

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

Regular meeting, Wednesday, February 15, 2023, 6:00 PM, Engineering Conference Room, Third Floor, 129 Hooper Avenue, Toms River, New Jersey.

Chairman Tirella read the Open Public Meetings Act statement of compliance.

Chairman Tirella presiding. Attending: Earl Sutton, Jr., Joe Bilotta, Dennis Liberatore, Elaine McCrystal, Joe Marra, Alan Avery, Debra Beyman, Laura Benson, Esq., John Ernst, Mark Villinger and Veronica Tompkins.

On a motion by Ms. McCrystal, seconded by Mr. Bilotta, with Mr. Sutton abstaining, the minutes of the meeting of February 1, 2023 were moved for approval. The motion was unanimously carried.

**SUBDIVISION AND SITE PLAN REVIEW**

**BARNEGAT: Lot 1.22 Block 162.01 (BAT236M.01) Barnegat Terrace LLC**

This site plan is for a 9,300 s.f. office building with 62 parking spaces to be located on Barnegat Boulevard North. The plans show modifications to the median island to accommodate a left turn lane into the site. Ocean County is reviewing the entire corridor for safety upgrades. On a motion by Ms. McCrystal, seconded by Mr. Bilotta, this plan was given final approval contingent the applicant to address the following conditions of approval: (1) show Pennsylvania Avenue on the proposed site plan and revise the proposed location of the site access driveway so that it aligns with the roadway on the opposite side of the County road, (2) address the following traffic comments: a) revise roadway improvement plan to label proposed SB left turn lane width, label remaining median island width, label stations/offsets of proposed curb line geometry, depict transition of existing to proposed shoulder striping, and depict relocation of existing 'do not enter' sign in median, b) revise turning templates to clearly depict vehicle movements in their entirety and to demonstrate entering & exiting passenger vehicles will not conflict and will not encroach into the left lane of NB Barnegat Boulevard, and c) verify proposed left turn lane width, it appears the distance from existing manhole to shoulder stripe is more than 12' as shown on site plan, (3) revise the line of sight profile for the County road to reflect the revised location of the proposed access drive, (4) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer, and (5) 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. 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.

**BEACHWOOD: Lots 12 & 13 Block 9.44 (BB135) Rinderer, Jr., Rudolph**

This two-lot minor subdivision is for a lot line adjustment on a local road, Windward Avenue. County facilities will not be impacted. The final plat appears to have been prepared in accordance with the Recordation Act. On a motion by Ms. McCrystal, seconded by Mr. Sutton, with Mr. Bilotta abstaining, the plan was given final approval. The motion was unanimously carried.

**BERKELEY: Lot 7.01 Block 837.03 (BT452H) Arya Properties at St. Barnabas**

This 26-lot major subdivision is for 24 single family residences, one basin lot, a cul-de-sac, and one remaining lot for the existing St. Barnabas Catholic Church Place of Assembly located on Route 9. Ocean County requires the applicant to address the following conditions of approval: (1) submit a copy of the CAFRA Permit or a Jurisdictional Determination letter from the NJDEP (waiver requested), (2) revise the final plat to include a list of property owners within 200' in accordance with the Recordation Act. Approval recommended upon fulfillment of the above contingencies and the Board's decision on the waiver request.

A letter dated February 2, 2023 was read from Mathew Wilder of Morgan Engineering & Surveying, requesting a waiver from providing a CAFRA Permit. Based upon the site's location, a CAFRA approval would be required for a residential development with 25 or more units or a development with fewer units that proposes 1,200 linear feet of new roadway or new sanitary sewer main. The aforementioned thresholds are not met so the proposed development does not require a CAFRA approval. On a motion by Mr. Ernst, seconded by Mr. Bilotta, with Mr. Tirella abstaining, the Board acknowledged and accepts the applicants professional's interpretation the project does not exceed the CAFRA threshold; this major subdivision was given final approval contingent upon the applicant to address the following item: (1) revise the final plat to include a list of property owners within 200' in accordance with the Recordation Act. The above condition must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. The motion was unanimously carried.

**LACEY: Lots 1, 28 & 19 Block 226.08 (LT901) Township of Lacey**

This two-lot minor subdivision is for a lot consolidation located on a local road, Parkers Point Boulevard. 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 this minor subdivision was given final approval. The motion was unanimously carried.

**LITTLE EGG HBR: Lot 2 Block 124 (LEHT442) Defeo, David**

This site plan is for an 8,000 s.f. commercial warehouse building with 19 parking spaces to be located on North Green Street (CR539) and the paper street Parkers Country Road. Ocean County requires the applicant to address the following conditions of approval: (1) submit a boundary survey, (2) revise the plans so that north is up or to the right in accordance with industry standard, (3) dimension the existing right-of-way half width from the right-of-way centerline and full width of the County road on the plan, and if the right-of-way half width is less than 33' 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, (4) submit a sight right easement form and metes and bounds description for sight triangle easements at the proposed access point and the County road intersection in accordance with County standards to Ocean County, (5) dimension County road pavement full width in front of the subject property and dimension the pavement half width and full width in front of the adjoining properties, (6) address the following traffic comments: a) there appears to be no basis for the proposed trip generation; provide ITE trip generation criteria for AM and PM peak street hours, b) depict existing roadway striping on circulation plan and demonstrate entering & exiting passenger vehicles will not conflict, and c) remove stop condition at end of internal aisle so vehicles do not back onto the County roadway, (7) revise the plans to show the proposed pavement widening to 24' from centerline to extend to the northern property corner with a 15:1 paved taper back to existing edge of pavement, (8) revise the standard pavement 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, (9) submit County road improvement plans (waiver requested), (10) submit a copy of the CAFRA permit or a Jurisdictional Determination letter from the NJDEP (waiver requested), (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 requests.

A letter dated January 23, 2023, was read from Mathew Wilder of Morgan Engineering & Surveying, requesting two waivers. The applicant is requesting a waiver from providing County road improvement plans. County road improvements are proposed along Route 539 to be consistent with the County regulations and adjacent improved properties. Considering the scope of the improvements adequate details have been provided on the site plans in lieu of a separate roadway improvement plan. A waiver is requested from providing a CAFRA permit or jurisdiction determination letter. Based upon the location of the property, CAFRA approval would be if the development proposed more than 49 parking spaces, only 19 are proposed. On a motion by Mr. Ernst, seconded by Mr. Liberatore, the Board denied the waiver request to provide County road improvement plans as there are required improvements along the County roadway that are required. Board accepts and acknowledges the applicant's professional's interpretation that the project does not exceed the CAFRA threshold. This application was given final approval contingent upon the applicant to address the following items: (1) submit a boundary survey, (2) revise the plans so that north is up or to the right in accordance with industry standard, (3)

dimension the existing right-of-way half width from the right-of-way centerline and full width of the County road on the plan, and if the right-of-way half width is less than 33' 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, (4) submit a sight right easement form and metes and bounds description for sight triangle easements at the proposed access point and the County road intersection in accordance with County standards to Ocean County, (5) dimension County road pavement full width in front of the subject property and dimension the pavement half width and full width in front of the adjoining properties, (6) address the following traffic comments: a) there appears to be no basis for the proposed trip generation; provide ITE trip generation criteria for AM and PM peak street hours, b) depict existing roadway striping on circulation plan and demonstrate entering & exiting passenger vehicles will not conflict, and c) remove stop condition at end of internal aisle so vehicles do not back onto the County roadway, (7) revise the plans to show the proposed pavement widening to 24' from centerline to extend to the northern property corner with a 15:1 paved taper back to existing edge of pavement, (8) revise the standard pavement 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, (9) submit County road improvement plans, (10) 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. 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.

**SEASIDE HTS: Lot 60 Block 36 (SHB169) 51-55 Sampson Ave., LLC**

This four-lot minor subdivision is located on a local road, Sampson Avenue. County facilities will not be impacted. On a motion by Mr. Bilotta, seconded by Mr. Sutton this minor subdivision was given final approval upon the applicant to address the following condition of approval: (1) revise the final plat so that north is up or to the right in accordance with industry standard. Approval recommended upon fulfillment of the above contingency. The above conditions must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. The motion was unanimously carried.

**TOMS RIVER: Lot 8.02 Block 647 (TRT1193D) 255 RTE 37 LLC**

This site plan is for the construction of a three-story, 25,375 s.f. self-storage facility (76,125 s.f. total) and three drive-up units (15,640 s.f. total) with 18 parking spaces to be located at the Toms River Town Center on Route 37. On a motion by Ms. McCrystal, seconded by Mr. Liberatore, this site plan was given final approval contingent upon the applicant to address the following conditions of approval: (1) revise the plans to indicate the NJDOT "desired typical section" for this section of NJ Route 37 in accordance with the current NJDOT Access code, (2) provide a copy of the NJDOT Access Permit, (3) submit a copy of the CAFRA Permit or a Jurisdictional Determination letter from the NJDEP, (4) address the following traffic comment: provide trip distribution to/from Clifton Avenue, (5) 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. The motion was unanimously carried.

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

**JACKSON: Block 22301 Lots 5,6 &16 (JT1747) Whitesville Business Park, Co., LLC**

**JACKSON: Block 2101 Lots 16 & 17 (JT1748) May Jackson, LLC**

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**CORRESPONDENCE:**

**JACKSON: Block 7309 Lots 12 & 13 (JT1730A) Jackson Property LLC.** This site plan received conditional approval on December 15, 2021. Condition #8 required the payment of an off-tract drainage improvement fee to be determined by the Ocean County Engineer and condition

#9 required the payment of an off-tract traffic improvement fee to be determined by the Ocean 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 in to be \$11,875.00. On a motion by Mr. Ernst, seconded by Mr. Bilotta, the Board requires the payment of an off-tract drainage improvement fee in the amount of \$6,000.00 and the off-tract traffic improvement fee in the amount of \$11,875.00. The motion was unanimously carried.

**JACKSON: Block 7310 Lot 1 (JT17440) 2111 Discovery Way, LLC.** This site plan received conditional approval on February 1, 2023. A letter dated February 6, 2023 was read from Michael Intile of Crest Engineering Associates, Inc., requesting a waiver from providing 50' from centerline and instead, provide a 10' easement. The waiver is requested in order to limit the already required front yard setback variance. On a motion by Mr. Ernst, seconded by Mr. Sutton the Board accepted a 10' road easement in lieu of a road dedication. The motion was unanimously carried.

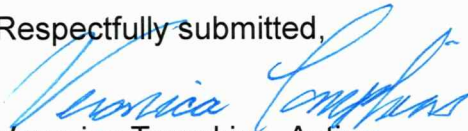
**SEASIDE HEIGHTS: Block 4.01 Lots 33 & 37 (SHB166) Mila Homes, LLC.** This site plan was give final approval on December 7, 2022. A letter dated January 24, 2023 from Mathew Wilder of Morgan Engineering, LLC was read requesting a waiver from submitting a deed of dedication and metes and bounds description for an additional right-of-way dedication to 30' from centerline to Ocean County. A waiver is requested from removing the proposed parking from within 20' of the County right-of-way in accordance with Section 603A. The applicant is stating all proposed parking is contained within the proposed building. The closest parking space is 23.8' from the southern curb line of Hamilton Avenue and 30.7' from the southern end of the nearest travel lane of Hamilton Avenue due to the existence of off-street parking. On a motion by Mr. Ernst, seconded by Ms. McCrystal the Board accepted the waiver to accept a road easement in lieu of a right-of-way dedication. The Board also accepted the waiver for parking location since the applicant is proposing the nearest parking space to be greater than 30' from the traveled way of the County roadway. 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 BRT608E	27.01	462	07/20/2022	02/06/2023
JACKSON JT1181D.02	63	5601	07/06/2022	02/15/2023
JACKSON JT1606B	61, 74	5601	12/07/2022	02/15/2023
LONG BEACH LBT795	19	4.19	11/02/2022	02/13/2023
TOMS RIVER TRT3492	2, 5	1085.14	09/21/2022	02/15/2023

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

Respectfully submitted,  
  
 Veronica Tompkins, Acting  
 Planning Board Secretary  
 Ocean County Planning Board