

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

Regular meeting, Wednesday, May 2, 2018, 6:00 PM, Engineering Conference Room, Third Floor, 129 Hooper Avenue, Toms River, New Jersey.

Chairman Russell presiding. Attending: Earl Sutton, Donald Bertrand, Elaine McCrystal, Joseph Bilotta, Charles Jobes, Jr., Alan Avery, Jr., Scott Tirella, John Ernst, Robert Budesca, 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. Bertrand, seconded by Ms. McCrystal, the minutes of the meeting of April 18, 2018 were moved for approval. The motion was unanimously carried.

SUBDIVISION AND SITE PLAN REVIEW

BRICK: Lots 46 Block 1422 (BRT1969A) Bendel, Steven

This two-lot minor subdivision is located on 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. The motion was unanimously carried.

BRICK: Lots 22, 30 Block 490 (BRT1973) Hama, Joan McCready

This minor subdivision is for a lot line adjustment on a local road. County facilities are not impacted. On a motion by Mr. Bertrand, seconded by Mr. Jobes, this minor subdivision was given final approval. The motion was unanimously carried.

LAKEWOOD: Lots 1 & 3 Block 1070 (LAT1350B.01) KG Investments

This site plan application is for the demolition of an existing gas station and the construction of a 17,974 s.f. two story retail/office building with 74 proposed parking spaces located at the intersection of Chestnut Street (on two sides) and Route 9. Plans show the existing right-of-way half width to be 33' in accordance with the County's master plan. On a motion by Mr. Bilotta, seconded by Mr. Sutton, this site plan was given final approval contingent upon the applicant to address the following items: (1) provide a deed of dedication and metes and bounds description for the right-of-way corner clip dedication to Ocean County at the southwest corner of the site, (2) submit two sight right easement forms and metes and bounds descriptions for the sight triangle easements at both proposed access points to the County roads in accordance with County standards to Ocean County. One metes and bounds should describe the sight triangles proposed on Lot 1 and one should describe the sight triangles proposed on Lot 3. Otherwise the sight easement form and metes and bounds descriptions should reference the new Lot number created by way of the Lot consolidation, (3) address the following traffic comments: (a) show all existing striping and all movements on the design vehicle turning templates (b) revise analysis to reflect elimination of Chestnut Street entrance, (4) design the proposed parking in accordance with Section 603.A and 603.B, (5) provide a drainage design to be reviewed and approved by the Ocean County Engineer (per drainage memo dated 5/2/18), (6) revise the standard cross section for County roads to be 6" Dense-Graded Aggregate Base Course, 4" Hot Mix Asphalt 19M64 Base Course, and 2" Hot Mix Asphalt 12.5M64 Surface Course, (7) dimension the existing and proposed pavement half width on the County road plans and cross-sections, (8) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer, and (9) 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 118-126, 164-167, 182, 185 Block 189 (LAT2008) 121 Somerset, LLC

This major subdivision is for 34 proposed lots for 17 duplex buildings with 136 proposed parking spaces on the east side of Cherry Street. A separate major subdivision application is forthcoming for Block 189, Lots 125, 126, 182, 185 on the west side of Cherry Street. Ocean County requires the applicant to address the following items: (1) prepare a final plat in accordance with the Recordation Act (i.e. provide three corner coordinates, adjoining lot numbers, and revise the zoning map to reference the proper lots). Duplex 11 is listed twice on the final plat. Revise accordingly, (2) obtain and submit a CAFRA permit or a Jurisdictional Determination letter from the NJDEP (waiver requested), (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. Approval recommended upon fulfillment of the above contingencies and the Board's decision on the waiver request.

A letter dated April 10, 2018 was read from Glenn Lines of New Lines Engineering, indicating that a CAFRA permit is not required for this site. The CAFRA boundary line in Lakewood Township for this site lies within the CAFRA boundary. The scope of the project is to construct 34 units with basement apartments. The CAFRA jurisdictional limit is 75 units therefore, this project does not require a CAFRA permit.

On a motion by Mr. Ernst, seconded by Mr. Bertrand, the Board denied the request as this does not fully address all units shown on the plans submitted, nor the various CAFRA thresholds that need to be addressed; this major subdivision was given final approval contingent upon the applicant to address the following items: (1) prepare a final plat in accordance with the Recordation Act (i.e. provide three corner coordinates, adjoining lot numbers, and revise the zoning map to reference the proper lots). Duplex 11 is listed twice on the final plat. Revise accordingly, (2) obtain and submit a CAFRA permit or a Jurisdictional Determination letter from the NJDEP, (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 2 & 2.01 Block 250 (LEHT339H) Signature Ninth Ave Landco, LLC

This minor subdivision is for a lot line adjustment at the corner of North Green Street (Route 539) and Ninth Avenue. On a motion by Ms. McCrystal, seconded by Mr. Bertrand, 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, and (2) provide corner clip right-of-way deed of dedication and metes and bounds description for an additional right-of-way from the point of tangency to the point of curvature of the intersection for a future traffic signal 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.

LITTLE EGG HBR: Lots 2 & 2.01 Block 250 (LEHT339J) Signature Ninth Ave Landco, LLC

This site plan is for Phase I - proposed 9,387 s.f. assisted living health care facility with senior medical daycare, and Phase II - 8,632 s.f. medical office flex space and 130 proposed parking spaces to be constructed at an existing nursing home and rehabilitation facility that has 77 existing parking spaces at the corner of North Green Street (Route 539) and North Avenue. The plans indicate that the right-of-way half width on North Green Street is 33'. On a motion by Ms. McCrystal, seconded by Mr. Bilotta, with Mr. Sutton abstaining, this site plan was given final approval contingent upon the applicant to address the following items: (1) address the conditions of minor subdivision application LEHT339H, (2) revise the plans to show striping in the County road within 200 feet of the site, (3) provide a spread calculation for the drainage entering the catch basin at the gutter line of the County road, (4) enter into a Hold Harmless Agreement with the Ocean County Board of Chosen Freeholders with regard to the co-mingling of stormwater, (5) reconstruct the existing intersection curb radius in accordance with Section 610:E and relocate the existing inlet to the proposed curb line, (6) address the following traffic comment: (a) provide

school bus turning templates at the intersection, (7) construct the handicap ramps at the intersection in accordance with the current Federal ADA standards, to be reviewed and approved by the Ocean County Engineer, (8) obtain and submit a CAFRA permit or a Jurisdictional Determination letter from the NJDEP, (9) revise the standard cross section for County roads to be 6" Dense-Graded Aggregate Base Course, 4" Hot Mix Asphalt 19M64 Base Course, and 2" Hot Mix Asphalt 12.5M64 Surface Course, (10) indicate the proposed curb is to be built 25 feet from centerline in accordance with Section 612:B, (11) add the following note to the plans: "County road improvements must have base pavement course prior to the issuance of Certificate of Occupancies.", (12) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer, and (13) 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 42, 43 Block 325.51 (LEHT431) Kempe, Ronald & Barbara

This minor subdivision is for a lot consolidation on a local road. County facilities are not impacted. On a motion by Mr. Jobes, seconded by Mr. Sutton, this minor subdivision was given final approval. The motion was unanimously carried.

SEASIDE HTS: Lots 9 Block 40 (SHB147) Hephaestus Enterprises LLC

This site plan is for two three-story townhouses with two units each with eight proposed parking spaces to be located at the corner of Sheridan Avenue and the 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 Boulevard 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) dimension the existing right-of-way half width and full width of the Sheridan Avenue 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, (3) 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, (waiver requested), (4) remove the existing depressed curb on the Boulevard and replace with full height curb, (5) submit a drainage report for the site (waiver requested), (6) design the proposed driveways in accordance with Table 600-4 and Section 606 and Section 603, (7) 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 or soil erosion control measures 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, (8) pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer, and (9) pay an off-tract drainage 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 April 19, 2018 was read from Jason Marciano of East Coast Engineers requesting a waiver from providing a storm drainage report. Given the small size of the site and the relatively minor nature of the improvement (combined building footprint less than 2500 s.f.), this project is similar to the development of a typical single family home. There are no off-site drainage improvements proposed and the only onsite drainage improvements will be simple recharge trench to reduce the roof runoff discharging from the site. A waiver is also requested from providing a full 30' x 100' sight triangle at the corner of Sheridan Avenue and the Boulevard. Sheridan Avenue is controlled via stop sign at the intersection with the Boulevard. A reduced 10' x 40' sight triangle is proposed. A full sight triangle would encompass a large percentage of this rather small site. The plans show two sets of sight distance lines. One set is to the next intersections both north and south of the site. A second set is based on the distance per AASHTO calculations. Both set of sight distances are contained in the right-of-way of the Boulevard and do not encroach into the property, therefore the proposed 10'x40' easement provides ample area for safe turns from this stop sign controlled intersection.

On a motion by Mr. Ernst, seconded by Mr. Bertrand, the Board denied the request to waive the requirement to submit a drainage report and denied the request from providing the full sight

triangle easements at the intersection in accordance with County standards; 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 Boulevard 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) dimension the existing right-of-way half width and full width of the Sheridan Avenue 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, (3) 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, (4) remove the existing depressed curb on the Boulevard and replace with full height curb, (5) submit a drainage report for the site, (6) design the proposed driveways in accordance with Table 600-4 and Section 606 and Section 603, (7) 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 or soil erosion control measures 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, (8) pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer, and (9) pay an off-tract drainage 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 14 Block 166 (TRT2008K) Cellco Partnership d/b/a/ Verizon Wireless

This site plan is for a Verizon Wireless communication facility at an existing U-Haul Self Storage on Route 9. The NJDOT desired typical section of Route 9 is shown on the plans. Ocean County requires the applicant to address the following items: (1) submit a traffic report (waiver requested), (2) 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 April 10, 2018 was read from Peter Tardy of French & Parrello Associates requesting a waiver from providing a traffic report. The facility will only generate on average one vehicular trip every 4 – 6 weeks by a maintenance technician. Therefore, any negative impact to existing traffic patterns would not be anticipated. A waiver is requested from providing a drainage report. The project proposes to add approximately 189 s.f. of impervious area within an existing telecommunications compound which is heavily compacted in its present condition. Therefore, any noticeable increase in stormwater runoff from the 12-acre property would not be anticipated.

On a motion by Mr. Ernst, seconded by Mr. Bertrand, the Board granted a waiver from providing a traffic report and a drainage report; therefore, this site plan was given final approval. The motion was unanimously carried.

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

LAKEWOOD: Lots 47.01 Block 1160.03 (LAT1295C) Talmud Torah Bais Avromom

LAKEWOOD: Lots 188, 189 & 190 Block 189.04 (LAT1424A) Illowitz, Shulem

LAKEWOOD: Lots 14 Block 187.15 (LAT1484A) Torah Temimah of Lakewood, Inc.

LAKEWOOD: Lots 1 & 4 / 1,2,3 / 1,2,3,4,5 / 3,5,8 Block 194 / 195 / 196 /197 (LAT1762B) MC Tuscany II Property LLC

LAKEWOOD: Lots 73 Block 187 (LAT527F) Hataimud, Noam

LAKEWOOD: Lots 1 Block 961.02 (LAT944Z.01) Ave of the States Office LLC, Co-applicant AOTSR, LLC

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CORRESPONDENCE:

LAKEWOOD: Block 1159, Lot 90 (LAT1986) Gordon, Noah. This minor subdivision received conditional approval on January 17, 2018. A letter dated April 6, 2018 was read from Brian Flannery of FWH Associates, requesting a waiver from removing the proposed parking from within 20' of the County right-of-way in accordance with Section 603:A. This application is for a zero lot line minor subdivision to create fee simple lots for the duplex units which are under construction. The duplex development was approved in November of 2016 as application LAT1818. There was an improvement plan included as part of that application. All ongoing construction will be in accordance with the improvement plan. The parking as depicted on that improvement plan provides adequate safe parking for the duplex dwellings. Since no construction is proposed as part of this application, a waiver is requested. On a motion by Mr. Ernst, seconded by Mr. Bilotta, the Board denied the request to waive removing the proposed parking from within 20' of the County right-of-way in accordance with Section 603:A, and required the following notes be added to the minor subdivision plat: (1) Driveway locations on new lots shall be spaced in accordance with Table 600-4 of Section 606, and (2) Off-street parking shall be situated on new lots in accordance with Section 603. The motion was unanimously carried.

LAKEWOOD: Block 1159, Lot 91 (LAT1987) Gordon, Noah. This minor subdivision received conditional approval on January 17, 2018. A letter dated April 6, 2018 was read from Brian Flannery of FWH Associates, requesting a waiver from removing the proposed parking from within 20' of the County right-of-way in accordance with Section 603:A. This application is for a zero lot line minor subdivision to create fee simple lots for the duplex units which are under construction. The duplex development was approved in November of 2016 as application LAT1818. There was an improvement plan included as part of that application. All ongoing construction will be in accordance with the improvement plan. The parking as depicted on that improvement plan provides adequate safe parking for the duplex dwellings. Since no construction is proposed as part of this application, a waiver is requested. On a motion by Mr. Ernst, seconded by Mr. Bilotta, the Board denied the request to waive removing the proposed parking from within 20' of the County right-of-way in accordance with Section 603:A, and required the following notes be added to the minor subdivision plat: (1) Driveway locations on new lots shall be spaced in accordance with Table 600-4 of Section 606, and (2) Off-street parking shall be situated on new lots in accordance with Section 603. The motion was unanimously carried.

PLUMSTED: Block 80, Lot 9 (PT384B) Treadwell Investment Property, LLC. This major subdivision received conditional approval on January 17, 2018. A letter dated April 24, 2018 was read from William Stevens of Professional Design Services requesting a waiver from providing road widening along the County road. The applicant was originally granted approval by the County Planning Board for a minor subdivision without the necessity of road improvements. The Plumsted Township engineer rejected the original application for a minor subdivision because under the terms of the Plumsted Ordinance, the creation of the fourth lot to be dedicated to Plumsted Township makes this a major subdivision. The application was resubmitted to both Plumsted and Ocean County as a major subdivision without changing any of the plan details. This application, while now officially classified by Plumsted Township as a major subdivision is really a minor subdivision because the fourth lot to be created is an open space lot to be dedicated to Plumsted Township. Plumsted is desirous of obtaining these ten acres as an addition to their open space inventory. The end result is that the application will result in the creation of three residential building lots which would be a minor subdivision save for the Plumsted Township Ordinance definition. The effect on the County road will be the same as the previously approved minor subdivision application. On a motion by Mr. Ernst, seconded by Ms. McCrystal, the Board determined that based on the applicant's explanation of the subdivision classification, the application is theoretically a minor subdivision and therefore conditions (5) construct additional pavement widening to 25 feet from centerline and 15:1 tapers along the County road in accordance with Section 611:E-1 and condition (6) submit road improvement plans for the County road, are no longer applicable. The motion was unanimously carried.

PT. PLEASANT: Block 100, Lot 31 (PPB782) Rosato, Joe. This site plan received conditional approval on October 4, 2017. A letter dated April 23, 2018 was read from Robert Burdick of R.C. Burdick requesting a waiver from the dedication of additional right-of-way at the property. In lieu of additional right-of-way, the applicant proposes to dedicate a 5' road widening easement to increase the County road widening rights from the existing 25' right-of-way to 30' combined right-of-way and easement. The condition would impose a hardship on the applicant by reducing front yard setback to only 3.1' and would reduce the lot area requiring additional variance relief from the

Pt. Pleasant Zoning Board of Adjustment for setback and coverage requirements. The existing right-of-way along Arnold Avenue and Lawrence Avenue and Pine Bluff Avenue is 25' and all of the lots are fully developed. The condition extends well beyond the block and is prevalent along Arnold Avenue. The area is heavily developed and not likely to see substantial improvements in the future, therefore the impact of providing an easement in lieu of right-of-way will enable the applicant to better utilize his property while at the same time providing additional rights to the County to make improvements if they become necessary in the future. A waiver is also requested for the parking within 20' of the County right-of-way. A setback of 10' is provided from the existing right-of-way and 5' from the proposed road widening easement. The imposition of a 20' setback would be a hardship on the applicant requiring additional relief from the zoning board, a potential for reduction in parking available on this small lot, and would move the parking area closer to the rear residential uses. The site is unique in configuration which includes limited area on the north side of the lot. The proposed improvements will create a small parking area for only 14 spaces where only 12 are required for the proposed structure. New traffic to the site will be a peak hour increase of three strips and a daily increase of eight trips. On a motion by Mr. Ernst, seconded by Mr. Jobes, the Board accepted the road easement in lieu of dedication due to the existing development condition along this portion of the roadway, and the Board denied the request for a waiver from removing the proposed parking from within 20' of the proposed County right-of-way and suggested the applicant should reduce the number of parking spaces by two and then seek a waiver. The motion was unanimously carried.

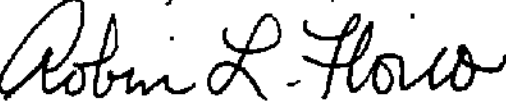
TOMS RIVER: Block 413, Lot 8 (TRT3260A) Grasso, Frank. This major subdivision received conditional approval on June 7, 2017. Condition #7 required the payment of an off-tract drainage improvement fee in an amount to be determined by the County Engineer and Condition #8 required the payment of an off-tract 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 \$15,000.00. 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 \$15,000.00. 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:
LACEY LT869	1-7/11/7/11- 70/11-34/41- 59/12/1-28, 41- 50/1-20,41,42 /1/1/23/1-16	1724/1724.01/ 1724.02/1725/ 1726/1726.01/ 1727/1728/1729/ 2733/1734.10/1735	02/01/17	04/23/18

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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