

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

Regular meeting, Wednesday, September 4, 2019, 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, Scott Tirella, 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 Ms. McCrystal, seconded by Mr. Bertrand, the minutes of the meeting of August 21, 2019 were moved for approval. The motion was unanimously carried.

SUBDIVISION AND SITE PLAN REVIEW

BARNEGAT: Lots 1.01 Block 115 (BAT91V) WP Barnegat, LLC

This three-lot minor subdivision is located at the intersection of West Bay Avenue and Sandpiper Road. The purpose of this application is to create three new lots for the proposed AutoZone, Dollar General and two unidentified businesses which were conditionally approved under BAT91U. 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) 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, (3) submit a right-of-way deed of dedication and metes and bounds description to Ocean County for a corner clip at the intersection so that the traffic signal interconnect is located within the County right-of-way, (4) identify all three new lot numbers on the final plat, show corner monuments to be installed at the new property corners at the right-of-way line, properly identify the County Route number on the key map, and provide three corner coordinates in accordance with the Recordation Act, and (5) revise the site plan application for the proposed AutoZone, Dollar General and two unidentified businesses (BAT91U) to reference the proper lot numbers. 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.

BRICK: Lots 6, 8 / 27 Block 910.03 / 914 (BRT1903A) Sherman, Robert

This minor subdivision is for a lot consolidation located on Midstreams Road and Princeton Avenue. On a motion by Ms. McCrystal, seconded by Mr. Tirella, with Mr. Bertrand 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 both County roads on the plan, if less than 30 feet from centerline then submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 30' from centerline to Ocean County, (2) submit a sight right easement form and metes and bounds description for sight triangle easements at the intersection in accordance with County standards to Ocean County, (3) revise the plans to show all existing features within 200 feet of the site, including right-of-way width dimensions, pavement width dimensions, and County road striping, and (4) indicate the proposed lot numbers on the final plat in accordance with the Recordation Act. 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.

BRICK: Lots 13, 18, 22 & 24 Block 36 (BRT1936B) Osborn Sea-Bay Condo Association

This site plan is for a multi-family residential development at Camp Osborn for three single-family dwellings and 64 duplex dwelling units and 140 parking spaces to be located off of Route 35. This lot is currently vacant due to Superstorm Sandy damage. The applicant has provided a copy of the CAFRA permit. Ocean County requires the applicant to address the following items: (1) The NJDOT "desired typical section" for this section of NJ Route 35 in accordance with the current NJDOT access code shall be indicated on the plans, and (2) submit a traffic report (waiver requested). Approval recommended upon fulfillment of the above contingencies and the Board's decision on the waiver request.

A letter dated August 7, 2019 was read from Sean Savage of MatrixNewworld requesting a waiver from providing a traffic report. Prior to Superstorm Sandy, this site contained 67 single family homes which were completely destroyed by the storm. This application is being made to rebuild all 67 homes comprised of 64 duplex units and three single family homes. It is anticipated that the development will not have any negative impact on traffic and therefore a traffic report is not required.

On a motion by Mr. Ernst, seconded by Mr. Bertrand, the Board granted a waiver from providing a traffic report; this site plan was given final approval contingent upon the applicant to address the following item: (1) The NJDOT "desired typical section" for this section of NJ Route 35 in accordance with the current NJDOT access code shall be indicated on the plans. 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 22 Block 493 (BRT1994) Gass, Joe

This two-lot minor subdivision is located on a local road, Linden Avenue. County facilities will not be impacted. On a motion by Mr. Sutton, seconded by Mr. Bilotta, this minor subdivision was given final approval contingent upon the applicant to address the following item: (1) add three corner coordinates and the Land Surveyor's signature to the final plat in accordance with the Recordation Act. This condition must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. The motion was unanimously carried.

LAKWOOD: Lots 156 & 157 Block 189.30 (LAT1832A) Green, Avraham

This five-lot minor subdivision is for four duplex units and one single family residence to be located on Somerset Avenue and Linden Avenue. County facilities will not be impacted. On a motion by Mr. Sutton, seconded by Mr. Bilotta, this minor subdivision was given final approval contingent upon the applicant to address the following item: (1) submit a final plat prepared in accordance with the Recordation Act. This condition must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. The motion was unanimously carried.

LAKWOOD: Lots 32 Block 855.02 (LAT2076) Imperial Dynamics, LLC

This two-lot minor subdivision is 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. Sutton, this minor subdivision was given final approval. The motion was unanimously carried.

LAKWOOD: Lots 1.02/6 Block 961.02/961.03 (LAT944Z3) Lakewood Heights, LLC

This site plan is for Phase I of the Lakewood Heights for office and retail (652,724 s.f. on Lot 1.02 and 59,092 s.f. on Lot 6) with 1,834 proposed parking spaces on Lot 1.02 and 1,312 proposed parking spaces in Lot 6 within the Cedarbridge Corporate Complex to be located on the Boulevard of the Americas and Avenue of the States and Pine Street. It is anticipated that the future residential component of Phase 2 will require a CAFRA modification. On a motion by Mr. Sutton, seconded by Mr. Bilotta, this site plan was given final approval contingent upon the applicant to address the following items: (1) address the following traffic comments: a) include analysis for the intersections along Cedarbridge Avenue from Shenandoah to Oberlin and New Hampshire Avenue from Oak Street to America Avenue, and b) provide analysis that intersections will operate in accordance the anticipated CAFRA modification, (2) provide a drainage design to be reviewed

and approved by the Ocean County Engineer (per drainage memo dated 8/21/19), (3) submit a copy of the NJDEP letter of interpretation for the wetland delineation indicated on the plans, (4) enter into a Developers Agreement with the Ocean County Board of Chosen Freeholders with regard to the developer's share of County road improvements, (5) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer, (6) pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer, and (7) revise the plans to show the 50' wide conservation restriction for Pine Street perimeter wooded buffer required by the CAFRA permit and shown on the approved CAFRA plans. 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.

PT. PLEASANT BH: Lots 12 & 14 Block 11.02 (PPBB280) 2005 Route 35, LLC

This site plan is for a two-story 10,780 s.f. (footprint) 14-unit condominium to expand the residential component of an existing mixed use site consisting of a restaurant, office, and residential and parking lot renovations for 56 parking spaces located on Route 35. Ocean County requires the applicant to address the following items: (1) indicate on the plans the NJDOT "desired typical section" for this section of NJ Route 35 in accordance with the current NJDOT access code, (2) submit a copy of the NJDOT access permit, (3) submit a copy of the CAFRA permit (pending), (4) submit a traffic report (waiver requested), and (5) submit a drainage report (waiver requested). 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 Timothy Lurie of DW Smith Associates requesting submission waivers. This application is for construction of a two-story condominium building with 14 units. The area of the proposed building is an existing parking lot. The site fronts Route 35 to the north and Maryland Avenue to the south. A submission has been submitted to NJDOT for a minor permit application prepared by MRA Traffic and Transportation Consulting, therefore a waiver is requested from submitting a traffic report. The existing property contains 23,209 s.f. of impervious surfaces. The proposed development will consist of 20,615 s.f. of impervious surfaces, a decrease of 2,594 s.f. from existing conditions. The proposed development will disturb less than an acre and no new impervious is proposed, therefore, this project is not considered a major development as per N.J.A.C. 7:8 Stormwater Management. A waiver is requested from providing a drainage report since this is not a major development and are decreasing impervious surfaces square footage.

On a motion by Mr. Ernst, seconded by Mr. Bertrand, the Board granted a waiver from providing a traffic report, provided the applicant addresses Condition #2, and granted a waiver from submitting a drainage report; this site plan was given final approval contingent upon the applicant to address the following items: (1) indicate on the plans the NJDOT "desired typical section" for this section of NJ Route 35 in accordance with the current NJDOT access code, (2) submit a copy of the NJDOT access permit, and (3) submit a copy of the CAFRA permit (pending). 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.

STAFFORD: Lots 11 Block 230 (ST578) Mel-John Developers LLC

This three-lot minor subdivision is located on Stafford Avenue and Parker Street. The plans indicate that the right-of-way half width of Stafford Avenue is 40' from centerline. 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) dimension the full width right-of-way of Stafford Avenue. This condition must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. The motion was unanimously carried.

TOMS RIVER: Lots 19 & 20 Block 1079.02 (TRT3440) Mattia Construction Consultants, LLC

This site plan is for a two-story 1920 s.f. footprint commercial office and storage building with 11 proposed parking spaces to be located on Fischer Boulevard. The plans indicate that the right-of-way half width of Fischer Boulevard is 42' from centerline plus an 8' sidewalk and utility easement to Ocean County. Ocean County requires the applicant to address the following items: (1) submit a sight right easement form and metes and bounds description for sight triangle easements at the

intersection in accordance with County standards to Ocean County (30' x 100'), (2) revise the plans to show all existing features within 200 feet of the site, including existing features on the opposite side of the intersection and pavement width dimensions, (3) submit a traffic report for the site (waiver requested), (4) add the following Ocean County standard notes for projects located on County roads: a) The developer is required to obtain a road opening permit from the Ocean County Engineering Department prior to the start of construction of any improvements within the County right-of-way, b) The developer shall obtain a letter of final acceptance from the Ocean County Engineer for the County road improvements prior to the issuance of a TCO/CO from the municipality and release of any bond or other financial surety posted with the municipality for the completion of said improvement, (5) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer (waiver requested), and (6) 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 requests.

A letter dated July 15, 2019 was read from James Giordano of TEC Engineering requesting a waiver from providing a traffic report. The proposal simply involves the reconstruction of existing office space of approximately the same square footage and the addition of a small storage space. It is not anticipated that there will be any increase in traffic to the proposed site and therefore, requesting a waiver from providing an off-tract traffic improvement fee. Please note that the application involves the elimination of the existing curb cut located on Fischer Boulevard. This project is not a major development as defined by the NJDEP Stormwater regulations. Proposed drainage will be substantially similar to that of the existing condition with the exception there will be a net reduction to proposed runoff towards Fischer Boulevard drainage system. No connection to County drainage systems are proposed for the site, therefore, the application requests a waiver from providing an off-tract drainage improvement fee. A waiver is requested to utilize the AASHTO sight triangle, 9 feet from sidewalk easement x 415 feet, in lieu of the County sight triangle for the existing intersection. This site triangle has been shown on the plans and will be dedicated to the County of Ocean in the appropriate format.

On a motion by Mr. Ernst, seconded by Ms. McCrystal, the Board granted a waiver from providing a traffic report, however required a trip generation statement comparing existing and proposed, did not require an off-tract traffic improvement fee or off-tract drainage improvement fee and denied the use of AASHTO sight triangle standards; this site plan was given final approval contingent upon the applicant to address the following items: (1) submit a sight right easement form and metes and bounds description for sight triangle easements at the intersection in accordance with County standards to Ocean County (30' x 100'), (2) revise the plans to show all existing features within 200 feet of the site, including existing features on the opposite side of the intersection and pavement width dimensions, (3) submit a trip generation statement comparing existing and proposed conditions, and (4) add the following Ocean County standard notes for projects located on County roads: a) The developer is required to obtain a road opening permit from the Ocean County Engineering Department prior to the start of construction of any improvements within the County right-of-way, b) The developer shall obtain a letter of final acceptance from the Ocean County Engineer for the County road improvements prior to the issuance of a TCO/CO from the municipality and release of any bond or other financial surety posted with the municipality for the completion of said improvement. 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

- LAKWOOD:** Lots 1.04 Block 251 (LAT1447F) Kolliel Kinyan Torah Inc.
- LAKWOOD:** Lots 1.06 Block 251 (LAT1447G) Kolliel Kinyan Torah Inc.
- LAKWOOD:** Lots 2-7 Block 1083 (LAT1999A.02) Vermont Equities, LLC
- LAKWOOD:** Lots 6-15, 29, 30 Block 1086 (LAT1999.02) Locust Holdings, LLC

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CORRESPONDENCE:

BRICK: Block 379.01, Lot 5 (BRT740E6) CT07-91 Brick Blvd. LLC & DT07 91 Brick Blvd, LLC. This site plan received conditional approval on August 15, 2018. Condition #12 required the payment of an off-tract drainage improvement fee in an amount to be determined by the County Engineer and Condition #13 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 \$6,250.00. On a motion by Mr. Ernst, seconded by Mr. Bilotta, 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 \$6,250.00. The motion was unanimously carried.

S. TOMS RIVER: Block 8.01, Lot 2.01 (STRB6E) Viking Supply Co., Inc. This site plan received conditional approval on March 20, 2019. Condition #11 required the payment of an off-tract drainage improvement fee in an amount to be determined by the County Engineer and Condition #12 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 \$4,583.00. On a motion by Mr. Ernst, seconded by Mr. Sutton, 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 \$4,583.00. The motion was unanimously carried.


TOMS RIVER: Block 145.01, Lots 1.04 & 1.05 (TRT2894H.02) Gateway 70, LLC. This site plan received conditional approval on January 16, 2019. Condition #5 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 traffic improvement fee to be \$15,250.00. On a motion by Mr. Ernst, seconded by Mr. Bilotta, the Board required the payment of an off-tract traffic improvement fee in the amount of \$15,250.00. 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:
BERKELEY BT426C	202.02	1705	07/02/19	08/26/19
JACKSON JT751E.02	7.01	11501	03/20/19	09/03/19
LAKWOOD LAT2073	48 & 49	104	08/07/19	08/26/19
SHIP BOTTOM SHB227	1.01	109	08/01/18	08/28/19
TOMS RIVER TRT3297C	2, 8 & 9	410	07/19/17	09/04/19

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

Respectfully submitted,

 Robin L. Florio, Secretary
 Ocean County Planning Board