

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

Regular meeting, Wednesday, July 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: Elaine McCrystal, Joseph Marra, Debra Beyman, John Ernst, Bob Budessa, Esq., Tony Agliata and Veronica Tompkins.

On a motion by Ms. McCrystal, seconded by Mr. Ernst, with Ms. Beyman and Mr. Marra abstaining, the minutes of the meeting of June 21, 2023 were moved for approval. The motion was unanimously carried.

**SUBDIVISION AND SITE PLAN REVIEW**

**EAGLESWOOD: Lots 8.01 & 10, Block 36 (ET172) The Creek Estates, LLC**

This ten-lot major subdivision is for seven single family residential units, three non-buildable lots, and a cul-de-sac to be located on a local road Cox's Avenue. On a motion by Ms. McCrystal, seconded by Mr. Marra, this major subdivision was given final approval upon the applicant to address the following conditions of approval: (1) rotate the final plat so that north is up or to the right in accordance with industry standards, (2) address the following traffic comment: provide distribution to County roadways, Forge Road and Railroad Avenue, (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. 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: Lots 20.05, 20.06 & 20.07, Block 23001 (JT1152E.01) Earle Investments, LLC**

This site plan is for four warehouse buildings (53,222 s.f. total) with 124 parking spaces to be located on Earle Way off of South Hope Chapel Road. The applicant has provided a Pinelands Commission Inconsistent Certificate of Filing. 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 conditions of approval: (1) submit a Pinelands Commission "No Further Review" letter, (2) revise the plans to show all existing features within 200' of the site, including existing features on the opposite side of the road, (3) dimension the existing right-of-way half width and full width of the County road on the plan, (4) show the right-of-way dedications and easements provided by way of the subdivision that created the subject lots, and reference the deed books and page numbers of the recorded documents (Book 17041 pages 66 & 75), (5) address the following traffic comments: a) provide turning templates for WB-40 at the County intersection, b) depict existing & proposed roadway striping, c) and demonstrate entering & exiting vehicles will not conflict, (6) provide more information regarding the receiving drainage system in the County road downstream of proposed pipe #43, (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.

**JACKSON: Lot 18, Block 2603 (JT1721A) Miles II, LLC**

This site plan is for one existing single family residence with one apartment to remain and the conversion of a dog kennel to an auto repair and sales business with 34 proposed parking spaces located on West Commodore Boulevard. On a motion by Ms. McCrystal, seconded by Mr. Marra, 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, if the half width is less than 33 feet from centerline then submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 33' from centerline to Ocean County, (2) address the following traffic comments: a) provide design vehicle

turning templates, b) the number of parking spaces on plans does not match application, and c) County Road Cross Sections are not legible, (3) dimension the existing and proposed pavement half width and full width of the County road, (4) design the radii of the access drives to meet the proposed edge of pavement at 25' from centerline, (5) construct drainage facilities behind the curb line along the County road to address the increase of stormwater runoff volume from the road widening for water quality and groundwater recharge in accordance with N.J.A.C. 7:8-5.4 - in a design to be reviewed and approved by the Ocean County Engineer, (6) provide a drainage design to be reviewed and approved by the Ocean County Engineer (see drainage memo dated 7/6/2023), (7) revise the County road improvement plans to include stationing and proposed edge of pavement elevations, (8) revise the County road cross sections to be at a scale of 1"=5' in both the horizontal and vertical directions for 50' beyond the limits of the project frontage, provide existing and proposed edge of pavement elevations, maintain a uniform 1%-3% cross slope for the entire half width of the roadway, and positive gutter flow in accordance with section 611.B.1. to be reviewed and approved by the Ocean County Engineer, (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. 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: Lots 18 & 93, Block 251.05 (LAT2196A.01) Bet Midrash Ohel Torah**

This site plan is for a school consisting of four buildings (footprints 12,618 s.f., 10,299 s.f., 7,601 s.f., & 3,218 s.f.) with 142 proposed parking spaces to be located at the intersection of Cross Street and Neimann Road. The project includes a three-story school, a three-story dormitory, a one-story indoor basketball gym, and a two-story house. This project falls within the limits of the Cross Street Improvement project by Stantec. The plans show pavement widening to 23' from centerline. The applicant has provided a conceptual plan that show pavement widening to 31' from centerline to accommodate a five-lane section with 3' shoulders. On a motion by Ms. McCrystal, seconded by Mr. Marra, this site plan was given final approval contingent on the applicant to address the following conditions of approval: (1) revise the plans to properly show all existing features within 200' of the site, including existing right-of-way line and existing road easements on the opposite side of Cross Street, and pavement width and right-of-way dimensions on the east side of Neimann Road, (2) since the right-of-way half width is less than 43' 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 30'x100' sight triangle easements at the intersection and an AASHTO sight triangle at the access drive in accordance with County standards to Ocean County, (4) revise the plans to show the proposed development on the opposite side of Cross Street as per the approved site plan LAT1979A.03, (5) revise the County road conceptual plan for pavement widening to 31' from centerline to show striping for the five-lane section and three' shoulders, (6) address the following traffic comments: previous comments were not addressed: a) submit a revised traffic report, b) label number of building stories and total building areas on all plans and report, c) depict turning movements based on proposed Cross Street Improvement Plans by Stantec, d) depict right turn movements and demonstrate no conflicts between entering and exiting vehicles, e) depict roadway striping on circulation plan. Provide AASHTO intersection sight distance analysis from future edge of traveled way and depict existing vegetation to remain, (7) provide County road improvement plans indicating existing centerline and edge of pavement elevations, proposed curb and edge of pavement elevations, proposed three-lane striping, and limit of pavement reconstruction - to be reviewed and approved by the Ocean County Engineer, (8) provide a cost estimate for County road improvements to 31' pavement half width including curb, 36" perforated pipe, stone trench, and two inlet drainage structures, (9) revise the plans to show utility poles to be relocated to 34.5' from the centerline and the center of the County road drainage pipe located at 40' from centerline, (10) revise the plans to show the driveway curb built to the future County right-of-way line, (11) provide a drainage design to be reviewed and approved by the Ocean County Engineer (see drainage memo dated 7/6/2023), (12) clarify the meaning of note 19 regarding access to the County road, (13) enter into a Developers Agreement with the Ocean County Board of Commissioners with regard to the developer's share of the County road improvements between 23' from centerline and 31' from centerline. 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 17, Block 243.01 (LAT2221) Yeshivas Sharei Binah Inc**

This two-lot minor subdivision is for a duplex building to be located on a local road, Bergen Avenue. The final plat appears to have been prepared in accordance with the Recordation Act. County facilities are not impacted. On a motion by Ms. McCrystal, seconded by Mr. Marra this minor subdivision was given final approval. The motion was unanimously carried.

**LAKEWOOD: Lots 45 & 46, Block 7 (LAT2222) Weiss, Chaim**

This two-lot minor subdivision is for a lot line adjustment on local roads, Buchanan Street and Oliver Street. 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. Marra this minor subdivision was given final approval. The motion was unanimously carried.

**LITTLE EGG HBR: Lot 4.03, Block 191.01 (LEHT443) Roy, James**

This three-lot minor subdivision is for one existing single family residence and two proposed dwellings to be located on Wood Street and unimproved Hickory Lane. The plans show the right-of-way half width to be 30' from centerline consistent with the master plan. The filed map appears to have been prepared in accordance with the Recordation Act. On a motion by Ms. McCrystal, seconded by Mr. Marra this minor subdivision was given final approval. The motion was unanimously carried.

**PT. PLEASANT: Lot 10, Block 142 (PPB809) Matuschat, Art**

This two-lot minor subdivision is located on a local road, Delaware Avenue. County facilities will not be impacted. On a motion by Ms. McCrystal, seconded by Mr. Marra 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.

**SEASIDE HTS: Lots 14.01,14.02,18 & 22, Block 6.01 (SHB171) Sixteen Webster Ave LLC**

This site plan is for ten townhouse units and 20 parking spaces to be located at the intersection of Ocean Terrace and Webster Avenue. Ocean County requires 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 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 traffic report (waiver requested), (3) submit a drainage report (waiver requested), (4) submit County road improvement plans (waiver requested), (5) submit a copy of the CAFRA Permit or a Jurisdictional Determination letter from the NJDEP (waiver requested), (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. Approval recommended upon fulfillment of the above contingencies and the Board's decision on the waiver requests.

A letter dated June 12, 2023 was read from Donna Bullock of Morgan Engineering, requesting waivers. A waiver is requested from providing a traffic report. Portion of Webster Avenue and Ocean Terrace are under jurisdiction of Seaside Heights, driveways are under municipal authority. The proposed residential development is consistent with the existing development patterns in the area. A waiver is requested from providing a drainage report. The property is located with the Flood Zone X, this project is not a major development and does not disturb one or more acres of land. A waiver is requested from providing County road improvement plans as the property fronts on Webster Avenue and Ocean Terrace and are not under County jurisdiction. A waiver is requested from providing a CAFRA Permit. A proposed development does not require a CAFRA approval as it is not 25 or more units or a development with fewer units that proposes 1,200 linear feet of new roadway or new sanitary sewer main.

On a motion by Mr. Ernst, seconded by Ms. McCrystal, the Board granted a waiver from providing a full traffic report and accept the applicant's trip generation statement. The Board also granted a waiver from providing a drainage report and accepting the applicant has decreased the impervious coverage. A waiver was granted from providing County road improvement plans as they are not

required. Also recommend the Board acknowledges and accepts the applicant's professional's interpretation that the project does not exceed the CAFRA threshold. This plan was given final approval contingent upon the applicant to address the following conditions: (1) dimension the existing right-of-way half width and full width of the County road 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) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer, (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. The motion was unanimously carried.

**SEASIDE HTS: Lots 71 Block 8.01 (SHB172) Finkelstein, Mordechai**

This seven-lot major subdivision is for six single family residential dwellings, 1,472 s.f. retail and two two-bedroom apartments with 18 parking spaces to be located at the intersection of Boulevard and Blaine Avenue. Ocean County requires the applicant to address the following conditions of approval: (1) design the proposed access points to the County road in accordance with Section 606 and Table 600-4 (waiver requested), (2) submit a sight right easement form and metes and bounds description for a 30'x100' sight triangle easements at the intersection in accordance with County standards to Ocean County (waiver requested), (3) submit a copy of the CAFRA Permit or a Jurisdictional Determination letter from the NJDEP (waiver requested) (4) submit a traffic report (waiver requested), (5) pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer (waiver requested), (6) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer (waiver requested), (7) dimension the existing right-of-way full width and the existing pavement half width of the County road on the site development plan, (8) provide all County road dimensions on the final plat.

A letter dated June 15, 2023 from Brian Murphy of FWH Associates was read requesting six waivers. He is requesting a waiver from providing 50' between driveways as the lots are only 20'. The driveways are consistent with the street scape and surrounding neighborhood. A waiver is requested to permit an AASHTO sight easement at the intersection as a 30x100 sight easement would impact the develop ability of the site. A waiver is requested from providing a CAFRA Permit as there is no parking associated with the commercial portion of the site and the eight residential units are below the 24-unit threshold. A waiver is requested from providing a full traffic report as the proposed application is substantially less than the current 50 stall day parking. A waiver is requested from paying an off-tract traffic fee since the traffic impact will be substantially less than the current use. A waiver is requested from paying an off-tract drainage fee since the drainage is less than the existing condition due to the reduction in impervious coverage.

On a motion from Mr. Ernst, seconded by Ms. McCrystal, the Board denied the waiver request for proposed access points to the County road. The Board requires the applicant to redesign and combine into one shared access driveway. The waiver to grant an AASHTO sight triangle was granted. The Board recommended to acknowledge and accept the applicant's professional's interpretation that the project does not exceed the CAFRA threshold. The board granted a waiver from providing a full traffic report and accept the applicant's trip generation statement. The off-tract traffic improvement fee is assessed at zero and the off-tract drainage improvement fee is assessed at zero. This major subdivision was given final approval contingent the following conditions be addressed: (1) dimension the existing right-of-way full width and the existing pavement half width of the County road on the site development plan, (2) provide all County road dimensions 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.

**SEASIDE HTS: Lot 45, Block 2.01 (SHB173) 45 Lincoln Avenue LLC**

This two-lot minor subdivision is for two single family units to be located on a local road, Lincoln 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. Marra this minor subdivision was given final approval. The motion was unanimously carried.

**TOMS RIVER: Lots 22, 30, 31, 32 & 33, Block 1098.56 (TRT3510) Borough of Seaside Heights**

This three-lot minor subdivision is located on local road Dewey Drive and Route 35 South. 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 Ms. Beyman, this minor subdivision was given final approval. The motion was unanimously carried.

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

**LAKEHURST: Lot 6 Block 63 (LB80) Layton, William**  
**LAKEWOOD: Lot 7.02, 56, 60, Block 440 (LAT1105C.03) Yeshiva Chemdas Hatorah**  
**LAKEWOOD: Lots 2, 3, 4, 5, 6, Block 1084 (LAT2162C) MLMS Holdings, LLC**

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**CORRESPONDENCE:**

**BERKELEY: BLOCK 1074, LOT 1.01, (BT605B) DREAM HOMES DEVELOPMENT**

This site plan was given final approval on 6/21/2023. Condition #4 was to pay an off-tract traffic improvement fee to be determined by the Ocean County Engineer. The County Engineer has determined that the off-tract traffic improvement fee to be \$8,958.00. On a motion by Mr. Ernst, seconded by Ms. McCrystal the Board has determined that the off-tract traffic improvement fee to be \$8,958.00. The motion was unanimously carried.

**BRICK: BLOCK 1321, LOT 1 (BRT1955A) SHM CRYSTAL POINT LLC**

This site plan was given final approval on 12/20/2017. A letter dated June 29, 2023 from William Sullivan, Jr. of Scarinci Hollenbeck Attorneys at Law, requesting that the site plan be amended to approve the sidewalk installation change from the previous approval. On a motion by Mr. Ernst, seconded by Ms. McCrystal the Board recommended the site plan approval be amended to incorporate the sidewalk that Crest Engineering improvement plan dated 5/22/2023 depicts Crest proposed sidewalk is in an acceptable location. The motion was unanimously carried.

**JACKSON: Block 1200, Lots 22-29 (JT527C.03 & JT527D.03) JACKSON TRAILS, LLC**

This major subdivision and site plan were given final approval on 6/7/2023. Per Mr. Ernst, seconded by Ms. McCrystal the minutes are amended to change the plan from 4 phases to 5 phases. Phase 1 - 65 all market single family, Phase 2 - 32 all market single family, Phase 3 - 107 units, 95 market single family and 12 affordable, Phase 4 - 133 units 97 market single family and 36 affordable and Phase 5 - 145 units, 97 market single family and 48 affordable. The off-tract traffic improvement fees have been changed to Phase 1- \$38,525.00; Phase 2 - \$18,975.00; Phase 3 - \$56,875.00; Phase 4 - \$57,500.00 and Phase 5 - \$57,500.00. The applicant needs to enter into a new Developers Agreement that refers to 5 phases and identifies that the applicant must complete the Traffic Signal Warrant Analysis once Phases 1, 2, & 3 Certificate of Occupancies have been issued. The motion was unanimously carried.

**LAKEWOOD: BLOCK 7, LOTS 15 & 52 (LAT1359B.01) CONGREGATION BAIS MEIR**

This site plan was given final approval on 5/4/2022. On a motion by Mr. Ernst, seconded by Ms. McCrystal the minutes are amended to incorporate the applicant to provide a traffic improvement fee in the amount of \$80,000.00 to pay for required frontage improvements that the County is under contract for intersection improvements. The motion was unanimously carried.

**SEASIDE HEIGHTS: BLOCK 30, LOT 31 (SHB170) BAY BOULEVARD SE, LLC**

This minor subdivision was given final approval 5/3/2023. A letter dated June 20, 2023 was read from Brian Murphy of FWH Associates, requesting a waiver from providing a 5' roadway dedication. In lieu of the 5' dedication a 3' road easement is proposed. On a motion by Mr. Ernst,

seconded by Mr. Marra the Board granted a waiver from providing a 5' road dedication and accepted the 3' road easement. The motion was unanimously carried.

**TOMS RIVER: BLOCK 170, LOT 22 (TRT3497) RIVERWOOD 46, LLC**

This site plan was given final approval 12/21/2022. The minutes are to be amended to indicate that intersection improvements at Riverwood Road and Whitesville Road intersection are not required because the Township Resolution prohibits truck traffic from going west on Riverwood Road. Condition #4 was to pay an off-tract traffic improvement fee to be determined by the Ocean County Engineer. The County Engineer has determined that the off-tract traffic improvement fee to be \$6,458.00. Condition #5 was to pay an off-tract drainage improvement fee to be determined by the Ocean County Engineer. The County Engineer has determined that the off-tract drainage improvement fee to be \$6,000.00. On a motion by Mr. Ernst, seconded by Ms. McCrystal the off-tract traffic improvement fee is to be \$6,458.00 and the off-tract drainage improvement fee to be \$6,000.00. The motion was unanimously carried.

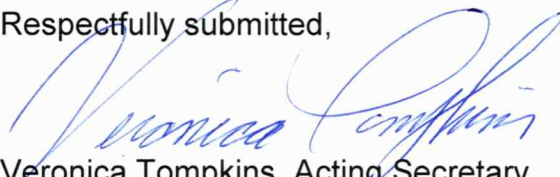
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<b>THE FOLLOWING PLANS HAVING BEEN GIVEN CONDITIONAL APPROVAL AT A PREVIOUS MEETING HAVE NOW MET THE CONTINGENCIES AND CAN BE SIGNED:</b>				
<b>MUNICIPALITY:</b>	<b>LOT:</b>	<b>BLOCK:</b>	<b>MEETING DATE:</b>	<b>CONTINGENCIES MET:</b>
<b>BERKELEY BT702</b>	13.01	590	06/1/2023	07/03/2023
<b>ISLAND HEIGHTS IHB95</b>	12	36	11/16/2022	06/30/2023
<b>LAKWOOD LAT1552C.02</b>	9	187.15	08/4/2021	06/30/2023
<b>SOUTH TOMS RIVER STRB71A</b>	7	20.01	06/7/2023	06/26/2023

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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 Secretary  
Ocean County Planning Board