

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

Regular meeting, Wednesday, November 3, 2021, 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, Joseph Marra, John Ernst, Laura Benson, 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 Ms. McCrystal, seconded by Mr. Tirella, the minutes of the meeting of October 20, 2021 were moved for approval. The motion was unanimously carried.

SUBDIVISION AND SITE PLAN REVIEW

BEACHWOOD: Lots 1 Block 5.51 (BB128C) Abramski Properties, LLC

This site plan is for a gravel storage lot to be located on Halliard Avenue behind an existing contractor's warehouse located on Pinewald Road. County facilities will not be impacted. On a motion by Mr. Bilotta, seconded by Ms. McCrystal, this site plan was given final approval. The motion was unanimously carried.

BRICK: Lots 11 & 13 Block 702.07 (BRT2023) Brick Smoothies, LLC

This site plan is for a 1,155 s.f. Smoothie King restaurant with drive-thru and eight proposed parking spaces to be located on Chambersbridge Road. On a motion by Mr. Tirella, seconded by Mr. Sutton, this site plan was given final approval contingent upon the applicant to address the following items: (1) dimension the existing right-of-way full width of the County road on the plan, (2) since the right-of-way half width is less than 43 feet from centerline, submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 43' from centerline to Ocean County, (3) submit a sight right easement form and metes and bounds description for a sight triangle easement at the proposed access point in accordance with County standards to Ocean County, (4) submit County road improvement plans, (5) address the following traffic comments: a) provide design vehicle turning templates for the proposed right-in/right-out access driveway, and b) depict AASHTO sight lines with proposed and existing vegetation to remain, (6) provide a drainage design to be reviewed and approved by the Ocean County Engineer (per drainage memo dated 11/3/2021), (7) add to the plans the following 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 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.

BRICK: Lots 7, 7.01 Block 670 (BRT850G1) Tahishi, LLC

This site plan is for re-approval of the construction of canopies over existing parking to accommodate solar panels at the existing Wine Shop strip mall on Hooper Avenue. The Board previously granted waivers from providing a traffic report, drainage report and County road improvement plans as the applicant is not changing use, impervious coverage or access and is only constructing solar panels. The plans shows existing sight easements to Ocean County at the access drives. The plans show the existing right-of-way half width of the County road on the plan in front of the development is 33' from centerline consistent with the Master Plan, and 40' half

width near the County bridge. The County road pavement half width is 26' from centerline. The revised locations of the proposed canopies do not affect the previous approval and do not impact the County facilities. On a motion by Mr. Sutton, seconded by Ms. McCrystal, this site plan was given final approval. The motion was unanimously carried.

JACKSON: Lots 65.01 Block 703 (JT1646A) Zupa, Donna

This two lot minor subdivision is located on a local road, Winthrop Drive. 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.

LAKEWOOD: Lots 2 Block 496 (LAT1994A) 220 Newport Ave LLC

This three-lot minor subdivision is for a proposed 20,718 s.f. school with 66 proposed parking spaces to be located on new Lot 2.01 on a local road, Newport Avenue and two remaining lots located on Bellevue Avenue. On a motion by Mr. Tirella, seconded by Mr. Sutton, this minor subdivision was given final approval contingent upon the applicant to address the following items: (1) add a north arrow to the final plat in accordance with the Recordation Act, and (2) submit a site plan application for the proposed school on Lot 2.01 to the Ocean County Planning Board. 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 26 & 27 Block 1609 (LAT594.82A) All Chem Transport

This site plan is for a 6,400 s.f. addition to an existing warehouse and a proposed 8,000 s.f. building to be located on Rutgers Boulevard. There are 34 existing and no proposed parking spaces. The trip generation statement is acceptable. Ocean County requires the applicant to address the following items: (1) submit a drainage report (waiver requested), and (2) submit a copy of the CAFRA Permit or a Jurisdictional Determination letter from the NJDEP (waiver requested).

A letter dated October 7, 2021 was read from William Stevens of Professional Design Services requesting a waiver from providing a drainage analysis and from a CAFRA Jurisdictional Determination. The project is for a building addition and a new building for an existing industrial facility. Both the new building and the building addition will be constructed over existing impervious surfaces, so no new impervious surfaces will be created. This application also proposes no new parking stalls, so a CAFRA Permit is not required.

On a motion by Mr. Ernst, seconded by Mr. Tirella, the Board granted a waiver from providing a drainage report as the applicant proposes no new impervious coverages and the Board acknowledges and accepts the applicant's professional's interpretation that the project does not exceed the CAFRA threshold; this site plan was given final approval. The motion was unanimously carried.

PLUMSTED: Lots 11, 12, 13 Block 31 (PT410) Knowles, Sharon

This two-lot minor subdivision is located on a local road, Terrace Avenue. County facilities will not be impacted. 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 plan to identify the proposed lot numbers, (2) remove the Ocean County Approval signature line because it refers to Burlington County and because Ocean County uses a stamp for signing mylars, (3) remove General Note 8 because the County Clerks office is open, all County Clerk filed maps and public records are available online, and because the filed map and deeds are referenced in General Note 4, (4) submit the deed for Ocean County Planning Board signature of approval, (5) add tax map sheet number 10.03 to General Note 3, (6) properly identify lot lines to be removed, (7) add to the plan three corner coordinates in accordance with the Recordation Act, and (8) provide a key map that is legible and reproducible. 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 (SHB16C) Seaside Ocean Terrace

This site plan application is for the relocation of the bathrooms to exterior of the club at an existing oceanfront resort, restaurant, pool club with cabanas, support buildings, boardwalk kiosks, and event center located on Ocean Terrace between Dupont and Porter Avenues. The plans indicate the full width right-of-way of Ocean Terrace is 60' consistent with the County Master Plan. County facilities will not be impacted. On a motion by Mr. Marra, seconded by Mr. Bilotta, with Mr. Tirella abstaining, this site plan was given final approval. The motion was unanimously carried.

TOMS RIVER: Lots 1/ 1.2,4 & 5 Block 1109.19/ 934 (TRT3057A) Ocean Bay Holdings, LLC

This two-lot minor subdivision is for a lot consolidation located on Route 35 north bound and Route 35 south bound between Kittiwake Avenue and West Tuna Way. County facilities will not be impacted. The final plat appears to have been prepared in accordance with the Recordation Act. Lot numbers are to be assigned prior to Ocean County Planning Board signing of the final plat mylar. On a motion by Ms. McCrystal, seconded by Mr. Sutton, this minor subdivision was given final approval. The motion was unanimously carried.

TOMS RIVER: Lots 21 & 22 Block 840 (TRT3471) Khan, Nabeel

This three-lot minor subdivision is located at the intersection of local roads, McKinley Avenue and Harding Avenue. County facilities will not be impacted. On a motion by Mr. Tirella, 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 three corner coordinates in accordance with the Recordation Act, (2) revise the key map to properly identify the existing lot numbers, and (3) provide a plat signed and sealed by a Professional Land Surveyor 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.

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

LAKESWOOD: Lots 1 Block 1248 (LAT1368B.04) Somerset NH LLC

TOMS RIVER: Lots 3,4,5,5.01,10 & 11.01 Block 569 (TRT3080A) Meridia Toms River 40 Urban Renewal, LLC

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CORRESPONDENCE:

JACKSON: Block 4201, Lots 1, 2 (JT1301L.02) Dreamview, LLC (C/O Walter Glory). This major subdivision received contingent preliminary and final approval on October 20, 2021. A letter dated October 13, 2021 was read from Jeffrey Martell of Stonefield Engineering requesting various waivers. A waiver is requested for approval of 30' half width right-of-way in addition to 10' road easement in lieu of a 40' half width right-of-way along Cedar Swamp Road for Block 4201, Los 1.01, 1.02 and 1.03. There is a hardship related to wetlands and the associated wetland transition area to the rear of the property. Given that the site plan is fully coordinated with significant roadway/traffic signal improvements to be constructed by others, it is believed there is no detriment to the roadway or the public by granting this waiver. It is requested that the County grant a waiver for half width right-of-way dedication and frontage improvements along Cedar Swamp Road for Block 4201, Lot 2 associated with the subdivision application. That lot is involved due to a minor "lot line adjustment" to swap a small piece of land between proposed Lot 1.03 and Lot 2. Block 4201, Lot 2 is to be developed by the owner via a future site plan application. Given the minor nature of the subdivision associated with Block 4201, Lot 2, it is believed that the right-of-way dedication and frontage improvements represent a hardship at this time, and it is more appropriate to be required at the site of future site plan application/approval for Block 4201, Lot 2. It is requested that the County grant a waiver to construct frontage improvements along Commodore Boulevard for Block 4201, Lots 1.02 and 1.04. Given the existence of wetlands and the fact that no site plan improvements are proposed on these lots along Commodore Boulevard, it is believed the frontage improvements represent a hardship and there will be no detriment to the

roadway or the public by granting of the waiver. It is understood that Commodore Boulevard may be improved with future development by others and it is believed that it is more appropriate to be required at that time. On a motion by Mr. Ernst, seconded by Mr. Tirella, the Board granted a waiver to accept a 10' wide road easement in lieu of a 10' wide right-of-way dedication across the Cedar Swamp frontage of Lots 1.01, 1.02 and 1.03; denied the request to delay requiring the right-of-way dedication out to 40' from centerline along the frontage of Cedar Swamp Road; denied the request for waiving County road improvements across the entire subdivision; and granted a waiver from County road improvements along W. Commodore across Lots 1.02 and 1.04. The motion was unanimously carried.

JACKSON: Block 4201, Lots 1.01, 1.02, 1.03 (JT1301M.02) Dreamview, LLC (C/O Walter Glory). This site plan received conditional approval on October 20, 2021. A letter dated October 13, 2021 was read from Jeffrey Martell of Stonefield Engineering requesting various waivers. A waiver is requested for approval of 30' half width right-of-way in addition to 10' road easement in lieu of a 40' half width right-of-way along Cedar Swamp Road for Block 4201, Los 1.01, 1.02 and 1.03. There is a hardship related to wetlands and the associated wetland transition area to the rear of the property. Given that the site plan is fully coordinated with significant roadway/traffic signal improvements to be constructed by others, it is believed there is no detriment to the roadway or the public by granting this waiver. It is requested that the County grant a waiver for half width right-of-way dedication and frontage improvements along Cedar Swamp Road for Block 4201, Lot 2 associated with the subdivision application. That lot is involved due to a minor "lot line adjustment" to swap a small piece of land between proposed Lot 1.03 and Lot 2. Block 4201, Lot 2 is to be developed by the owner via a future site plan application. Given the minor nature of the subdivision associated with Block 4201, Lot 2, it is believed that the right-of-way dedication and frontage improvements represent a hardship at this time, and it is more appropriate to be required at the site of future site plan application/approval for Block 4201, Lot 2. It is requested that the County grant a waiver to construct frontage improvements along Commodore Boulevard for Block 4201, Lots 1.02 and 1.04. Given the existence of wetlands and the fact that no site plan improvements are proposed on these lots along Commodore Boulevard, it is believed the frontage improvements represent a hardship and there will be no detriment to the roadway or the public by granting of the waiver. It is understood that Commodore Boulevard may be improved with future development by others and it is believed that it is more appropriate to be required at that time. On a motion by Mr. Ernst, seconded by Mr. Tirella, the Board granted a waiver to accept a 10' wide road easement in lieu of a 10' wide right-of-way dedication across the Cedar Swamp frontage of Lots 1.01, 1.02 and 1.03; denied the request to delay requiring the right-of-way dedication out to 40' from centerline along the frontage of Cedar Swamp Road; denied the request for waiving County road improvements across the entire subdivision; and granted a waiver from County road improvements along W. Commodore across Lots 1.02 and 1.04. The motion was unanimously carried.

MANCHESTER: Block 109, Lot 1.02 (MT417B.01) Paramount Commons at Whiting, LLC. This site plan received conditional approval on May 5, 202. On a motion by Mr. Ernst, seconded by Mr. Sutton, the minutes are hereby amended to reflect the change to this site plan is for one building to include 3,680 s.f. restaurant, 1,500 s.f. fast food restaurant, 1,440 s.f. fast food restaurant and a 2,311 s.f. Starbucks with 69 parking spaces. The motion was unanimously carried.

SHIP BOTTOM: Block 58, Lot 2 (SBB232) 1701 J & A, LLC, Abraham Shiloach. This site plan received conditional approval on August 4, 2021. Condition #9 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.

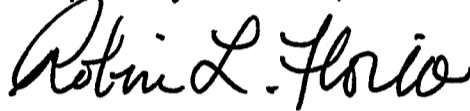
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THE FOLLOWING PLANS HAVING BEEN GIVEN CONDITIONAL APPROVAL AT A PREVIOUS MEETING HAVE NOW MET THE CONTINGENCIES AND CAN BE SIGNED:				
MUNICIPALITY:	LOT:	BLOCK:	MEETING DATE:	CONTINGENCIES MET:
BEACHWOOD BB128B	3, 4, 5, 6, 8	5.56	07/21/21	11/03/21
BERKELEY BT478C	1, 3, 8	837	04/07/21	10/25/21
BERKELEY BT690	7.01	1066	07/21/21	10/02/21
BRICK BRT2019	6	1428	08/04/21	10/26/21

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

Respectfully submitted,



Robin L. Florio, Secretary
Ocean County Planning Board

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