36 & 37	410.04	12/20/17	12/04/18

* * * * *

There being no further business, on a motion by Mr. Bertrand, seconded by Mr. Sutton, the meeting was adjourned. The motion was unanimously carried.

Respectfully submitted,



Robin L. Florio, Secretary
Ocean County Planning Board

/rlf