

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

Regular meeting, Wednesday, July 18, 2018, 6:00 PM, Engineering Conference Room, Third Floor, 129 Hooper Avenue, Toms River, New Jersey.

Chairman Russell presiding. Attending: Donald Bertrand, Elaine McCrystal, Charles Jobes, Jr. Scott Tirella, John Ernst, 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. Tirella, the minutes of the meeting of July 3, 2018 were moved for approval. The motion was unanimously carried.

SUBDIVISION AND SITE PLAN REVIEW

BERKELEY: Lots 202 Block 1705 (BT426B) The Beach Club, LLC

This three-lot minor subdivision is located on Route 35 (Central Ave) and Twentieth Avenue in South Seaside Park. Two new lots will be for single family houses and the remainder lot will be for the existing 24 unit motel. On a motion by Mr. Jobes, seconded by Ms. McCrystal, this minor subdivision was given final approval contingent upon 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) add three corner coordinates to 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.

BERKELEY: Lots 13 Block 4.234 (BT675) Diamond Communications LLC

This site plan is for the removal of an existing transmission tower and the installation of a transition tower with wireless antennas and three equipment cabinets on a detention basin lot and within a JCP&L easement located on a local road. County facilities are not impacted. On a motion by Mr. Bertrand, seconded by Ms. McCrystal, this site plan was given final approval. The motion was unanimously carried.

BRICK: Lots 5 Block 1446.03 (BRT832E) Burnt Tavern Realty Assoc., LLC

This site plan is for renovation of a 7,360 s.f. retail Dunkin Donut drive-thru with 32 proposed parking spaces located on Lanes Mills Road (CR 549) near Burnt Tavern Road. This project falls within the limits of the Garden State Parkway Interchange 91 project. On a motion by Mr. Bertrand, seconded by Mr. Jobes, 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 Lanes Mills Road is less than 43 feet from centerline then submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 43' from centerline to Ocean County, (2) submit a sight right easement form and metes and bounds description for sight triangle easements at the proposed access point in accordance with County standards to Ocean County, (3) revise the plans to show everything within 200 feet of the site, including existing features on the opposite side of the road, existing County road striping, and Garden State Parkway Interchange 91 improvements, (4) address the following traffic comment: (a) provide truck turning templates at each driveway, (5) define the driveways to be "right turn-in only and right turn-out only", (6) remove the proposed parking from within 20' of the County right-of-way in accordance with Section 603.A, (7) if the Township requires sidewalk, construct handicap ramps at the driveways in accordance with the current Federal ADA standards, to be reviewed and approved by the Ocean County Engineer, (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 7 Block 439 (LAT1786B.01) ARM Land Group, LLC

This six-lot major subdivision application is for six duplex units with a proposed cul-de-sac and 24 proposed parking spaces to be located on Cross Street. The plans show the proposed curb to be set 52' from the opposite side of Cross Street. Ocean County requires the applicant to address the following items: (1) submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 40' from centerline to Ocean County (waiver requested), (2) revise the final plat to differentiate between County right-of-way and County road easements, to show the proposed 3' wide road easement to Ocean County, to include a Land Surveyors signature and seal, and to include a north arrow in accordance with the Recordation Act, (3) submit sight right easement forms and metes and bounds descriptions for two sight triangle easements at the access point in accordance with County standards to Ocean County, (4) properly identify the opposite side of the road existing right-of-way line by showing the monumentation, (5) revise the cross sections for the County road to show the area of full depth pavement widening and the areas of mill and overlay, (6) provide a drainage design to be reviewed and approved by the Ocean County Engineer (per drainage memo dated 7/18/18), (7) revise the plans to show the existing catch basin at Station 3+80 to be reconstructed in the proposed curb line and show the existing catch basin at Station 5+70 to be reconstructed at the future curb line so that it does not impact the adjoining property owner, (8) construct the handicap ramps at the driveway/intersection in accordance with the current Federal ADA standards, to be reviewed and approved by the Ocean County Engineer (per ADA memo dated 7/18/18), (9) dimension the proposed island to be set 2' behind the proposed curb line, (10) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer, and (11) 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 June 27, 2018 was read from Joseph Kociuba of KBA Engineering requesting a waiver from providing a right-of-way dedication to 40' from the baseline, established by the project opposite this site, which would amount to a 10' wide dedication. The applicant requests to provide a 7' dedication and a road widening easement for the remaining 3'. The existing right-of-way width is identified as 66' on the tax maps, therefore having a 33' half width which would typically amount to a 7' wide dedication; however, due to centerline and right-of-way issues at this location, an additional 3' is necessary to follow the baseline. This creates a hardship for the applicant as a further dedication would reduce lot areas and setbacks further limiting one of the lots. It should be noted that the project on the opposite side of Cross Street was permitted to provide a 4' dedication and 7' road widening easement. All improvements including curb and sidewalk are maintained within the dedication area and that the additional 3' right-of-way easement will have no improvements.

On a motion by Mr. Ernst, seconded by Mr. Bertrand, the Board will allow the 7' fee simple dedication and 3' road widening easement in lieu of an additional right-of-way dedication to 40' from centerline; this major subdivision was given preliminary and final approval contingent upon the applicant to: (1) revise the final plat to differentiate between County right-of-way and County road easements, to show the proposed 3' wide road easement to Ocean County, to include a Land Surveyors signature and seal, and to include a north arrow in accordance with the Recordation Act, (2) submit sight right easement forms and metes and bounds descriptions for two sight triangle easements at the access point in accordance with County standards to Ocean County, (3) properly identify the opposite side of the road existing right-of-way line by showing the monumentation, (4) revise the cross sections for the County road to show the area of full depth pavement widening and the areas of mill and overlay, (5) provide a drainage design to be reviewed and approved by the Ocean County Engineer (per drainage memo dated 7/18/18), (6) revise the plans to show the existing catch basin at Station 3+80 to be reconstructed in the proposed curb line and show the existing catch basin at Station 5+70 to be reconstructed at the future curb line so that it does not impact the adjoining property owner, (7) construct the handicap ramps at the driveway/intersection in accordance with the current Federal ADA standards, to be reviewed and approved by the Ocean County Engineer (per ADA memo dated 7/18/18), (8) dimension the proposed island to be set 2' behind the proposed curb line, (9) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer, and

(10) 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 2 Block 830.11 (LAT1834C) Albert Street Holdings, LLC

This 43-lot major subdivision application is for 42 single-family dwellings with 168 proposed parking spaces and a shul with 26 parking spaces to be located on local roads. This application is Phase II to the previously approved major subdivision LAT 1834. Phase I site plan (LAT1834A) was approved for the construction of a 39,540 s.f. yeshiva school with basement and a 7,800 s.f. gym with 81 proposed parking spaces. On a motion by Mr. Tirella, seconded by Ms. McCrystal, this major subdivision was given final approval contingent upon to applicant to address the following items: (1) withdraw the major subdivision application LAT1834B, which is for 76 lot subdivision for the 48 townhouses and 21 single family dwellings with 346 proposed parking spaces, and (2) pay an off-tract traffic improvement fee in the amount of \$17,500.00. 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 4 & 5 Block 222 (LAT2023) E 7th Street Developers, LLC

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

LAKEWOOD: Lots 6 Block 127 (LAT2024) 308 Monmouth Avenue, LLC

This two-lot minor subdivision is located on a local road. County facilities are not impacted. On a motion by Ms. McCrystal, seconded by Mr. Tirella, this minor subdivision was given final approval. The motion was unanimously carried.

LAKEWOOD: Lots 16 Block 165 (LAT2025) Debbah, Ezra

This two-lot minor subdivision is located on a local road. 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.

LAKEWOOD: Lots 1 Block 409 (LAT597E.01) Excel Corporate Park, LLC

This site plan is for a 29,868 s.f. industrial warehouse and 35 proposed parking spaces to be located at the northwest corner of Prospect Street and Massachusetts Avenue. The plans indicate that the existing right-of-way half width is 33' from centerline. The plans indicate that the pavement half width of Prospect Street will be 26 feet along the entire site frontage. On a motion by Mr. Tirella, seconded by Mr. Jobes, this site plan was given final approval contingent upon the applicant to address the following items: (1) the proposed building size on the application conflicts with that presented in the drainage statement, the traffic impact analysis and plans, (2) revise the plans to be consistent with the Maser Traffic Signal Plans for the intersection of Massachusetts Avenue and Prospect Street, (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, existing features at the signalized intersection, provide dimensions for the full and half pavement width of Prospect Street, and show all easements obtained under LAT597D, (4) submit road improvement plans for the County road indicating County stationing, existing centerline and edge of pavement elevations, proposed curb elevations, cross-sections maintaining a uniform 1%-3% cross slope for the entire half width of the roadway and positive gutter flow in accordance with Section 611:B.1, and limit of pavement reconstruction, to be reviewed and approved by the Ocean County Engineer, (5) address the following traffic comments: (a) Mitigate level of service F for Summer Avenue approach at Prospect Street, (b) Traffic report states that there is a net decrease in traffic due to previous bus depot use on the site. On the adjacent application (LAT 597D, Excel Corporate Park 1A LLC) a credit was taken for previous bus depot use on site. Aerials dated 2016 indicate buses to be parked onsite, but no longer on the adjacent site (LAT 597D). It appears to indicate that the use shifted from one site to another, credit can only be taken once. To take credit for a trip reduction, provide documented approval of use on site, (c) Construct frontage improvement along

Prospect street in accordance with design plans for the proposed traffic signal at Massachusetts Avenue and Prospect Street, and (d) Provide design vehicle turning templates at Summer Avenue /Prospect Street, (6) install Prospect Street improvements along the site frontage of Block 411, Lot 82 in accordance with Ocean County design plans and in accordance with the existing Developers Agreement for site plan application LAT597D (Excel I), (7) enter into a Developers Agreement with the Ocean County Board of Chosen Freeholders with regard to the developer's share of a proposed frontage improvements required for Block 409, Lot 1, and (8) 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.

LONG BEACH: Lots 5.01 & 5.02 Block 18.08 (LBT725A) Jones, Evan

This two-lot minor subdivision is located on a local road. County facilities are not impacted. On a motion by Ms. McCrystal, seconded by Mr. Bertrand, with Mr. Tirella abstaining, this minor subdivision was given final approval. The motion was unanimously carried.

LONG BEACH: Lots 12 Block 4.49 (LBT769) The 2015 Atlantic Avenue Limited Liability Partnership

This two-lot minor subdivision is located on Atlantic Avenue and 21st Street. County facilities are not impacted. On a motion by Mr. Jobes, seconded by Ms. McCrystal, with Mr. Tirella abstaining, this minor subdivision was given final approval. The motion was unanimously carried.

MANCHESTER: Lots 1.01 & 1.03 Block 46.01 (MT104F) Presidential Gardens, LLC c/o Kenneth S. Pizzo, Jr.

This site plan application is for a lot consolidation and the construction of 519 two-bedroom garden apartments along with 1,038 parking spaces, a 3,260 s.f. clubhouse, recreation / garden area and associated site improvements. On a motion by Mr. Tirella, seconded by Mr. Bertrand, this site plan was given final approval contingent upon the applicant to address the following items: (1) obtain and submit a CAFRA permit or a Jurisdictional Determination letter from the NJDEP, (2) The NJDOT "desired typical section" for this section of NJ Route 37 in accordance with the current NJDOT access code shall be indicated on the plans, and (3) submit a copy of the NJDOT access permit. Also, the applicant is advised that NJ TRANSIT continues to evaluate capital improvements to re-activate passenger rail service to the Monmouth - Ocean region. Rail options remain under study, all of which begin in downtown Lakehurst and proceed northerly through Lakewood continuing into Monmouth County. As part of the past draft environmental impact statement, NJ TRANSIT has included a site location for a rail yard facility, which also includes numerous storage tracks, a motor vehicle shop building, carwash facility, fueling facility and employee parking location. The proposed rail yard facility is planned for a location east of the applicant's site, adjacent to the rail right-of-way in Manchester Township, with an access road leading from NJ Route 37 West. The potential remains for possible future rail service, therefore applicant can expect regular train traffic operating along the rail right-of-way, situated along the southern boundary of the property. 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.

MANCHESTER: Lots 3.04 Block 110 (MT418D) Wawa Inc.

This site plan application is for the construction of a Trash Enclosure and associated site improvements for an existing Wawa food market and gasoline service station located at the intersection of Route 70 and Route 539. No improvements are proposed along OC Route 539. County facilities are not impacted. On a motion by Mr. Tirella, seconded by Mr. Jobes, this site plan was given final approval. The motion was unanimously carried.

STAFFORD: Lots 10.04 Block 46 (ST454D) Brewster, James & Deborah

This two-lot minor subdivision is on a local road. 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.

TOMS RIVER: Lots 5.02 Block 235 (TRT3418) Plump, Lauren

This two-lot minor subdivision is located at the intersection of Kettle Creek Road and Blue Sea Lane. On a motion by Ms. McCrystal, seconded by Mr. Bertrand, with Mr. Tirella 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 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 a sight triangle easement at the intersection in accordance with County standards to Ocean County, (3) add a note to the Plat indicating that access to proposed Lot 5.46 will be prohibited from Kettle Creek Road. 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

BRICK: Lots 2 Block 1171 (BRT1935B.01) The Kamson Corporation

JACKSON: Lots 9, 10, 11 Block 4601 (JT216B) MAZ Properties

LAKEWOOD: Lots 3.01 & 3.02 Block 402 (LAT1895A) Bnos Hadassah

LAKEWOOD: Lots 37 Block 855.03 (LAT2010.01) Herskowitz, Chaim Tzvi

LAKEWOOD: Lots 6, 9, 41 Block 490 (LAT979D.04) Rishon Associates, LLC

TOMS RIVER: Lots 29 Block 172.04 (TRT3419) Fuchs, Raphael

* * * * *

CORRESPONDENCE:

JACKSON: Block 4801, Lots 22 & 23 (JT1672A) Jackson Storage of New Jersey, LLC. This site plan received conditional approval on November 16, 2016. A letter dated July 10, 2018 was read from John Palus and Ryan McDermot of Dynamic Engineering formally requesting that this application be withdrawn. A new application will be submitted which instead proposes additional self-storage facilities on Lot 23.01. On a motion by Mr. Jobes, seconded by Mr. Tirella, the Board accepted the withdrawal of this application. The motion was unanimously carried.

LACEY: Block 113, Lot 14 (LT345E) Forked River DG, LLC. This site plan received conditional approval on February 7, 2018. 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 \$6,042.00. On a motion by Mr. Ernst, 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 \$6,042.00. The motion was unanimously carried.

LAKEWOOD: Block 364, Lot 1 (LAT669B.02) Bnos Melech of Lakewood. This site plan received conditional approval on August 12, 2015. A letter dated July 17, 2018 was read from Glenn Lines of New Lines Engineering requesting a one-year extension for this approval so the open items can be completed. On a motion by Mr. Ernst, seconded by Ms. McCrystal, this site plan was given a one-year extension until August 12, 2019. The motion was unanimously carried.

LAKEWOOD: Block 416, Lot 35 (LAT1972.02) TAY Developers, LLC. This minor subdivision received conditional approval on February 7, 2018. Condition #7 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 \$1,667.00. On a motion by Mr. Ernst, seconded by Mr. Jobes, the Board required the payment of an off-tract traffic improvement fee in the amount of \$1,667.00. The motion was unanimously carried.

LAKEWOOD: Block 416, Lot 36 (LAT1973.02) TAY Developers, LLC. This minor subdivision received conditional approval on February 7, 2018. Condition #7 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 \$1,667.00. On a motion by Mr. Ernst, seconded by Ms. McCrystal, the Board required the payment of an off-tract traffic improvement fee in the amount of \$1,667.00. The motion was unanimously carried.

STAFFORD: Block 120.20, Lots 43, 44 & 45 (ST448N) Manahawkin Family Apartments, LLC. This site plan received conditional approval on April 19, 2017. Condition #2 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 zero. On a motion by Mr. Ernst, seconded by Ms. McCrystal, the Board did not require an off-tract traffic improvement fee; and the minutes are hereby amended to reflect that the original site plan approval as a two-phase project to allow for proper funding. Phase I consists of 60 units and Phase II consists of 34 units. The motion was unanimously carried.

STAFFORD: Block 120.20, Lot 43, 44 & 45 (ST448O) Manahawkin Family Apartments, LLC. This minor subdivision received conditional approval May 16, 2018. On a motion by Mr. Ernst, seconded by Ms. McCrystal, the minutes are hereby amended to eliminate Condition #1 (which required the application to withdraw site plan application ST448N) as this minor subdivision is being created consistent with the phasing plan to address funding for the one-hundred percent affordable housing project. The motion was unanimously carried.


TOMS RIVER: Block 413, Lot 31 (TRT3399) Gasviani, Salome & George. This site plan received conditional approval on January 17, 2018. Condition #7 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 \$2,292.00. On a motion by Mr. Ernst, seconded by Ms. McCrystal, the Board required the payment of an off-tract traffic improvement fee in the amount of \$2,292.00. 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:
PT. PLEASANT BCH PPBB275	1	18.01	02/21/18	07/16/18
STAFFORD ST448N	43, 44 & 45	120.20	04/19/17	07/18/18

* * * * *

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