

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

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

Vice Chairman Sutton read the Open Public Meetings Act Statement of compliance.

Vice Chairman Sutton presiding. Attending: Joseph Bilotta, Elaine McCrystal, Dennis Liberatore, Joseph Marra, Alan Avery, Debra Beyman, John Ernst, Laura Benson, Esq., Tony Agliata and Veronica Tompkins.

On a motion by Ms. McCrystal, seconded by Mr. Bilotta, with Mr. Marra and Ms. Beyman abstaining, the minutes of the meeting of August 16, 2023 were moved for approval. The motion was unanimously carried.

SUBDIVISION AND SITE PLAN REVIEW

**BARNEGAT: Lots 1, 2 /1 /1 /1 /1 /2, 3, Block 175 /176 /181 /182 /183 /184 (BAT314A.01)
Barnegat Terrace, LLC**

This 12-lot major subdivision is located off of a local road, Cherry Street. County facilities will not be impacted. The trip generation statement was previously accepted. On a motion by Mr. Bilotta, seconded by Ms. McCrystal this major subdivision was given final approval upon the applicant to address the following conditions of approval: (1) revise the final plat to include the certified list of property owners within 200' 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.

BERKELEY: Lot 4, Block 13 (BT266P) JDNG Properties, LLC

This site plan is for an 8,000 s.f. commercial building with 28 parking spaces to be located on Bangert Boulevard in the Berkeley Industrial Park. The applicant has provided a Pinelands Commission Inconsistent Certificate of Filing. Ocean County requires the applicant to address the following conditions of approval: (1) submit a Pinelands Commission "letter of no further review", (2) submit a traffic report (waiver requested) (3) submit a drainage report (waiver requested), (4) pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer, (5) pay an off-tract drainage 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 August 9, 2023 was read from Mathew Wilder of Morgan Engineering requesting a waiver for a traffic report. The subject property is located within an industrial parking off Bangert Boulevard which is a municipally owned roadway. A waiver was requested from providing a drainage report which is under final review by the Pinelands Commission, is an infiltration basin that does not direct any stormwater runoff towards a County road or County drainage facility.

On a motion by Mr. Ernst, seconded by Ms. McCrystal, the Board granted a waiver from providing a full traffic report provided the applicant submits a trip generation statement comparing pre-development and post development use and trips. The Board denied the waiver from providing a drainage report. Need confirmation no water will be running off site. This site plan was given final approval contingent upon the applicant to address the following conditions of approval: (1) submit a Pinelands Commission "letter of no further review", (2) pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer, (3) 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. The motion was unanimously carried.

BERKELEY: Lots 1, 2, 5 / 17, 18, 19 / 1 / 13, 14, 15, Block 975; 985; 986; 988 (BT523D) Woodland Acres at Berkeley Township, LLC

This 15-lot preliminary major subdivision is located on Southern Boulevard. The plans indicate the extension of local roads Nolan Avenue, Halsey Avenue, and Southern Boulevard from Wheaton Avenue to the local section of Serpentine Drive. County facilities will not be impacted. On a motion by Mr. Bilotta, seconded by Ms. McCrystal this major subdivision was given final approval. The motion was unanimously carried.

BRICK: Lot 5, Block 548 (BRT1988B) Hooper Avenue Associates, LLC

This six-lot major subdivision is for six single family houses and a cul-de-sac to be located off of Hooper Avenue. The plan indicates that the half-width right-of-way of Hooper Avenue is 33' from centerline. The approved plans show the proposed curb to be built at 20' from centerline. The final plat indicates that the intersection corner clip right-of-way will be dedicated to the Township as part of the township road right-of-way. The trip generation statement was previously accepted. Sight easements have been recorded. The previous application expired before the off-tract improvement fees were paid. On a motion by Ms. McCrystal, seconded by Mr. Liberatore this major subdivision was given final approval contingent upon the applicant to address the following conditions: (1) submit a final plat prepared in accordance with the Recordation Act, (2) pay an off-tract drainage improvement fee in an amount of \$6,000 as determined by the Ocean County Engineer, (3) pay an off-tract traffic improvement fee in an amount of \$2,500 as 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.

BRICK: Lots 20 & 22, Block 211.02 (BRT2005A) Zimmerman, David

This two-lot minor subdivision is for a lot line adjustment located on Rochester Drive, a local road. County facilities will not be impacted. On a motion by Ms. McCrystal, seconded by Mr. Liberatore this minor subdivision was given final approval contingent 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. 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.

LAKESWOOD: Lots 13 & 17, Block 1159.03 (LAT1882C) Tiferes Yechiel

This two-lot minor subdivision is for a lot line adjustment at the intersection of New Hampshire Avenue and Oak Street. This minor subdivision was previously approved under LAT1882A1 but has since expired so the applicant is seeking re-approval. 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.

LAKESWOOD: Lot 1, Block 1600 (LAT594.94A) 500 Oberlin NJ LLC

This site plan is for the demolition of an existing building and the construction of a three-story 46,000 s.f. total culinary depot with 145 proposed parking spaces at the intersection of Oberlin Avenue South and New Hampshire Avenue. There is an existing sight triangle easement at the intersection per filed map D-910. The plans show the proposed access to Oberlin Avenue aligned with the existing Ocean County Northern Recycling Center access drive on the opposite side of Oberlin Avenue. Ocean County requires the applicant to address the following conditions of approval: (1) show the existing County right-of-way line on the opposite side of New Hampshire Avenue and centerline as per General Property Parcel Map file no. 15-093-0410 dated November 2008 and dimension the County road right-of-way full width, (2) since the existing right-of-way half width of New Hampshire Avenue is less than 40' 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, (3) submit a copy of the CAFRA Permit or a Jurisdictional Determination letter from the NJDEP (waiver requested), (4) address the following traffic comments: a) total building area and number of stories do not match on plan, report, and application, and b) depict roadway striping on the circulation plan, (5) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer, (6) pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer. Approval recommended upon the fulfillment of the above contingencies and the Board's decision on the waiver request.

A letter dated August 22, 2023 was read from Glenn Lines of NewLines Engineering requesting a waiver from providing a CAFRA Permit. Per 7:7-2.2(a)4 a development located in the CAFRA area beyond 500' landward of the mean high waterline and which is located within the boundaries of a qualifying municipality of the fourth class with a population of over 30,000 persons. This is not a residential development, the project is proposing 145 parking spaces and it is not a public development or industrial development.

On a motion by Mr. Ernst, seconded by Ms. McCrystal 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 contingent upon the applicant to address the following conditions: (1) show the existing County right-of-way line on the opposite side of New Hampshire Avenue and centerline as per General Property Parcel Map file no. 15-093-0410 dated November 2008 and dimension the County road right-of-way full width, (2) since the existing right-of-way half width of New Hampshire Avenue is less than 40' 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, (3) address the following traffic comments: a) total building area and number of stories do not match on plan, report, and application, and b) depict roadway striping on the circulation plan, (4) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer, (5) pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer. It's recommended that the Township consider obtaining additional right-of-way along Oberlin Avenue to allow for intersection improvements for a two lane approach to New Hampshire Avenue by carrying three lanes from New Hampshire Avenue to Vassar Avenue. 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.

SOUTH TOMS RIVER: Lot 20, Block 4 (STRB21D) STRKEY Properties, LLC

This site plan is for a 8,754 s.f. retail store with 47 parking spaces to be located on Route 166 Atlantic City Boulevard. The future South Toms River stretch of the Barnegat Branch Rail Trail will cross the access drives to this site. Ocean County requires the applicant to address the following conditions of approval: (1) submit a traffic report for the site (waiver requested), (2) submit a drainage report for the site (waiver requested), (3) provide a copy of the NJDOT Access Permit, (4) revise the plan to show the NJDOT "desired typical section" for this section of NJ Route 166 in accordance with the current NJDOT Access code, (5) revise the plans to show the future location of the rail trail and show the rail trail right-of-way and temporary construction easement on Block 23 Lot 1 to Ocean County (Deed book 19019 page 1908), (6) provide a note on the plan indicating that if the County rail trail is constructed prior to the proposed site plan, the trail will be restored to existing conditions, (7) 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 August 3, 2023 was read from Kenneth Schlatmann of Schlatmann Engineering Associates requesting a waiver from submitting a traffic report. An approval was granted by the Ocean County Planning Department in December 2009 for the renovation of the site at 225 Atlantic City Boulevard in South Toms River. No renovation work was ever performed since that approval. A waiver was requested from providing a drainage report. No County facilities were affected and no changes are proposed for the use of the property.

On a motion by Mr. Ernst, seconded by Mr. Bilotta the Board granted the waiver from providing a full traffic report provided the applicant provides a trip generation statement comparing pre-proposed use and trips. The Board granted the waiver from providing a drainage report. This site plan was given final approval contingent upon the applicant address the following conditions: (1) provide a copy of the NJDOT Access Permit, (2) revise the plan to show the NJDOT "desired typical section" for this section of NJ Route 166 in accordance with the current NJDOT Access code, (3) revise the plans to show the future location of the rail trail and show the rail trail right-of-way and temporary construction easement on Block 23 Lot 1 to Ocean County (Deed book 19019 page 1908), (4) provide a note on the plan indicating that if the County rail trail is constructed prior to the proposed site plan, the trail will be restored to existing conditions, (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.

SEASIDE HTS: Lots 15, 22, Block 46 (SHB174) Shah, Divyesh/Shah Motel, LLC

This site plan is for 18 townhouses with 36 parking spaces to be located on Sheridan 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 conditions of approval: (1) dimension the existing right-of-way half width and full width of the County road on the plan, and since 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 an AASHTO sight triangle easement at the proposed access point in accordance with County standards to Ocean County, (3) submit a copy of the CAFRA Permit or a Jurisdictional Determination letter from the NJDEP, (4) address the following traffic comments: provide passenger vehicle turning templates for entering and exiting movements. Demonstrate vehicles stopped at the motorized gate will not queue in the County right of way, (5) provide a 9"x18" concrete curb and pavement detail for County roads showing 6" Dense-Graded Aggregate Base Course, 4" Hot Mix Asphalt 19M64 Base Course, and 2" Hot Mix Asphalt 12.5M64 Surface Course in accordance with County standards, (6) due to the numerous proposed utility connection trenches, revise the plans to show pavement resurfacing to the centerline of the County road across the entire frontage of the site, (7) add the following Ocean County 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, (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. The motion was unanimously carried.

SEASIDE HTS: Lot 11, Block 21 (SHB175) Oh, Donald

This two-lot minor subdivision is located on Webster Avenue. County facilities will not be impacted. On a motion by Mr. Bilotta, seconded by Ms. McCrystal this minor subdivision was given final approval contingent upon the applicant to address the following condition of approval: (1) revise the final plat to include three corner coordinates 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.

TOMS RIVER: Lots 3, 4, 5, Block 662 (TRT3400A) 27 Washington Street Associates LLC

This two-lot minor subdivision is for a lot line adjustment located on Washington Street and Robbins Street. On a motion by Mr. Bilotta, seconded by Ms. McCrystal, this minor subdivision received final approval contingent upon the applicant to address the following items: (1) revise the plans to show all existing features within 200' of the site, including County road striping and opposite side right-of-way line, (2) dimension the existing right of way half width and full width of the County road on the plan, (3) submit a sight right easement form and metes and bounds description for a 30'x100' sight triangle easement at the intersection in accordance with county standards to Ocean County, (4) revise the final plat so that north is up or to the right in accordance with industry standards. 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.

TOMS RIVER: Lot 76, Block 688.10 (TRT3514) Rossi General Contracting Inc.

This two-lot minor subdivision is located at the corner of Cedar Grove Road and Clifton Avenue. On a motion by Mr. Bilotta, seconded by Ms. McCrystal this minor subdivision was given final approval contingent upon the applicant to address the following condition of approval: (1) submit a deed of dedication and metes and bounds description for an additional right-of-way

dedication to 30' from centerline of both County roads to Ocean County, (2) submit a 10' wide slope easement and metes and bounds description beyond the proposed right-of-way line along both County roads for future grading to allow for the removal of the retaining walls at such time when the County needs to improve the intersection, (3) revise the final plat to show the 10' wide slope easement to Ocean County, (4) submit a sight right easement form and metes and bounds description for 30'x100' sight triangle easement at the intersection in accordance with County standards to Ocean County and show the sight right easement on the final plat. 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.

TOMS RIVER: Lots 16-18, 40 & 41, Block 786 (TRT3515) The Salvation Army

This site plan is for the demolition of one commercial building and a 1,428 s.f. garage addition and renovations to an existing Salvation Army building with 27 parking spaces located on Route 37 and Parkwood Avenue. The first floor will service an office and food pantry and the second floor will be one two-bedroom residential apartment. County facilities will not be impacted. On a motion by Ms. McCrystal, seconded by Ms. Beyman, this site plan was given final approval contingent upon the applicant to address the following condition of approval: (1) The NJDOT "desired typical section" for this section of NJ Route 37 in accordance with the current NJDOT access code shall be indicated on the plans. 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: Lot 13, Block 2501 (JT1258B) Sculthorpe, Tim
- JACKSON: Lots 16 & 18, Block 12201 (JT1744A) Bennetts Mills Realty, LLC
- JACKSON: Lots 5,6,16, Block 22301 (JT1747A) Whitesville Business Park Co., LLC.
- JACKSON: Lots 3 / 1, 8, 9, 10, 11, 12, 15, 16, 17, 18 & 28, Block 20701/ 20801 (JT1756) Swanborne, LLC
- LAKEWOOD: Lot 20.01, Block 391 (LAT1434A) 1501 Prospect Street LLC
- LAKEWOOD: Lot 9, Block 1082 (LAT697N2) Covington Village Condominium Association, Inc.
- LAKEWOOD: Lots 3 & 16 Block 41 (LAT714C) Rottenberg, Michael

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CORRESPONDENCE:

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BRICK: BLOCK 381, LOT 3 (BRT2000A) CE DEVELOPMENT MANAGEMENT, LLC

This site plan was given final approval 3/16/2022. Condition #6 was to pay an off-tract drainage fee to be determined by the County Engineer. Condition #7 was to pay an off-tract traffic fee to be determined by the County Engineer. The Ocean County Engineer has determined that the off-tract drainage fee to be \$6,000.00, and the off-tract traffic improvement fee to be \$2,708.00. On a motion by Mr. Ernst, seconded by Mr. Bilotta the off-tract drainage improvement fee is \$6,000.00 and the off-tract traffic improvement fee \$2,708.00. The motion was unanimously carried.

BRICK: BLOCK 646, LOT 65 (BRT747D) 254 DRUM POINT ROAD LLC

This site plan was given final approval 6/21/2023. Condition #4 was to pay an off-tract traffic improvement fee to be determined by the County Engineer. The County Engineer has determined that the off-tract traffic fee to be \$4,583.00. On a motion by Mr. Ernst, seconded by Mr. Liberatore the off-tract traffic improvement fee to be \$4,583.00. The motion was unanimously carried.

JACKSON: BLOCK 2101, LOTS 5.02, 5.03 (JT1549C.02) CASA NOVA RODAL, LLC

This site plan was given final approval on 10/6/2022. Condition #12 was to pay an off-tract drainage improvement fee to be determined by the County Engineer. Condition #13 was to pay

an off-tract traffic improvement fee to be determined by the County Engineer. The County Engineer has determined that the off-tract drainage improvement fee to be \$6,000.00 and the off-tract traffic improvement fee to be \$9,167.00. On a motion by Mr. Ernst, seconded by Mr. Bilotta the off-tract drainage improvement fee is \$6,000.00 and the off-tract traffic improvement fee is \$9,167.00. The motion was unanimously carried.

JACKSON: BLOCK 14301, LOT 8 (JT1745) JACKSON CHEDER SCHOOL, INC C/O

This site plan was given final approval on 1/18/2023. On a motion by Mr. Ernst, seconded by Ms. McCrystal the minutes are amended to reduce the building square footage of a two-story 66,479 s.f. building to a two-story 64,712 s.f. building and a decrease in parking spaces from 195 to 180. The motion was unanimously carried.

LAKEWOOD: BLOCK 961.02, LOT 1.07 (LAT944Z6) TOWER PARK EQUITY, LLC

This site plan was given final approval on 4/19/2023. On a motion by Mr. Ernst, seconded by Mr. Bilotta the minutes are amended to require the applicant to enter into a Developers Agreement for the design of a traffic signal at Boulevard of Americas and New Hampshire Avenue intersection.

The minute are also amended to require the applicant to re-construct the concrete medium island to allow for minimum 150' left lane turn from Cedarbridge Avenue to America Avenue and increase the left turn lane storage for Cedarbridge Avenue to Avenue of the States. The motion was unanimously carried.

LAKEHURST: BLOCK 63, LOT 6 (LB80A) B&K EQUIPMENT SERVICES, LLC

This site plan was given final approval on 8/16/2023. Condition #6 was to pay an off-tract traffic improvement fee in an amount to be determined by the County Engineer. The County Engineer has determined that the off-tract traffic improvement fee to be \$2,500.00. On a motion by Mr. Ernst, seconded by Mr. Bilotta the off-tract traffic improvement is \$2,500.00. The motion was unanimously carried.

SOUTH TOMS RIVER: BLOCK 1, LOT 1 (STRB35E) TOMS RIVER ADULT CARE CENTER, LLC

This site plan was given final approval 6/21/2023. On a motion by Mr. Ernst, seconded by Mr. Liberatore the minutes are hereby amended to include the word "no" to impacts to County facilities. The motion was unanimously carried.

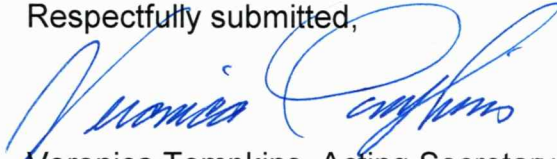
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THE FOLLOWING PLANS HAVING BEEN GIVEN CONDITIONAL APPROVAL AT A PREVIOUS MEETING HAVE NOW MET THE CONTINGENCIES AND CAN BE SIGNED:				
MUNICIPALITY:	LOT:	BLOCK:	MEETING DATE:	CONTINGENCIES MET:
BRICK BRT2038	8/15	105/106	6/21/2023	09/06/2023
LAKEWOOD LAT944U2	3	961.01	08/17/2022	08/31/2023
LITTLE EGG HARBOR LEHT442	2	124	02/15/2023	08/28/2023
LONG BEACH LBT797	14	4.07	1/18/2023	08/21/2023
TOMS RIVER TRT3231C	16.01	171	9/7/2022	08/31/2023
TOMS RIVER TRT3497	22	170	12/21/2022	08/17/2023
TOMS RIVER TRT3505	237	300	05/03/2023	08/28/2023

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

Respectfully submitted,



Veronica Tompkins, Acting Secretary
Ocean County Planning Board