

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

Regular meeting, Wednesday, April 17, 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, John Ernst, Laura Benson, Anthony Agliata, 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 Ms. McCrystal, the minutes of the meeting of April 3, 2019 were moved for approval. The motion was unanimously carried.

SUBDIVISION AND SITE PLAN REVIEW

BARNEGAT: Lots 1.01 Block 115 (BAT91U) WP Barnegat, LLC

This site plan is for 27,016 s.f. of retail space to include AutoZone, Dollar General, a bank, and two unidentified retail businesses, with 169 proposed parking spaces to be located on a vacant lot at the intersection of West Bay Avenue and Sandpiper Road. On a motion by Mr. Bilotta, seconded by Ms. McCrystal, 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 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 sight triangle easements at the proposed access point and intersection in accordance with County standards to Ocean County, (3) address the following traffic comments: a) use build year 2029, b) revise the West Bay Avenue driveway geometry to provide a right turn-in from the thru travel lane without conflict within the access drive exiting vehicles, c) provide vehicle turning movements for right-out from West Bay Avenue driveway, d) provide R3-2 for exiting vehicles, and e) provide R3-2 signing for west bound West Bay Avenue vehicles, (4) provide a drainage design to be reviewed and approved by the Ocean County Engineer (per drainage memo dated 4/17/19), (5) submit a copy of the CAFRA permit or a Jurisdictional Determination letter from the NJDEP, (6) provide a concrete curb detail in accordance with County standards, (7) verify that the existing handicap ramps at the intersection are built in accordance with the current federal ADA standards, to be reviewed and approved by the Ocean County Engineer, (8) add the Ocean County standard notes for projects located on County roads, (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.

BRICK: Lots 30 & 31 Block 702 (BRT1071C) HFZ Super Dome, LLC

This minor subdivision is for a lot line adjustment at the former Foodtown site at the intersection of Brick Boulevard and Route 70. As per the "Jurisdictional Map for Route 70 and Brick Boulevard", the jughandle at this intersection falls under Ocean County jurisdiction. On a motion by Mr. Bertrand, seconded by Mr. Sutton, this minor subdivision was given final approval contingent upon the applicant to address the following item: (1) submit a deed to Ocean County for the jughandle (the area outside of the N.J. Route 70 right-of-way) in accordance with the signed agreement between the County of Ocean and Food Circus Super Market of Middletown, dated June 15, 1990. 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 33 / 163.02, 163.04 Block 937 / 940 (BRT1991) J & J Commercial & Industrial Properties, LLC

This minor subdivision is for a riparian grant lot line adjustment involving a property that fronts on Princeton Avenue. 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, and (2) since the existing right-of-way half width is less than 30 feet from centerline, submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 30' 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. The motion was unanimously carried.

BRICK: Lots 11.01 Block 195 (BRT424G) 385 Adamston, LLC

This site plan is for a proposed 48,000 s.f. indoor grow house and an existing 2,560 s.f. office building with 62 parking spaces (30 existing and 32 proposed) located on Adamston Avenue. The plans indicate the right-of-way half width is at 30' from centerline. No improvements are proposed along the County road. The trip generation statement submitted is acceptable since the proposed development will result in a net reduction in trips from the previous approved use. On a motion by Mr. Bertrand, seconded by Mr. Bilotta, this site plan was given final approval contingent upon the applicant to address the following items: (1) pay an off-tract traffic improvement fee in the amount of \$6,677.00, and (2) provide a copy of the license required to operate the proposed facility. 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 5 Block 1170 (BRT928N) HD Development of Maryland, Inc.

This site plan is for a proposed outdoor sales display area to be located on previously constructed parking and sidewalk at the existing Home Depot on Route 70, Route 88, and a local section of Olden Street. County facilities will not be impacted. On a motion by Mr. Bertrand, seconded by Mr. Bilotta, this site plan was given final approval. The motion was unanimously carried.

JACKSON: Lots 30 Block 20101 (JT1552A) County Line Construction

This six-lot major subdivision is for six single family residence dwelling units to be located on Sams Road. On a motion by Ms. McCrystal, seconded by Mr. Sutton, this major subdivision was given preliminary and final approval contingent upon the applicant to address the following items: (1) submit a copy of the NJDEP letter of interpretation for the wetland delineation as indicated on the plans in accordance with Section 311.G, (2) submit a copy of the NJDEP wetland permit for the construction within the wetland area/buffer area as shown on the plans, (3) identify the project location on the key map on the final plat, (4) provide a drainage design to be reviewed and approved by the Ocean County Engineer (per drainage memo dated 4/17/19), (5) revise the plans to show the reconstruction of manhole #1 and to provide new 36" reinforced concrete pipe from manhole #1 to manhole #2 to the flared end section outfall, (6) add the following standard Ocean county note to the plans: "The developer shall obtain a letter of final acceptance from the Ocean County Engineer for the drainage improvement 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.", and (7) 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.

JACKSON: Lots 2,3 & 6 Block 22010 (JT1667A) Berk Holdings, LLC

This minor subdivision is for a lot consolidation of three lots to two lots fronting on Faraday Avenue and a local road. 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 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) revise the final plat to properly identify the existing sight easement to Ocean County, (3) revise the final plat to show the proposed curb line to be located at 20' from the centerline, show the 15:1 tapers back to existing pavement, and show the location of the proposed access drive to proposed Lot 2.01, and 4) revise the plans to show all existing features within 200 feet of the site, including existing features on the adjacent properties and the opposite side of the road. If the applicant intends to build on the rear portion of proposed Lot 2.01 (existing Lot 6), an amended site plan approval is required. All of the above conditions must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. The motion was unanimously carried.

JACKSON: Lots 23 Block 11601 (JT1703) Pfeiffer, Jeffrey

This two-lot minor subdivision is located on West Veteran's Highway (Route 528). On a motion by Ms. McCrystal, seconded by Mr. Bilotta, this minor subdivision was given final approval contingent upon the applicant to address the following items: (1) revise the final plat to include half width and full width right-of-way dimensions of the County road in front of the subject property and in front of both adjacent properties, (2) since the half width right-of-way is less than 33 feet from centerline, 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 (3) revise the plans to show all existing features within 200 feet of the site, including existing edge of pavement on the opposite side of the road and half and full width pavement dimensions. All of the above conditions must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. The motion was unanimously carried.

LAKEWOOD: Lots 50.01 & 50.02 Block 536 (LAT1800A) Pohrille, Osher

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

LAKEWOOD: Lots 34.03-34.05, 37.01 & 37.02 Block 174.11 (LAT1977A) Ginsburg, Joseph.

This five-lot minor subdivision is for lot line adjustments on East County Line Road and Kennedy Boulevard East. This project falls within the limits of the "Reconstruction of East County Line Road (County Route 526) Apple Street to Route 549" file #15-009-0923. The September 2018 Master Plan update requires 86' full width right-of-way for East County Line Road. On a motion by Mr. Bilotta, seconded by Mr. Sutton, this minor subdivision was given final approval contingent upon the applicant to address the following items: (1) revise the plans to show the construction baseline from sheet 27 of the plan set "Baseline Ties Reconstruction of Ocean County Route 526 from Apple Street to Alamitos Drive" prepared by D.W. Smith, (2) dimension the existing right-of-way full width of the County road on the plan, (3) since the right-of-way half width is less than 43 feet from the baseline referenced above, submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 43' from the baseline to Ocean County, (4) submit a sight right easement form and metes and bounds description for sight triangle easements at the existing access points in accordance with County standards to Ocean County, (5) construct additional pavement widening to 21' from the baseline across the property frontage and 15:1 tapers along the County road in accordance with Section 611:E-1, (6) remove the existing parking from within 20' of the proposed County right-of-way in accordance with Section 603.A, (7) add to the final plat three corner coordinates in accordance with the Recordation Act, (8) revise the key maps to properly show the lots subject of this application, revise the plans to provide the bold boundary line only around the lots subject to this application, and revise the plans to show the existing 4' wide access easement that benefits Lot 37.01, and (9) provide a copy of the County site plan approval for the existing second access drive. 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 56 & 57 Block 248.03 (LAT1992A) Silberberg, Hindy

This two-lot minor subdivision is located on a local road. County facilities are not 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.

LAKEWOOD: Lots 62 Block 11.12 (LAT2034.01) Aharon Sofer Memorial Fund

This two-lot minor subdivision is located on New Egypt Road (CR 528). The remainder lot is a stormwater detention basin owned by Lakewood Township. The applicant has provided a right-of-way deed of dedication to 43' from centerline in accordance with the County Master plan. On a motion by Mr. Sutton, seconded by Ms. McCrystal, this minor subdivision was given final approval. The motion was unanimously carried.

LAKEWOOD: Lots 36 & 37 Block 1051.01 (LAT2061) Coopersmith, Leonard

This three-lot minor subdivision is located on a local road. County facilities will not be impacted. On a motion by Mr. Bilotta, seconded by Mr. Bertrand, this minor subdivision was given final approval contingent upon the applicant to address the following item: (1) add a north arrow 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. The motion was unanimously carried.

LAKEWOOD: Lots 16 p/o 9 Block 1606 (LAT594.67B) Yeshiva Toras Menachem, Inc.

This site plan is for a proposed two-story building with basement for a 175,442 s.f. catering wedding hall addition to an existing school with 249 proposed parking spaces and 49 existing parking spaces to be located on Swarthmore Avenue. 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) submit a copy of the NJDEP CAFRA permit for the proposed project, (2) address the following traffic comment: a) revise report to reflect the existing and proposed uses in the application, (3) revise the tax map and zoning map to properly identify the project location, (4) remove the proposed pool from the existing conditions sheet, (5) since Lakewood Township is the owner of Lot 9, Lakewood Township needs to be identified as one of the owners on the Ocean County Planning Board application, (6) revise the parking calculation table to properly identify the number of existing and proposed parking for each use, and (7) pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer. All of the above conditions must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. Construction shall not commence until all conditions have been met. The motion was unanimously carried.

LONG BEACH: Lots 18, 19, 20 Block 15.30 (LBT775) Rechenberg, Thomas & Shannon

This site plan is for a proposed second story addition to an existing single family residence and ice cream shop and restaurant with four existing parking spaces on Long Beach Boulevard spur. The County right-of-way of Long Beach Boulevard is 170'. Ocean County requires the applicant to address the following items: (1) submit a traffic report (waiver requested), and (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 1, 2019 was read from Jason Marciano of East Coast Engineering requesting a waiver from submitting a traffic report and a drainage report since the traffic and drainage are mostly unchanged. The applicant is proposing to reconstruct the residential portion of this mixed-use building. There are no changes proposed to the existing commercial use and commercial improvements. The existing one-story residential space will be demolished and replaced with a two-story residential building with a garage underneath. All existing driveways access Dupont Avenue. A high volume of patrons arrive on foot or on bicycles. There is no vehicular access to this site along Long Beach Boulevard. There are no changes to parking, driveways or traffic patterns of the commercial use. The applicant is proposing a recharge trench to collect runoff from the residential portion of the structure.

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

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

BRICK: Lots 30 & 31 Block 702 (BRT1071D) HFZ Super Dome, LLC

JACKSON: Lots 57,58,59,61/32 Block 21801/21702 (JT1702) Solomon Zolty Investment LLC

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CORRESPONDENCE:

BEACH HAVEN: Block 154, Lots 1, 3.01 & 3.02 (BHAB174B) JC Beach Haven Restaurant, LLC. This site plan received conditional approval on April 3, 2019. Condition #8 required the payment of an off-tract drainage 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. 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. The motion was unanimously carried.

BRICK: Block 169, Lot 50 (BRT1985) Chriskal, Inc. This site plan received conditional approval on September 19, 2018. A letter dated April 8, 2019 was read from Richard Butryn, P.E., L.S. requesting relief from the County right-of-way dedications required. The applicant is proposing no new construction and is only requesting to be able to use eight existing parking spaces for car sales which would only be advertised with windshield signage. The required right-of-way dedications would eliminate most of the site's parking and impose a severe hardship to the applicant possibly rendering the site unusable for even its current auto repairs use. Granting this request would allow the applicant to proceed with expanding his business with little to no impact to the community. On a motion by Mr. Ernst, seconded by Mr. Bertrand, the Board granted a waiver from providing the full right-of-way dedication and required a 4' dedication on Mantoloking Road to bring the half width to 25' from centerline and required a 3.5' dedication on Adamston Road to bring the right-of-way half width to 20' from centerline. The motion was unanimously carried.

BRICK: Block 868.01, Lot 16 (BRT1690D) JSM at Martin Blvd., LLC. This minor subdivision received conditional approval on October 5, 2016. The applicant has made revisions to the subdivision creating a two-lot subdivision instead of a three-lot minor subdivision. On a motion by Mr. Ernst, seconded by Mr. Sutton, the minutes are hereby amended to reflect that the application is approved as a two lot minor subdivision instead of a three-lot minor subdivision. The motion was unanimously carried.

LAKESWOOD: Block 529 / 530, Lots 1 / 1 (LAT1181B.01) Yeshiva Ohr Yissoscher Academy, Inc. This site plan received conditional approval on May 16, 2018. On a motion by Mr. Ernst, seconded by Mr. Bilotta, the minutes are hereby amended to require the applicant to provide additional right-of-way to 43' from centerline since the Master Plan Update right-of-way width for Cross Street was increased. The motion was unanimously carried.

PLUMSTED: Block 40, Lots 1, 10 & 18 (PT402) Lennar Plumsted, LLC. This major subdivision received conditional preliminary and final approval on June 7, 2017. On a motion by Mr. Ernst, seconded by Ms. McCrystal, the minutes are hereby amended to reflect that this major subdivision application will now provide for phased construction. County road improvements will be required to be completed prior to the issuance of CO's for Phases 1, 2 and 3. Subsequent phases may be reviewed further for changes if traffic conditions deviate from the initial traffic report. The motion was unanimously carried.

PLUMSTED: Block 40, Lots 1, 10 & 18 (PT402A) Lennar Plumsted, LLC. This site plan received conditional approval on June 7, 2017. On a motion by Mr. Ernst, seconded by Ms. McCrystal, the minutes are hereby amended to reflect that this site plan application will now provide for phased construction. County road improvements will be required to be completed prior to the issuance of CO's for Phases 1, 2 and 3. Subsequent phases may be reviewed further for changes if traffic conditions deviate from the initial traffic report. The motion was unanimously carried.

SEASIDE HEIGHTS: Block 76, Lot 15 (SHB149.01) Moonchild Properties, LLC. This major subdivision received conditional preliminary and final approval on April 3, 2019. Condition #6 required the payment of an off-tract drainage improvement fee in an amount to be determined by

the County Engineer and 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 drainage improvement fee to be \$6,000.00 and the off-tract traffic improvement fee to be \$2,083.00. 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 \$2,083.00. The motion was unanimously carried.

TOMS RIVER: Block 654.01, Lot 21 (TRT3379.01) Crisalli, Jeffrey & Daria. This site plan received conditional approval on July 3, 2019. Condition #6 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 \$1,458.00. 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 \$1,458.00. The motion was unanimously carried.

TOMS RIVER: Block 410, Lots 2, 8 & 9 (TRT3297C) 1209 Church Road, LLC. This major subdivision received conditional preliminary and final approval on July 19, 2017. A letter dated April 9, 2019 was read from Jessica Staszewski of FWH Associates requesting a one-year extension of the approval until July 19, 2020. On a motion by Mr. Ernst, seconded by Mr. Bilotta, the Board granted a one-year extension until July 19, 2020. The motion was unanimously carried.

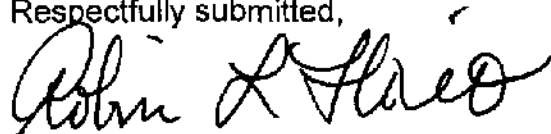
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THE FOLLOWING PLANS HAVING BEEN GIVEN CONDITIONAL APPROVAL AT A PREVIOUS MEETING HAVE NOW MET THE CONTINGENCIES AND CAN BE SIGNED:				
MUNICIPALITY:	LOT:	BLOCK:	MEETING DATE:	CONTINGENCIES MET:
BRICK BRT1916C	48	646	11/07/18	04/15/19
BRICK BRT426U	7, 8.03	701	09/20/17	04/05/19
EAGLESWOOD ET120C	8	29	03/06/19	04/09/19
LAKESWOOD LAT944Z1.02	1.04, 1.05, 1.06	961.02	10/17/18	04/17/19
OCEAN OT270	3	126	11/20/18	04/17/19
PLUMSTED PT384B	9	80	01/17/18	04/15/19
SHIP BOTTOM SBB229	14	67	03/20/19	04/16/19

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

Respectfully submitted,



Robin L. Florio, Secretary
Ocean County Planning Board