

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

Regular meeting, Wednesday, December 4, 2019, 6:00 PM, Engineering Conference Room, Third Floor, 129 Hooper Avenue, Toms River, New Jersey.

Chairman Russell presiding. Attending: Earl Sutton, Elaine McCrystal, Joseph Bilotta, 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 Ms. Mc Crystal, seconded by Mr. Bilotta, the minutes of the meeting of November 20, 2019 were moved for approval. The motion was unanimously carried.

**SUBDIVISION AND SITE PLAN REVIEW**

**BEACH HAVEN: Lots 12.01 & 13 Block 174 (BHAB229) Antico, Janet & Peter**

This minor subdivision is for a lot line adjustment 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 Mr. Sutton, seconded by Ms. McCrystal, with Mr. Tirella abstaining, this minor subdivision was given final approval. The motion was unanimously carried.

**BRICK: Lots 4 Block 655 (BRT1996) Salomone, Joseph**

This three-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. Bilotta, this minor subdivision was given final approval. The motion was unanimously carried.

**JACKSON: Lots 57,58,59,61/32 Block 21801/21702 (JT1702A) Solomon Zolty Investment LLC**

This 13-lot major subdivision is for 12 single family dwelling units (two existing and ten new) and one storm water basin lot to be located on South Hope Chapel Road. The plans show the edge of pavement to be constructed at 25' from centerline. On a motion by Mr. Tirella, seconded by Mr. Sutton, this major subdivision was given preliminary and final approval contingent upon the applicant to address the following items: (1) since the half width right-of-way is less than 40 feet from centerline, submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 40' from centerline to Ocean County, (2) submit a sight right easement form and metes and bounds description for sight triangle easements at the proposed intersection in accordance with County standards to Ocean County, (3) address the following traffic comments: a) the report states there will be seven new dwellings and the plans show there will be ten new dwellings, b) provide the following turning vehicle movements: i) a right turn-out from the proposed roadway without conflict with the double yellow line, ii) provide a left turn-out from the proposed roadway without driving off the road, iii) provide turning templates without vehicle conflicts at the new intersection, (4) dimension the existing and proposed full width right-of-way dimension on the County road improvement plans, (5) revise the plans to show all existing features within 200 feet of the site, including existing drainage features under the County road and provide more information with regard to the downstream system, (6) provide a drainage design to be reviewed and approved by the Ocean County Engineer (per drainage memo dated 12/4/19); a) provide spread calculations to show that the two inlets near South Hope Chapel Road will capture the gutter flow before entering the County road, b) provide the 100 year water elevation in the basin on the grading and drainage plan, (7) revise the final plat to show the South Hope Chapel Road right-of-way to be dedicated to Ocean County and to show the property out bounds on the key map, (8) design the proposed intersection curb radius in accordance with Section 610:E, (minor arterial R=40'), (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 47.03 Block 1160.04 (LAT1412E) 1215 Paco Way, LLC c/o Sudler**

This site plan is for a 81,200 s.f. flex-space with 93 proposed parking spaces to be located on a local road. Ocean County requires the applicant to address the following items: (1) submit a copy of the CAFRA permit or a Jurisdictional Determination letter from the NJDEP, (2) submit a traffic report for the site (waiver request), and (3) 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 November 14, 2019 was read from Scott Turner of Menlo Engineering requesting a waiver from providing a traffic report since this site is located on an interior dead end street with no direct access to any County roadways.

On a motion by Mr. Ernst, seconded by Mr. Tirella, the Board granted a waiver from providing a traffic report, however the applicant is to provide a trip generation statement comparing existing to proposed conditions and identify traffic distribution from the industrial park; this site plan was given final approval contingent upon the applicant to: (1) submit a copy of the CAFRA permit or a Jurisdictional Determination letter from the NJDEP, (2) submit a trip generation statement comparing existing to proposed conditions and identify traffic distribution from the industrial park, and (3) 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 3.21 & 69 Block 411 (LAT2086) Kahan, David**

This three-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 Mr. Bilotta, seconded by Ms. McCrystal, this minor subdivision was given final approval. The motion was unanimously carried.

**PT. PLEASANT: Lots 7.01, 8.01 Block 265 (PPB759A) TFM Builders, LLC**

This three-lot minor subdivision is located at the intersection of two local roads. County facilities will not be impacted. On a motion by Ms. McCrystal, seconded by Mr. Sutton, this minor subdivision was given final approval contingent upon the applicant to make the following changes to the final plat: (1) properly indicate the lots subject of this application on the Vicinity map, and (2) identify the proposed lot number of Lot 7.01. 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.

**PT. PLEASANT BH: Lots 16 & 54 Block 11.02 (PPBB281) Beach Head Properties, LLC**

This site plan is for the demolition of two buildings and the construction of an 80 s.f. addition to a commercial building and two new buildings (944 s.f. and 2,688 s.f.) for mixed use commercial and one residential unit and parking lot renovations for 42 parking spaces located on Route 35 and Maryland Avenue. On a motion by Ms. McCrystal, seconded by Mr. Bilotta, 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, and (2) submit a copy of the NJDOT access permit. 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.

**SEASIDE HTS: Lots 1, 1.01, 1.02 Block 69 (SHB16B) Seaside Ocean Terrace, LLC**

This site plan application is for the construction of an oceanfront resort, a restaurant, a pool club with cabanas, two support buildings, five boardwalk kiosks, and an event center with 40 new parking spaces to be located on Ocean Terrace between Dupont and Porter Avenues. The new

pier and boardwalk will be located at the former Belle Freeman Amusement Pier (aka Funtown Pier) which was destroyed during Superstorm Sandy. The applicant has provided an NJDEP CAFRA Jurisdictional Determination. The plans show the full width right-of-way of Ocean Terrace to be 60' consistent with the County Master Plan. On a motion by Ms. McCrystal, seconded by Mr. Bilotta, with Mr. Tirella abstaining, this site plan was given final approval contingent upon the applicant to address the following items: (1) design the access point to the County road in accordance with Section 606, (2) address the following traffic comments: a) provide a full traffic analysis for the function of the new driveway to the proposed parking lot, b) provide turning templates at the new driveway, (3) pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer, (4) provide a grading plan which shows the direction of storm water runoff for the proposed paved parking lot, (5) provide a phasing plan, (6) submit a traffic report, (7) submit a drainage report, and (8) submit County road improvement 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.

**TOMS RIVER: Lots 21.07 Block 540.10 (TRT284E) A.J. Skora, Inc.**

This two-lot minor subdivision is located on State Highway Route 166. County facilities will not be impacted. The NJDOT "Desired Typical Section" is shown on the plan. The final plat appears to have been prepared in accordance with the Recordation Act. On a motion by Mr. Tirella, seconded by Mr. Sutton, this minor subdivision was given final approval. The motion was unanimously carried.

**TOMS RIVER: Lots 6 & 48 Block 694.14 (TRT3444) Clearbrook Homes, LLC**

This 15-lot Major Subdivision is for 13 single family residential development called Brookside Homes with 46 parking spaces, one open space lot, one detention basin lot and a cul-de-sac to be located on Brookside Drive. The trip generation statement is acceptable. On a motion by Ms. McCrystal, seconded by Mr. Bilotta, this major subdivision was given preliminary and final approval contingent upon the applicant to address the following items: (1) dimension the existing right-of-way half width and full width of the County road on the plans, 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 proposed intersection in accordance with County standards to Ocean County and show the County sight easements on the final plat, (3) revise the plans to show all existing features within 200 feet of the site, including County road striping and the drainage system outfall, (4) address the following traffic comments: a) revise the design vehicle to a single unit truck and show the existing roadway striping, b) revise the intersection geometry, if required, to demonstrate the design vehicle can enter and exit the site without encroaching into the opposing lane on the County roadway, and to demonstrate the right turn-in does not conflict with the exiting vehicle, (5) provide a drainage design to be reviewed and approved by the Ocean County Engineer (per drainage memo dated 12/4/19), (6) indicate the proposed curb is to be built 20 feet from centerline in accordance with Section 612, (7) provide a detail showing 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, (8) indicate that the concrete curb County road will be 9"x18" in accordance with County standards, (9) add the Ocean County standard notes for projects located on County roads, (10) design the proposed intersection curb radius in accordance with Section 610:E, (11) 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, (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.

**TOMS RIVER: Lots 25 & 26 Block 693 (TRT3445) Clearbrook Homes, LLC**

This 15-lot major subdivision is for 14 single family residential development called Clearbrook Homes with 49 parking spaces and one detention basin lot and a cul-de-sac to be located on West Briar Avenue. On a motion by Mr. Sutton, seconded by Mr. Tirella, this major subdivision was given preliminary and final approval contingent upon the applicant to address the following

items: (1) pay an off-tract traffic improvement fee in an amount of \$14,208.00, and (2) pay an off-tract drainage improvement fee in an amount of \$6,000.00. 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**

**LAKWOOD:** Lots 73.57, 73.58, 73.59 Block 190 (LAT1229F) Congregation Ohr Yisroel Safa Kadisha Druzhin Inc.

**LAKWOOD:** Lots 2-7 Block 1083 (LAT1999A.04) Vermont Equities, LLC

**LAKWOOD:** Lots 6-15, 29, 30 Block 1086 (LAT1999.03) Locust Holdings, LLC

**LAKWOOD:** Lots 133, 137 Block 536 (LAT2014A) Little People Childcare

\* \* \* \* \*

**CORRESPONDENCE:**

**LAKWOOD: Block 208, Lot 9 (LAT997F.01) Kiddie Care NJ, LLC.** This site plan received conditional approval on October 3, 2018. On a motion by Mr. Ernst, seconded by Mr. Tirella, the minutes are hereby amended to require the applicant to provide a deed restriction setting forth that no school buses or similar student drop-off and pick up operations are permitted unless an amended site plan is reviewed and approved by the Ocean County Planning Board. The motion was unanimously carried.

**LAKWOOD: Block 25, Lot 62 (LAT2044.01) Herzog, David.** This major subdivision received conditional approval on August 7, 2019. A letter dated November 1, 2019 was read from Mathew Wilder of Morgan Engineering requesting a waiver from providing all existing structures and roadways within 200 feet of the site to include the opposite side of the road and existing pavement widths. The subdivision plans depict adequate information to demonstrate the conditions immediately surrounding the subject site. A waiver is requested from strict compliance with Section 610:E since the location of the proposed roadway limits the available curb radius. The maximum radius has been provided. On a motion by Mr. Ernst, seconded by Ms. McCrystal, with Mr. Tirella abstaining, the Board denied the waiver and required the applicant to provide locations for existing features within 200' along the County roadway in order to show conformance with 610:B-2; the Board denied the request to waive compliance with Section 610:E. The applicant needs to design the new street intersection with the County road in accordance with Section 610. The motion was unanimously carried.

**TOMS RIVER: Block 608, Lot 2.02 (TRT897L) K-Land Corp. No. 7.** This minor subdivision received conditional approval on December 20, 2017. A letter dated November 27, 2019 was read from Bret Kaplan of Kaplan Companies requesting a one-year extension of all approvals. This request is made because Kaplan is the ground lessee of the undeveloped portion of the property and not the owner. At this point, all required easements and the minor subdivision deed are being held in escrow by the property owner as they await approval from their lender to release and record the easements and minor subdivision deed. Upon approval, the necessary documents will be recorded and fees paid. On a motion by Mr. Ernst, seconded by Mr. Bilotta, the Board granted a one-year extension of the minor subdivision approval until December 20, 2020. The motion was unanimously carried.

**TOMS RIVER: Block 608, Lots 2.01& 2.03 (TRT897M) K-Land Corp. No., 7.** This site plan received conditional approval on December 20, 2017. A letter dated November 27, 2019 was read from Bret Kaplan of Kaplan Companies requesting a one-year extension of all approvals. This request is made because Kaplan is the ground lessee of the undeveloped portion of the property and not the owner. At this point, all required easements and the minor subdivision deed are being held in escrow by the property owner as they await approval from their lender to release and record the easements and minor subdivision deed. Upon approval, the necessary documents will be recorded and fees paid. On a motion by Mr. Ernst, seconded by Mr. Bilotta, the Board granted a one-year extension of the site plan approval until December 20, 2020. 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:
LAKWOOD LAT1808A.02	7, 8, 8.01	26	03/06/19	12/02/19
LAKWOOD LAT1181B.01	1 / 1	529 / 530	05/16/18	12/03/19
LITTLE EGG HBR LEHT435B	13.05	285	10/16/19	12/02/19
TOMS RIVER TRT3439	26, 27, 28	533.09	07/17/19	11/21/19
TOMS RIVER TRT1850D	2	601	09/18/19	12/02/19

\* \* \* \* \*

On a motion by Mr. Sutton, seconded by Mr. Bilotta, the Board approved the Ocean County Planning Board Meeting Schedule for 2020. The motion was unanimously carried.

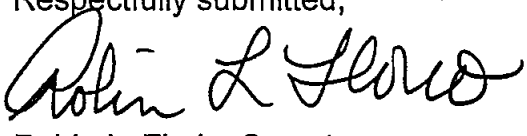
**The following is a list of the meeting dates for 2020:**

- |             |              |
|-------------|--------------|
| January 15  | July 15      |
| February 5  | August 5     |
| February 19 | August 19    |
| March 4     | September 2  |
| March 18    | September 16 |
| April 1     | October 7    |
| April 15    | October 21   |
| May 6       | November 4   |
| May 20      | November 18  |
| June 3      | December 2   |
| June 17     | December 16  |
| July 1      |              |

**All meetings will be held at 6:00 PM  
Third Floor conference Room  
129 Hooper Avenue, Toms River**

\* \* \* \* \*

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

Respectfully submitted,  
  
 Robin L. Florio, Secretary  
 Ocean County Planning Board