

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

Regular meeting, Wednesday, May 17, 2023, 6:00 PM, Engineering Conference Room, Third Floor, 129 Hooper Avenue, Toms River, New Jersey.

Chairman Tirella presiding. Attending: Earl Sutton, Joe Marra, Alan Avery, Debbie Beyman, Mark Jehnke, Laura Benson, Esq. and Mark Villinger.

On a motion by Mr. Avery, seconded by Mr. Marra, with Mr. Tirella abstaining, minutes of the meeting of May 3, 2023 were moved for approval. The motion was unanimously carried.

SUBDIVISION AND SITE PLAN REVIEW

BARNEGAT: Lot 10.01, Block 195 (BAT296D) M&T at Barnegat, LLC

This amended site plan is for the construction of a mixed use development called The Lofts at Barnegat for 36 townhouses, 147 apartment units, 6,000 s.f. clubhouse, 8,000 s.f. restaurant, 30,742 s.f. retail, 474 parking spaces, and associated site improvements to be located on Route 9, Georgetown Boulevard, and Old Main Shore Road. The NJDOT "desired typical section" for this section of NJ Route 9 in accordance with the NJDOT access code is indicated on the plans. The applicant previously provided a copy of the NJDOT access permit. On a motion by Mr. Sutton, seconded by Mr. Avery, this site plan was given final approval contingent upon the applicant to address the following condition of approval: (1) submit a copy of the NJDEP CAFRA permit modification for the proposed project. The above condition must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. The motion was unanimously carried.

BERKELEY: Lots 14, 16, 18 & 20, Block 529 (BT699) Forte, Wayne

This two-lot minor subdivision is for two single family residential dwellings to be located on McKinley Avenue. County facilities will not be impacted. On a motion by Mr. Sutton, seconded by Mr. Avery, 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 standards. The above condition must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. The motion was unanimously carried.

JACKSON: Lots 33 & 32, Block 2701 (JT1685A.01) Jackson One, LLC

This site plan is for a 154,702 s.f. warehouse with 165 proposed parking spaces to be located on the northwest intersection of West Commodore Boulevard and Patterson Road. The right-of-way half width of West Commodore Boulevard is 33' and there is an existing sight easement at the intersection of West Commodore Boulevard and Patterson Road per Filed Map H2129. The site plans and County road improvement plans show pavement widening to 25' from the right-of-way centerline. On a motion by Mr. Marra, seconded by Mr. Sutton, Mr. Avery abstaining, this site plan was given final approval upon the applicant to address the following conditions of approval: (1) submit sight right easement forms for sight triangle easements at the proposed access point to West Commodore Boulevard in accordance with County standards to Ocean County, (2) submit a deed of dedication and metes and bounds description for a corner clip right-of-way dedication from Lot 33 to accommodate the proposed intersection radius of West Commodore and Patterson Road, (3) submit a deed of dedication and metes and bounds description for a right-of-way dedication from Block 2603, Lot 27 to accommodate the proposed County road improvements and proposed intersection radius of West Commodore Boulevard and Patterson Road, (4) address the following traffic comments: a) truck turns are shown crossing over the centerlines at the intersection of West Commodore Boulevard and Patterson Road. Revise intersection geometry as required to demonstrate trucks will not cross centerlines, b) verify eastbound left turn volume from West Commodore Boulevard to Patterson Road is 0 in AM and 1 in PM, c) label lane widths and offset from centerline on the Signing and Marking Plans. Provide R3-7 signs. Depict entire existing roadway curves including tangents, PCs and PTs. Revise

proposed curves to meet existing roadway tangents to avoid undesirable compound curves. Label existing and proposed roadway curve radii. Revise direction of diagonal median cross hatching. Provide striping at ends of median opening adjacent to driveway. Verify restriping of existing super elevated curves will not shift vehicles into shoulders with adverse crown, d) existing vegetation and proposed landscaping are shown in Patterson Road sight lines on the Sight Distance Plan. Landscaping shall not be located within AASHTO sight lines. The end point for the westerly sight line from site access should be in the eastbound lane, not the westbound shoulder, and e) certificate of occupancy will not be issued until West Commodore Boulevard & Patterson Road intersection improvements are complete, (5) provide a drainage design to be reviewed and approved by the Ocean County Engineer (see drainage memo dated 5/17/2023), (6) submit a copy of the original NJDEP Letter of Interpretation #1511-16-0013.1 for the wetland delineation depicted on the plans (only the extension was submitted), (7) enter into a developers agreement with the Ocean County Board of Commissioners with regard to the developer's share of proposed County road and intersection improvements, (8) enter into a Hold Harmless Agreement with the Ocean County Board of Chosen Commissioners with regard to the co-mingling of storm water, (9) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer, (10) pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer. Certificate of Occupancy shall not be issued by the Township until all off-site County road intersection improvements required as a result of this application have been constructed. 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.

JACKSON: Lot 10 Block 8101 (JT658F) 715 Bennetts Mills LLC

This site plan is for a 16,377 s.f. second story addition for office space on an existing 21,400 s.f. retail office building with 180 parking spaces located on Bennetts Mill Road and Manhattan Street. The existing building footprint will remain the same and the applicant proposes eliminating the existing detention basin to construct 53 new parking spaces. Site access will remain the same. The plans indicate that the existing right-of-way full width of Bennetts Mill Road is 60', consistent with the master plan. On a motion by Mr. Sutton, seconded by Mr. Marra, this site plan was given final approval upon the applicant to address the following conditions of approval: (1) address the following traffic comments: a) depict roadway striping on the circulation plan, b) depict entering right turn vehicle at Bennetts Mills Road, (2) provide a drainage design to be reviewed and approved by the Ocean County Engineer (see drainage memo dated 5/17/2023), (3) provide stage storage routing calculations computing the runoff rates and volume of the existing stormwater basin, (4) provide pretreatment for the proposed underground stormwater detention system, (5) provide a copy of the drainage easement or agreement between the applicant and adjacent property owner regarding the stormwater runoff from Lot 11 being detained on Lot 10, (6) revise the recharge trench detail to show seven 48" pipes and provide the elevation table, (7) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer, (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. The motion was unanimously carried.

LACEY: Lots 1-21 & 26-32, Block 1655 (LT847A) Lange, Jr., Robert G.

This site plan and lot consolidation is for an eight-unit townhouse building and a 3,000 s.f. office building with two apartments on the second floor and 41 parking spaces and the construction of a cul-de-sac called Maxim Drive. The trip generation statement is acceptable. On a motion by Mr. Avery, seconded by Mr. Sutton, with Mr. Tirella abstaining, this site plan was given final approval upon the applicant to address the following conditions of approval: (1) submit a copy of the recorded lot consolidation, (2) 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.

LAKEWOOD: Lot 9.01, Block 1077.04 (LAT2218) Lotzarich, LLC

This two-lot minor subdivision is for two residential duplex units to be located on Florence Street, which is currently under construction. 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 Mr. Avery this minor subdivision was given final approval. The motion was unanimously carried.

OCEAN: Lots 1.01 & 1.02, Block 93 (OT281) Milinowicz, Joyce

This two-lot minor subdivision is for a lot line adjustment for two single family residential dwellings to be located on Sands Point Road. County facilities will not be impacted. On a motion by Mr. Sutton, seconded by Mr. Marra, this minor subdivision was given final approval upon the applicant to address the following condition: (1) revise the final plat so that north is up or to the right in accordance with industry standards. The above condition must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. The motion as unanimously carried.

SHIP BOTTOM: Lots 2.01, 3.01 & 4.01, Block 104 (SBB176D) Ron Jon Realty Corp. & Ron Jon Surf Shop of Fla., Inc.

This site plan is for the construction of a 24,439 s.f. Ron Jon Surf Shop (Phase 1) and the demolition of the existing commercial building for a parking lot (Phase 2) for a total of 83 parking spaces located on Central Avenue between West 8th Street and West 9th Street. There will be a net decrease in parking by 49 spaces. The application also includes a lot consolidation of three lots into one. The plans show the NJDOT's project which includes the elimination of the West 8th Street U-turn access road connection to Central Ave. On a motion by Mr. Sutton, seconded by Mr. Marra, this site plan was given final approval upon the applicant to address the following conditions: (1) dimension the existing right-of-way half width and full width of Central Avenue on the plan, and if the half width is less than 30' 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, (2) submit a sight right easement form and metes and bounds description for sight triangle easements at the proposed access point and Central Avenue & West 9th Street intersection in accordance with County standards to Ocean County, (3) submit a copy of the CAFRA permit from the NJDEP, (4) submit a copy of the recorded deed of lot consolidation, (5) address the following traffic comments: a) provide traffic distribution to/from Long Beach Boulevard in Figure 4 (in addition to the distribution shown at Central Avenue), and b) label proposed total building area on the site plan, (6) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer, (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. The motion as unanimously carried.

STAFFORD: Lot 44 Block, 229 (ST142C) Scangarello, Thomas & Jessica

This site plan application is for the construction of two pole barns (1,200 s.f. and 1,980 s.f.) for a landscape company storage area and 12 new parking spaces along with associated site improvements at an existing office/commercial building on East Bay Avenue. The applicant has provided an NJDEP Letter of Interpretation, NJDEP Freshwater Wetlands Transition Area Reduction waiver, and a recorded Conservation Easement. No improvements are proposed along Bay Avenue. The previous application ST142B for the same proposal has expired. Waivers were previously granted from providing a traffic report and County road improvement plans. The applicant has provided a right-of-way deed of dedication to 33' from centerline consistent with the master plan for East Bay Avenue. On a motion by Mr. Sutton, seconded by Mr. Avery, this site plan was given final approval. The motion was unanimously carried.

TOMS RIVER: Lots 65 Block 192.58 (TRT599L) Ocean County Memorial Park

This site plan is for the construction of a 1,785 s.f. addition to the existing office with eight parking spaces at the Ocean County Memorial Park on the local section of Silverton Road. County facilities are not affected. On a motion by Mr. Sutton, seconded by Mr. Marra, this site plan was given final approval. The motion was unanimously carried.

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CORRESPONDENCE:

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BRICK: Block 323, Lot 18.02 (BRT2015A) Beck, Kenneth

This site plan was given final approval on 4/6/2022. A letter dated April 25, 2023 was read from Mathew R. Wilder, of Morgan Engineering requesting a waiver from submitting a CAFRA Permit. Based upon the site's location a CAFRA Permit would be required for the non-residential component if more than 49 equivalent parking spaces were proposed or for the residential component if more than 24 units were proposed or if there was a road or sewer main extension proposed which exceed 1,200 linear feet. The proposed development does not exceed any of these development thresholds. On a motion by Mr. Jehnke, seconded by Mr. Avery, the Board accepts and acknowledges the applicant's professional's interpretation that the project does not exceed the CAFRA threshold. The motion as unanimously carried.

BERKELEY: Block 13, Lot 7 (BT266N) Cosmo Court LLC

This site plan was given final approval on 12/7/2022. Condition #4 required an off-tract traffic improvement fee to be determined by the County Engineer and Condition #5 required an off-tract drainage improvement fee to be determined by the Ocean County Engineer. The Ocean County Engineer has determined that the off-tract drainage improvement fee be \$6,000.00 and the off-tract traffic improvement fee to be \$3,958.00. On a motion by Mr. Jehnke, seconded by Mr. Avery, the off-tract drainage improvement fee to be \$6,000.00 and the off-tract traffic improvement fee to be \$3,958.00. The motion was unanimously carried.

JACKSON: Block 4801, Lots 5, 6, 8, 9 & 10 (JT1415B.01) Hyson Estates, LLC

This site plan was given final approval on 3/16/2022. Condition #11 is to pay an off-tract drainage improvement fee to be determined by the Ocean County Engineer. Condition #12 is to pay an off-tract traffic improvement fee to be determined by the Ocean County Engineer. The Ocean County Engineer has determined that the off-tract drainage improvement fee to be \$6,000.00. The Ocean County Engineer has determined that the off-tract traffic improvement fee to be \$151,458.00. On a motion by Mr. Jehnke, seconded by Mr. Sutton, the off-tract drainage fee is \$6,000.00 and the off-tract traffic improvement fee is \$151,458.00. The motion was unanimously carried.

JACKSON: Block 401, Lot 9, (JT1733A) Spira, Zev/A&A Truck Parts

This site plan was given final approval on 2/2/2022. A letter dated 5/11/2023 from Ian Borden and William Stevens from Professional Design Services was read requesting a waiver from the requirement to provide a 30' x 100' sight triangle easement on the western side of the intersection of Wright DeBow Road and West Commodore Boulevard. In order to provide adequate sight distance from the new intersection location it is proposed to utilize the AASHTO line of sight design standards on the western side of the intersection. The standard 30' x 100' sight triangle area will be provided on the eastern side. On a motion by Mr. Jehnke, seconded by Sutton, the Board granted a waiver to provide AASHTO sight triangle in lieu of providing a 30'x100' sight triangle due to the existing house. The motion was unanimously carried.

LAKEWOOD: Blocks 1083/1086; Lots 2-7/6-15, 29 & 30, (LAT1999C) Vermont Equities, LLC

This major subdivision, preliminary and final, was given final approval on 3/15/2023. Condition #7 required an off-tract drainage improvement fee to be determined by the County Engineer and Condition #8 required an off-tract drainage improvement fee to be determined by the County Engineer. The County Engineer has determined that the off-tract drainage improvement fee be \$6,000.00 and the off-tract traffic improvement fee to be \$31,667.00. On a motion by Mr. Jehnke, seconded by Mr. Sutton, the off-tract drainage improvement fee is to be \$6,000.00 and the off-tract traffic improvement fee to be \$31,667.00. The motion was unanimously carried.

POINT PLEASANT: Block 145, Lot 35, (PPB804) Kevin, Curtin

This minor subdivision was given final approval on 10/19/2022. A letter dated May 8, 2023 was read from Joseph Kociuba of KBA Engineering Services, LLC, requesting a waiver from providing a right-of-way dedication to 33' from centerline. In lieu of a dedication, the applicant requests to grant a right-of-way easement to satisfy the requirement. A dedication will reduce front yard setbacks and will impact this lot in the fully developed area where further dedications to 33' from centerline are not likely. On a motion by Mr. Jehnke, seconded by Mr. Sutton, the Board granted a waiver from providing a right-of-way dedication to 33' from centerline provided a right-of-way easement is provided. The motion was unanimously carried.

POINT PLEASANT: Blocks 169.01 & 39, Lots 34 & 1, (PPB805) First of Day, Inc.

This site plan was given final approval on 10/19/2022. A letter dated May 5, 2023 was read from James Giordano of TEC Engineering, requesting a waiver from providing an additional right-of-way of 12.5' from centerline since the existing building on Lot 1, Block 39 is located only 2.4' off the existing right-of-way. On a motion from Mr. Jehnke, seconded by Mr. Avery, the Board granted a waiver to eliminate the need to provide a right-of-way dedication due to proximity of the existing building. The motion was unanimously carried.

POINT PLEASANT: Block 115, Lot 13, (PPB806) Kelly, Miriam

This minor subdivision was given final approval on 11/16/2022. A letter dated April 28, 2023 was read from Joseph Kociuba, of KBA Engineering, requesting a waiver from providing a right-of-way dedication to 30' from centerline. In lieu of a dedication, the applicant requests to grant a right-of-way easement. A second waiver was requested from the minimum driveway dimensions noted on Table 600-4 of Section 606 of the Subdivision and Site Plan Ordinance. The lots are narrow and therefore the 50' minimum driveway spacing is not feasible to comply with. On a motion by Mr. Jehnke, seconded by Mr. Sutton, the Board granted a waiver from providing right-of-way dedication and grant a 5' easement. The Board also granted a waiver from providing a 50' minimum driveway spacing as the proposed driveway spacing and driveway apron are typical to the surrounding area. The motion was unanimously carried.

SEASIDE HEIGHTS: Block 1, Lots 7, 10 & 19.02, (SB168) Herz, Shimshon

This site plan was given final approval on 1/18/2023. A letter dated May 9, 2023 was read from Mathew Wilder of Morgan Engineering requesting a waiver from the County's sight triangle requirements based upon the fact that the AASHTO sight triangle does not impact any portion of the property. On a motion by Mr. Jehnke, seconded by Mr. Sutton, the Board granted the waiver from providing a sight-right easement because the applicant has demonstrated the AASHTO sight triangle is acceptable. Condition #10 was to pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer. Condition #11 was to pay an off-tract traffic improvement fee to be determined by the County Engineer. The Ocean County Engineer has determined that the off-tract drainage improvement fee to be zero and the off-tract traffic improvement fee to be \$7,083.00. On a motion by Mr. Jehnke, seconded by Mr. Sutton, the off-tract drainage improvement fee to be zero and the off-tract traffic improvement fee to be \$7,083.00. The motion was unanimously carried.

STAFFORD: Blocks 225; 226; 227 & 228, Lots 2, 3 & 4; 1; 1 & 1, (ST589) Mel-John Dev. LLC

This site plan was given final approval on 3/2/2022. Condition #8 was to pay an off-tract drainage improvement fee to be determined by the Ocean County Engineer. Condition #9 was to pay an off-tract traffic improvement fee to be determined by the Ocean County Engineer. The Ocean County Engineer has determined that the off-tract drainage improvement fee to be zero and the off-tract traffic improvement fee to be \$5,833.00. On a motion by Mr. Jehnke, seconded by Mr. Marra, the off-tract drainage improvement fee to be zero and the off-tract traffic fee to be \$5,833.00. The motion was unanimously carried.

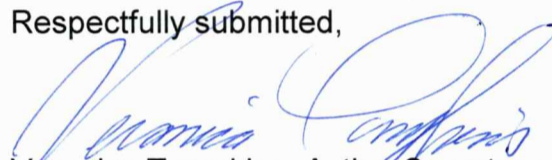
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THE FOLLOWING PLANS HAVING BEEN GIVEN CONDITIONAL APPROVAL AT A PREVIOUS MEETING HAVE NOW MET THE CONTINGENCIES AND CAN BE SIGNED:				
MUNICIPALITY:	LOT:	BLOCK:	MEETING DATE:	CONTINGENCIES MET:
JT1736 JACKSON	6	2401	06/01/2022	05/17/2023
PPB805 POINT PLEASANT	34/1	169.01/39	10/19/2022	05/16/2023
SHB26D SEASIDE HEIGHTS	51, 66	4.01	03/01/2023	05/17/2023

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

Respectfully submitted,



Veronica Tompkins, Acting Secretary
Ocean County Planning Board

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