

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

Regular meeting, Wednesday, September 18, 2019, 6:00 PM, Engineering Conference Room, Third Floor, 129 Hooper Avenue, Toms River, New Jersey.

Chairman Russell presiding. Attending: Donald Bertrand, Earl Sutton, Scott Tirella, Mark Jehnke, Laura Benson, Mark Villinger 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. Bertrand, seconded by Mr. Sutton, the minutes of the meeting of September 4, 2019 were moved for approval. The motion was unanimously carried.

SUBDIVISION AND SITE PLAN REVIEW

BARNEGAT: Lots 42.08 Block 92.112 (BAT95T1) Wawa, Inc.

This site plan is for the sale of diesel fuel at the Wawa located at the corner of West Bay Avenue and Lighthouse Drive. The plans indicate that there is an existing traffic signal easement at the County intersection. County facilities will not be impacted. On a motion by Mr. Tirella, seconded by Mr. Sutton, this site plan was given final approval. The motion was unanimously carried.

BERKELEY: Lots 2.05 Block 882 (BT347K) Rinderer, Rudolph

This site plan is for two commercial buildings (11,880 s.f. and 11,400 s.f.) with 49 proposed parking spaces to be located at a vacant lot on Route 9. One building will be for mixed shopping such as restaurant, retail or office and the other will be for storage and online retail office space. The applicant has provided a copy of the CAFRA jurisdictional determination. The plans show the NJDOT desired typical section. On a motion by Mr. Sutton, seconded by Mr. Tirella, this site plan was given final approval contingent upon the applicant to address the following item: (1) provide a copy of the NJDOT access permit. This 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.

BRICK: Lots 11 Block 380 (BRT1545A) Hovcare of Brick, Inc.

This site plan is for the addition of two gravel parking areas for 37 parking spaces (for a total of 146 spaces) at the existing Complete Care at Shorrock Gardens Nursing Care Facility located on Old Toms River Road off of Beaverson Boulevard. County facilities will not be impacted. On a motion by Mr. Bertrand, seconded by Mr. Sutton, this site plan was given final approval. The motion was unanimously carried.

BRICK: Lots 75, 76 Block 340 (BRT1805D) Ayra Properties @ Osprey Point, LLC

This 25-lot major subdivision is for 24 single-family residential units, one stormwater lot, and a temporary cul-de-sac to be located on Old Hooper Avenue (CR549). On a motion by Mr. Bertrand, seconded by Mr. Sutton, with Mr. Tirella abstaining, this major subdivision was given preliminary and 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, and since the right-of-way half width is less than 33' from centerline, submit a deed and metes and bounds description for the right-of-way dedication to 33' from centerline to Ocean County, (2) submit sight right easement forms and metes and bounds description for sight triangle easements at the proposed intersection in accordance with County standards to Ocean County, (3) indicate that the sight easements will be effectively cleared between the 2' and 10' along the line of sight, (4) provide a drainage design to be reviewed and approved by the Ocean County Engineer (per drainage memo dated 9/18/19), (5) submit a copy of a valid NJDEP Letter of Interpretation for the wetland

delineation indicated on the plans, (6) if the township requires sidewalk, provide 3' separation between the sidewalk and proposed curb, (7) provide curb for a distance of 125' from the proposed intersection in accordance with Section 612.A, (8) provide a road easement from the adjoining property for the road widening and curb extension in front of Lot 73, (9) add a County curb detail and pavement widening detail to the plan set, (10) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer, (11) 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.

LAKWOOD: Lots 130.01, 172, 129, 168.02, 176.01, 176.02 Block 189 (LAT1957B) 121 Somerset LLC

This seven-lot minor subdivision is located on two local roads. County facilities will not be 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 items: (1) revise the key map to properly show the lots to be subdivided by this application. 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.

LAKWOOD: Lots 23 Block 208.01 (LAT2077) Schuster, Ruth

This two-lot minor subdivision is located on Brook Road. The plan indicates that the full width right-of-way of Brook Road is 60' consistent with the Master Plan desired full width. Should either new Lot 23.01 or 23.02 return to Ocean County Planning Board for development of a site plan or subdivision, the entire frontage of both lots will need to be improved. On a motion by Mr. Tirella, seconded by Mr. Bertrand, this minor subdivision was given final approval contingent upon the applicant to address the following item: (1) remove the existing fence from within the County right-of-way. This 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.

LAKWOOD: Lots 187 Block 189 (LAT2078) Fischer, Isadore

This two-lot minor subdivision is located on North Oakland Street. 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. Sutton, seconded by Mr. Bertrand, this minor subdivision was given final approval. The motion was unanimously carried.

OCEAN: Lots 7.01 & 13.01 Block 65 (OT271) Collamer, Daniel

This two-lot minor subdivision is for a lot line adjustment on Bay Parkway. The plans indicate that the right-of-way half width of Bay Parkway is 30' from centerline consistent with the Master Plan desired width. On a motion by Mr. Tirella, seconded by Mr. Sutton, this minor subdivision was given final approval contingent upon the applicant to address the following item: (1) add three corner coordinates in accordance with the Recordation Act. This 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.

SEASIDE PARK: Lots 16 Block 60 (SPB73) Marco, John

This two-lot minor subdivision is located at the intersection of J Street and Ocean Avenue. The plans indicate the existing right-of-way half width is 37.5', where 30' is required by the Master plan. The final plat appears to have been prepared in accordance with the Recordation Act. On a motion by Mr. Bertrand, seconded by Mr. Tirella, this minor subdivision was given final approval contingent upon the applicant to address the following item: (1) submit a sight right easement form and metes and bounds description for sight triangle easements at the proposed intersection in accordance with County standards to Ocean County. This 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.

TOMS RIVER: Lots 6.02, 6.03 Block 411 (TRT1335Z1) Toms River Merchant Solar

This site plan is for a solar photovoltaic facility (35-megawatt direct current) at the former Ciba Geigy facility on Oak Ridge Parkway. The project will be located within the footprint of the former industrial development of the project site. Ocean County requires the applicant to address the following items: (1) submit a traffic report (waiver requested), (2) submit County road improvement plans (waiver requested), (3) submit a copy of the CAFRA permit from the NJDEP (pending), (4) revise the zoning key map to properly show the outbounds of the subject lots, (5) 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. Approval recommended upon fulfillment of the above contingencies and the Board's decision on the waiver requests.

A letter dated August 23, 2019 was read from Joe Dietrich of Weston Solutions requesting a waiver from submitting a traffic report and County road improvement plans. The project will not establish any parking areas nor will the facility be manned. The only traffic that will occur post construction will be for maintenance vehicles to access the site and inspect the system or conduct routine maintenance. This will be completed on a monthly basis and be completed by one to two representatives via a small truck. No improvements to the County road are planned due to the nature of the project and long term access required.

On a motion by Mr. Jehnke, seconded by Mr. Sutton, the Board granted a waiver from submitting a traffic report and County road improvement plans; this site plan was given final approval contingent upon the applicant to address the following items: (1) submit a copy of the CAFRA permit from the NJDEP (pending), (2) revise the zoning key map to properly show the outbounds of the subject lots, (3) 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. 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 2 Block 601 (TRT1850D) Alblem Group LLC

This site plan is for an addition to the existing Kedz Funeral Home on Hooper Avenue. 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 60 feet from centerline then submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 60' from centerline to Ocean County, (2) revise the plans to show all existing features within 200 feet of the site, including existing features on the opposite side of the road and pavement width dimensions, (3) submit a traffic report for the site (waiver requested), (4) submit a drainage report for the site (waiver requested), (5) submit a copy of the CAFRA permit from the NJDEP (waiver requested), (6) submit County road improvement plans (waiver requested). Approval recommended upon fulfillment of the above contingencies and the Board's decision on the waiver requests.

A letter dated August 13, 2019 was read from Matthew Hockenbury of MCH Engineering requesting a waiver from submitting a drainage report. The project, as proposed, will reduce overall impervious coverage. The existing drainage facilities on site will not be modified and the improvements will not impact the overall runoff quantity nor will it alter existing drainage patterns. A waiver is requested from submitting a traffic report. This project will only increase the gross building area by approximately 550 square feet. The additional area will be used for offices on the first floor and reconfigured residential space on the second floor. There are no additional bedrooms proposed and no additional employees needed; therefore, the impact on traffic is de minimus. A waiver is requested from providing a CAFRA determination as this project is not increasing the number of parking spaces and therefore it does not require a CAFRA permit. This project will have no impact on County roads. The existing site and circulation patterns will remain the same. Therefore, a waiver is requested from providing County road improvement plans.

On a motion by Mr. Jehnke, seconded by Mr. Tirella, the Board granted a waiver from submitting a traffic report, drainage report, CAFRA permit and County road improvement plans; 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 60 feet from centerline then submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 60' from centerline to Ocean County, (2) revise the plans to show all existing features within 200 feet of the site, including existing features on the opposite side of the road and pavement width dimensions. 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.

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

JACKSON: Lots 8 Block 19403 (JT1709) Grawtown Acres, LLC

LAKESIDE: Lots 28 & 29 Block 189 (LAT2004.01) Congregation Pri Aahron

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CORRESPONDENCE:

MANCHESTER: Block 21, Lots 621, 622 & 1712 (MT498) ARYA Properties, LLC. This major subdivision received conditional preliminary and final approval on September 5, 2018. A letter dated September 10, 2019 was read from John Paul Doyle from Carluccio, Leone, Dimon, Doyle & Sacks requesting the Board reexamine the impact fee assessed based on the trip generation study prepared and submitted by Mathew Wilder of Morgan Engineering and the analysis performed by Mr. Doyle. The previous projection may be overstated since it is based on every car going out of the subdivision onto Route 571 (Ridgeway Road) only. The trip generation report supports that only 35% of the new trips will be using Ridgeway Road. On a motion by Mr. Jehnke, seconded by Mr. Sutton, with Mr. Tirella abstaining, the minutes are hereby amended to reflect that the off-tract traffic improvement fees have been reexamined due to the distribution of traffic, therefore reducing the off-tract traffic improvement fee to \$4,083.00. The motion was unanimously carried.

SEASIDE PARK: Block 97, 91, Lots 20.02, 24 (SPB46J) Funtown Pier Associates. This site plan received conditional approval on July 17, 2019. A letter dated September 18, 2019 was read from Millis Looney of O'Donnell Stanton and Associates requesting a waiver from providing a sight triangle at the intersection in accordance with County standards. The intersection is a controlled intersection with a stop sign and stop bar. There is no parking permitted on that side of Ocean Avenue, so a sight line is clear already. The clear sight line is from the stop bar to the south to the next street. Adding the sight triangle to the property would negate out some of the additional off-street parking they are trying to provide with the relocation of the dumpster area. It would effectively eliminate 11 parking spaces. The applicant is requesting that the AASHTO standards for sight distance be substituted in lieu of the County standards, a detail showing compliance with figure 6-A of the NJDOT Roadway Design Manual has been added to the plan. On a motion by Mr. Jehnke, seconded by Mr. Sutton, the Board accepted the use of AASHTO sight triangle standards in lieu of County standards at the intersection. The motion was unanimously carried.

TOMS RIVER: Block 166, Lots 6, 7, 8, 15.03 ((TRT2033G.02) Nobility Crest @ Dover, LLC. This site plan received conditional approval on March 6, 2019. A letter dated August 30, 2019 was read from Kenneth Schlatmann of Schlatmann Engineering requesting the off-tract traffic improvement fee be waived for this application. This project "Cox Cro Crossing" was a modification of a previously approved project that included this commercial site as well as the adjacent Riverwood Chase townhouse development. That original project included the full development of both sites with regards to traffic and drainage. As part of the original County approval, the applicant entered into agreements with Ocean County to provide for the widening of Cox Cro Road right-of-way, pavement of the widened roadway to either side of the Rio Grande Drive/Ticonderoga Drive intersection with traffic signal and pavement striping. The applicant also coordinated the design of the detention/infiltration basin to support the collected stormwater runoff from Cox Cro Road prior to discharge back to the County system. The applicant also posted an off-tract drainage improvement fee as part of the County approval of April 20, 2011. Since these improvements were completed in support of the original approval by the County, the applicant respectfully requests that the impact fees be waived for this application. On a motion by Mr. Jehnke, seconded by Mr. Tirella, the Board hereby amends the minutes to reflect that the off-tract

traffic improvement fee has been reduced to \$17,292.00. The reduction is due to the fact that part of this project was included in a previous Developers Agreement for TRT2033C.01 and TRT2033D.01 for the County roadway improvements and construction of the traffic signal. This fee is based upon the additional area of development proposed under TRT2033G.02 (on Lots 6, 7, 8). The drainage fee remains the same as assessed at \$6,000.00. The motion was unanimously carried.

TOMS RIVER: Block 590, Lots 1, 6, 50 & 60 (TRT2619A) Republic First Bancorp., Inc. This site plan received conditional approval on May 15, 2019. Condition #9 required the payment of an off-tract drainage improvement fee in an amount to be determined by the County Engineer, and Condition #10 required the payment of an off-tract traffic improvement fee in an amount to be determined by the County Engineer. The County Engineer has determined the off-tract drainage improvement fee to be \$6,000.00 and the off-tract traffic improvement fee to be \$5,833.00. On a motion by Mr. Jehnke, seconded by Mr. Bertrand, the Board required the payment of an off-tract drainage improvement fee in the amount of \$6,000.00 and the payment of an off-tract traffic improvement fee in the amount of \$5,833.00. The motion was unanimously carried.

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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:
BRICK BRT740E6	5	379.01	08/18/18	09/17/19
BRICK BRT1987	6	867	01/16/19	09/11/19
LAKEWOOD LAT2060	14, 15	104.02	04/03/19	09/13/19
LAKEWOOD LAT1970.01	12	1.05	12/06/17	09/17/19
PT. PLEASANT PPB788	10.02	315	04/03/19	09/13/19
SEASIDE HEIGHTS SHB147	9	40	05/02/18	09/18/19
SEASIDE PARK SPB46J	20.02 / 24	97 / 91	07/17/19	09/18/19
SO. TOMS RIVER STRB6E	2.01	8.01	03/20/19	09/09/19

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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