

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

Regular meeting, Wednesday, April 3, 2024, 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: Elaine McCrystal, Joseph Marra, Debbie Beyman, John Ernst, Commissioner Barbara Jo Crea, Matt Thompson, Esq., Tony Agliata, and Veronica Tompkins.

On a motion by Ms. McCrystal, seconded by Ms. Beyman, the minutes of the meeting of March 20, 2024 were moved for approval. The motion was unanimously carried.

**SUBDIVISION AND SITE PLAN REVIEW**

**BERKELEY: Lots 1, 2 & 6-24 Block 1675 (BT709) Urgola, Mark**

This four-lot major subdivision is for four single family residential dwellings to be located on Route 37, Sunset Drive North, and Prince Edward Avenue on Pelican Island. County facilities will not be impacted. The final plat appears to have been prepared in accordance with the Recordation Act. Approval recommended. On a motion by Ms. McCrystal, seconded by Mr. Marra this major subdivision was given final approval. The motion was unanimously carried.

**BERKELEY: Lots 1.01 & 1.02 Block 520 (BT710) Forte, Wayne & Barbara**

This two-lot minor subdivision is for a lot line adjustment located on a local road, McKinley 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 conditions of approval: (1) provide a north arrow on the final plat, (2) provide proposed lot numbers as determined by the Township. 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 73 Block 4402 (JT1729B) County Line Construction Company, Inc.**

This nine-lot major subdivision is for eight single family lots, one storm water management lot, and a cul-de-sac to be located on Frank Applegate Road. The plans indicate that the right-of-way half width of Frank Applegate Road is 30' from centerline, consistent with the Ocean County Master plan. The plans show pavement widening to 20' from centerline and 15:1 paved tapers along the County road. The traffic statement reviewed under the previous expired application JT1729A was acceptable. The applicant has provided sight easements to Ocean County at the proposed intersection. On a motion by Ms. McCrystal, seconded by Ms. Beyman this major subdivision was given final approval contingent upon the applicant to address the following items: (1) dimension the existing County road pavement half width and full width in front of the adjacent property to the north, (2) provide north arrows on the key maps on the final plat, (3) submit an executed road easement form for a road easement from adjoining Lot 8 to Ocean County to accommodate the paved taper back to existing edge of pavement in accordance with County standards, (4) move the proposed rain gardens outside of the County right-of-way and submit a copy of a recorded drainage easements to Jackson Township for the proposed drainage rain garden swales. The County will not accept responsibility for the maintenance of the proposed rain garden swales. Rain gardens need to be located on private property, (5) remove the curb cuts proposed along the County road curb line to the rain garden swales, (6) construct underground 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, (7) submit fully executed sight right easement forms that are signed by the notary for sight triangle easements at the proposed intersection in accordance with County standards to Ocean County, (8) provide an AASHTO horizontal line of sight in plain view for the County road along the sight line indicating safe intersection sight distance at the proposed intersection in accordance with County standards

- to be reviewed and approved by the Ocean County Engineer, (9) add the following Ocean County standard note for projects located on County roads: "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," (10) reference the NJDEP Letter of Interpretation date and file number for the wetland delineation on the final plat in general note 10, (11) enter into a Hold Harmless Agreement with the Ocean County Board of Commissioners with regard to the co-mingling of storm water, (12) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer (waiver requested), (13) pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer (waiver requested). 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.

**LAKEWOOD: Lots 1 & 1 Block 368 & 370 (LAT1246B) Congregation Toras Emes**

This site plan is for a two-story 48,734 s.f. school with basement and 133 parking spaces to be located on James Street. The plans show pavement widening of James Street to 26' from centerline. Ocean County requires the applicant to address the following conditions of approval: (1) revise the plans to show all existing features within 200' of the site, including existing right-of-way line on the opposite side of the road, and existing County road striping, (2) dimension the existing pavement full width and existing right-of-way half width and full width, (3) since 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) revise the dedication detail to indicate the right-of-way will be dedicated to Ocean County and remove the sidewalk easement, (5) submit a sight right easement form and metes and bounds description for sight triangle easements at the proposed access points and paper road intersection in accordance with County standards to Ocean County, (6) submit a copy of the CAFRA Permit or a Jurisdictional Determination letter from the NJDEP (waiver requested), (7) submit a copy of the NJDEP Letter of Interpretation for the wetland delineation as indicated on the plans, (8) remove the proposed parking from within 5' of the proposed County right-of-way in accordance with Section 603.B, (9) address the following traffic comments: a) restripe James Street across the site frontage to extend the existing three-lane section, provide dedicated left turn lanes at site access, b) depict roadway striping on the circulation plan, revise circulation plan to demonstrate entering and exiting vehicles will not conflict, c) provide ITE trip generation criteria for comparison with operational information provided by the applicant, d) depict and label AASHTO intersection sight lines including vegetation to remain, and e) label total building area on the site plans, (10) provide a drainage design to be reviewed and approved by the Ocean County Engineer (see drainage memo dated 4/1/2024), (11) revise the County road cross-sections to be at a scale of 1"=5', (12) add to the plans the following 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, c) alignment & grade for curb and road improvements along the County road shall be established by the developer's engineer as approved by the Ocean County Engineer. Stakeout of all curb and road improvements shall be the responsibility of the developer and shall be executed by a licensed New Jersey Professional Land Surveyor. Curb as-builts shall be submitted to the Ocean County Engineer prior to any paving operations. Final As-built information shall be supplied on a reproducible medium, will include top and bottom of curb, centerline and quarter crown grades, monuments where applicable, shall be signed and sealed by a licensed New Jersey Professional Land Surveyor and accompanied by a monument certification where applicable, and d) County road improvements must have base pavement course prior to the issuance of Certificate of Occupancies. Approval recommended upon fulfillment of the above contingencies and the Board's decision on the waiver request.

A letter was read dated March 1, 2024 from Glenn Lines of NewLines Engineering requesting a waiver from providing a CAFRA letter or a Jurisdictional Determination letter from the NJDEP. Per 7:7-2.2(a) 4 a CAFRA is triggered if it is a residential development having 75 or more dwelling units, a commercial development having 150 or more parking spaces or a public development or industrial development. This is a school not a residential development, not having 150 parking spaces and is not a public development or an industrial development.

On a motion by Mr. Ernst, seconded by Ms. McCrystal it is recommended that the Board acknowledges and accepts the applicant's professional's interpretation that the project does not exceed the CAFRA threshold. This site plan has been given final approval contingent upon the applicant to address the following conditions of approval: (1) revise the plans to show all existing features within 200' of the site, including existing right-of-way line on the opposite side of the road, and existing County road striping, (2) dimension the existing pavement full width and existing right-of-way half width and full width, (3) since 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) revise the dedication detail to indicate the right-of-way will be dedicated to Ocean County and remove the sidewalk easement, (5) submit a sight right easement form and metes and bounds description for sight triangle easements at the proposed access points and paper road intersection in accordance with County standards to Ocean County, (6) submit a copy of the NJDEP Letter of Interpretation for the wetland delineation as indicated on the plans, (7) remove the proposed parking from within 5' of the proposed County right-of-way in accordance with Section 603.B, (8) address the following traffic comments: a) restripe James Street across the site frontage to extend the existing three-lane section, provide dedicated left turn lanes at site access, b) depict roadway striping on the circulation plan, revise circulation plan to demonstrate entering and exiting vehicles will not conflict, c) provide ITE trip generation criteria for comparison with operational information provided by the applicant, d) depict and label AASHTO intersection sight lines including vegetation to remain, and e) label total building area on the site plans, (9) provide a drainage design to be reviewed and approved by the Ocean County Engineer (see drainage memo dated 4/1/2024), (10) revise the County road cross-sections to be at a scale of 1"=5', (11) add to the plans the following 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, c) alignment & grade for curb and road improvements along the County road shall be established by the developer's engineer as approved by the Ocean County Engineer. Stakeout of all curb and road improvements shall be the responsibility of the developer and shall be executed by a licensed New Jersey Professional Land Surveyor. Curb As-built shall be submitted to the Ocean County Engineer prior to any paving operations. Final As-built information shall be supplied on a reproducible medium, will include top and bottom of curb, centerline and quarter crown grades, monuments where applicable, shall be signed and sealed by a licensed New Jersey Professional Land Surveyor and accompanied by a monument certification where applicable, and d) County road improvements must have base pavement course prior to the issuance of Certificate of Occupancies. 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 6 Block 133 (LAT2243) H & B Trust**

This two-lot minor subdivision is for two duplex units to be located on a local road, 9th Street. County facilities will not be impacted. The final plat appears to have been prepared in accordance with the Recordation Act. Approval recommended. On a motion by Ms. McCrystal, seconded by Mr. Marra this minor subdivision was given final approval. The motion was unanimously carried.

**SEASIDE HEIGHTS: Lots 58, 59 & 63 Block 5.01 (SHB134A.01) SSH Boulevard Urban Renewal, LLC**

This site plan is a 10-story development consisting of a fourth floor commercial restaurant, ground floor retail, 77 residential units, top-level roof-top amenities, including a pool and recreational facilities with 153 parking spaces to be located on Hamilton Avenue, Boulevard and Webster Avenue. No County road widening improvements are proposed along the Boulevard or Hamilton Avenue. The existing right-of-way half width of the Boulevard is 35' from centerline, which is greater than the master plan width. Access driveway is proposed to Hamilton Avenue. Ocean County requires the applicant address the following conditions of approval: (1) since the existing right-of-way half width of Hamilton Avenue 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 (waiver requested), (2) submit executed sight right easement forms and metes and bounds descriptions for 30' x 100' sight triangle easements at the intersections of Boulevard / Hamilton Avenue & Boulevard / Webster Avenue in accordance with county standards to Ocean County (waiver requested) (3) address the following traffic comments: the entering vehicle is shown in the wrong lane on the circulation plan, revise as required, (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. Approval recommended upon fulfillment of the above contingencies and the Board's decision on the waiver requests.

A letter dated March 12, 2024 was read from Bahram Farzaneh from French & Parrello Associates requesting a waiver from providing a right-of-way dedication and a sight easement. The project is in conformance with the Borough's Boulevard Redevelopment plan allowing zero building setback.

On a motion by Mr. Ernst, seconded by Ms. McCrystal, it is recommend the Board grant a waiver from providing a right-of-way dedication and sight easement as the development is characteristic of the surrounding neighborhood. Condition #4 is to pay an off-tract drainage improvement fee in an amount to be determined by the County Engineer. Condition #5 is to pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer. The County Engineer has determined that the off-tract drainage improvement fee to be zero and the off-tract traffic improvement fee to be \$31,875.00. This site plan was given final approval contingent upon the applicant to address the following conditions: 1) address the following traffic comments: the entering vehicle is shown in the wrong lane on the circulation plan, revise as required, (2) pay an off-tract traffic improvement fee in an amount of \$31,875.00. 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 HEIGHTS: Lots 51, 55, 56 & 59 Block 2.01 (SHB182A) K. Hovnanian New Jersey Operations, LLC**

This 28-lot major subdivision is for 24 townhouse units, three parking space lots, and a common area drive aisle lot to be located on the Boulevard, Lincoln Avenue, and Dupont Avenue. Ocean County requires the applicant to address the following conditions of approval: (1) submit a traffic report (waiver requested), (2) submit a copy of the CAFRA permit or a Jurisdictional Determination letter from the NJDEP (waiver requested), (3) revise the final plat to include a key map and a certified list of property owners within 200' in accordance with the Recordation Act, (4) revise the final plat and sheet 4 to include County right-of-way and road pavement full and half width dimensions, (5) if the right-of-way half width of the Boulevard 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, (6) revise the plan to show a 30'x100' sight easement at the intersection of the Boulevard and Dupont Avenue intersection in accordance with County standards, (7) submit a sight right easement form and metes and bounds description for the sight triangle easement at the intersection to Ocean County, (8) add to the plans 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, (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. Approval recommended upon fulfillment of the above contingencies and the Board's decision on the waiver requests.

A letter was read dated March 5, 2024 from Scott Turner of Menlo Engineering requesting a waiver from providing a traffic report as the site was a commercial motel with an associated parking lot. The proposed use is a townhouse development. A waiver is also requested from providing a CAFRA Permit or a Jurisdictional Determination letter from the NJDEP. Section 7:7-2.2(a)(5)(i) indicates that the project is exempt due to the proposed number of dwelling units totaling 24, the property is located over 150' landward no the mean high water line.

On a motion by Mr. Ernst, seconded by Ms. McCrystal, the Board granted a waiver from providing a full traffic report, provided the applicant provide a trip generation statement comparing previous use to proposed use. Recommend the Board acknowledges and accepts the applicant's professional's interpretation that the project does not exceed the CAFRA threshold. Ocean County requires the applicant to address the following conditions of approval: (1) revise the final plat to include a key map and a certified list of property owners within 200' in accordance with the Recordation Act, (2) revise the final plat and sheet 4 to include County right-of-way and road pavement full and half width dimensions, (3) if the right-of-way half width of the Boulevard 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, (4) revise the plan to show a 30'x100' sight easement at the intersection of the Boulevard and Dupont Avenue intersection in accordance with County standards, (5) submit a sight right easement form and metes and bounds description for the sight triangle easement at the intersection to Ocean County, (6) add to the plans 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, (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.

**SEASIDE HEIGHTS: Lots 51, 55, 56 & 59 Block 2.01 (SHB182B) K. Hovnanian New Jersey Operations, LLC**

This site plan application is associated with SHB182A, which is a 28-lot major subdivision with 24 townhouse units, 3 parking space lots, and a common area drive aisle lot to be located on the Boulevard, Lincoln Avenue, and Dupont Avenue. See SHB182A for conditions of County Planning Board approval. On a motion by Ms. McCrystal, seconded by Ms. Beyman this site application was given final approval contingent up the applicant to address the contingencies in SHB182A. Conditions must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. The motion was unanimously carried.

**TOMS RIVER: Lots 22 Block 364 (TRT1465D) The Open Door, LLC.**

This site plan application is for a 23,868 s.f. mixed use building for 12 apartment units, office and commercial space with 14 new parking spaces to be constructed behind an existing retail / office building called The Open Door of New Jersey located on NJ Route 9. Ocean County requires the applicant to address the following conditions of approval: (1) submit a traffic report (waiver requested), (2) indicate the "desired typical section" for this section of NJ Route 9 in accordance with the current NJDOT Access code across the frontage of the site on the plan, (3) submit a copy of the CAFRA permit or a Jurisdictional Determination letter from the NJDEP, (4) provide a drainage design to be reviewed and approved by the Ocean County Engineer (see drainage memo dated 3/28/2024), (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 request.

A letter dated March 12, 2024 was read from Christopher Rosati of FWH Associates requesting a waiver from providing a traffic report. This proposed site is an additional building which serves the use of an assisted living facility where residents do not own cars, nor are allowed to keep cars on the site.

On a motion by Mr. Ernst, seconded by Ms. McCrystal the Board granted a waiver from providing a full traffic report provided the applicant provide a trip generation statement to confirm it is de minimis. This site plan was given final approval contingent upon the applicant address the following conditions of approval: (1) indicate the "desired typical section" for this section of NJ Route 9 in accordance with the current NJDOT Access code across the frontage of the site on the plan, (2) submit a copy of the CAFRA permit or a Jurisdictional Determination letter from the NJDEP, (3) provide a drainage design to be reviewed and approved by the Ocean County Engineer (see drainage memo dated 3/28/2024), (4) 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.

**TOMS RIVER: Lots 7, 22, 34 & 40 Block 442 (TRT1685K) 1675 Hooper Ave., LLC**

This site plan is for a 5,815 s.f. restaurant, an existing golf driving range, batting cages, a 21,139 s.f. indoor shooting range, and a 4,000 s.f. office/retail with 200 parking spaces to be located at the intersection of Hooper Avenue and Fischer 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) since the half width right-of-way of Hooper Avenue is less than 46' from centerline, submit a deed of dedication for an additional right-of-way dedication to 46' from centerline to Ocean County, (2) since the half width right-of-way of Fischer Boulevard is less than 50' from centerline, submit a deed of dedication for an additional right-of-way dedication to 50' from centerline to Ocean County, (3) remove the drainage easement around the proposed above ground basin, submit a revised metes and bounds description to include the underground drainage pipe, and provide an executed drainage easement to Ocean County, (4) add to the plans the following standard County 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, (5) address the following traffic comments: a) provide design vehicle turning templates, demonstrate entering and exiting vehicles will not conflict, driveway curb returns should be tangent to roadway curbline, b) provide R3-2 (no left turn) signs at site exits to Hooper Avenue, and c) provide analysis for the Hooper & Fischer signalized intersection, (6) provide a drainage design to be reviewed and approved by the Ocean County Engineer (see drainage memo dated 3/15/2024), (7) enter into a Hold Harmless Agreement with the Ocean County Board of Commissioners with regard to the co-mingling of storm water. 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.

**TOMS RIVER: Lot 24.01 Block 364 (TRT3073G2) Geffner, Rami**

This amended site plan is for 141 multi-family apartment complex with 213 parking spaces with access to Route 9. The Overall Plan has a note which states "The proposed full access driveway on Route 9 will remain as full access until the construction of Church Road extension and subsequent connection to Church Road, at which time the driveway will be rebuilt to permit right turn in/ right turn out only - in a design to be reviewed and approved by the County Engineer, the applicant has provided a copy of the CAFRA permit 1507-21-00131 with an expiration date of 2/21/2029. The applicant has entered into a Developers Agreement with the Board of Commissioners for the proposed project which references Church Road extension, and future access point to the Church Road extension, the reconstruction of the Route 9 access point to permit right turn in/right turn out only, a cost estimate to remove the access drive pavement and reconstruct the Route 9 access drive, and the traffic improvement fee. 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 items: (1) provide a copy of the recorded 66' wide road easement to Ocean County for the future Church Road extension and reference the deed book and page number on the plans (BK19076/PG792), (2) provide a copy of the recorded right-of-way dedication to Ocean County for the half width right of way of Sunset Avenue to 30' from centerline and reference the deed book and page number on the plans (BK19076/PG784), (3) show the full extent of the County 50' wide drainage easement on adjoining Lot 16.02, (4) revise the plans to show the NJDOT "desired typical section" for this section of NJ Route 9 in accordance with the current NJDOT Access code. 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.

**TOMS RIVER: Lot 3 Block 1108.37 (TRT3528) Fischer Automotive Sales, LLC**

This site plan is for a 1,305 s.f. automotive sales and service building with 13 parking spaces to be located on a vacant lot on Fischer Boulevard. The trip generation statement is acceptable. Ocean

County requires the applicant to address the following conditions of approval: (1) since the right-of-way half width is less than 50' from centerline, submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 50' from centerline to Ocean County, (2) address the following traffic comment: a) provide passenger vehicle turning templates, demonstrate entering and exiting vehicles will not conflict, b) provide R3-2 (no left turn) sign at site exit, and c) and provide a one-way sign on the median, (3) submit a traffic report (waiver requested), (4) submit County road improvement plans (waiver requested), (5) add to the plans 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, (6) 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 was read dated March 18, 2024 from Jeffrey Carr of Lindstrom, Diessner & Carr requesting a waiver from providing a full traffic report and from providing County Road Improvement plans. The applicant has provided a trip generation statement in lieu of providing a full traffic report. The applicant is only making minor improvements including driveway, curb and sidewalk.

On a motion by Mr. Ernst, seconded by Ms. McCrystal, the Board has granted a waiver from providing a full traffic report and accept the trip generation statement as provided. The Board granted a waiver from providing County Road Improvement plans as no widening is required along the County Road. This site plan was given final approval contingent upon the applicant to address the following conditions: (1) since the right-of-way half width is less than 50' from centerline, submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 50' from centerline to Ocean County, (2) address the following traffic comment: a) provide passenger vehicle turning templates, demonstrate entering and exiting vehicles will not conflict, b) provide R3-2 (no left turn) sign at site exit, and c) and provide a one-way sign on the median, (3) add to the plans 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, (4) 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.

**TOMS RIVER: Lot 31 Block 848 (TRT3529) Dauer, Russell & Patricia**

This two lot minor subdivision is located on local roads, Riverside Drive and Buchanan Street. County facilities will not be impacted. On a motion by Ms. McCrystal, seconded by Ms. Beyman this minor subdivision was given final approval contingent upon the applicant to address the following condition of approval: (1) submit a final plat that is signed and sealed by a Professional Land Surveyor. 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.

\* \* \* \* \*

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

\* \* \* \* \*

**CORRESPONDENCE:**

**BRICK: Block 1171 Lot 2 (BRT1935D.01) Brightview Senior Living Development**

This site plan was given final approval on 11/16/2022. The minutes are amended for the applicant to enter into a Developers Agreement for the acquisition of a right-of-way needed for road improvements along Bursville Road.

Condition #13 was to pay an off-tract drainage improvement fee and condition #14 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 is \$6,000.00 and the off-tract traffic improvement fee is \$27,500.00. On a motion by Mr. Ernst, seconded by Ms. McCrystal the off-tract drainage improvement fee is \$6,000.00 and the off-tract traffic improvement fee is \$27,500.00. The motion was unanimously carried.

**JACKSON: Block 4101 Lots 10,480-20.488 (JT1301N3) J21SSE, LLC**

This major subdivision was given final approval on 12/20/2023. On 3/6/2024 the minutes were amended to indicate that the project is divided into section 2A and section 2B.

Condition #8 is to pay an off-tract traffic improvement fee and condition #9 is to pay an off-tract drainage improvement fee in amounts to be determined by the County Engineer. The County Engineer has determined that the fees for section 2A traffic improvement fee is \$84,278.00 and 2A drainage improvement fee is \$3,000. Fees for section 2B traffic improvement fee is \$105,347.00 and drainage improvement fee is \$3,000.00. On a motion by Mr. Ernst, seconded by Mr. Marra, Mr. Tirella abstaining, the fees for section 2A traffic improvement fee is \$84,278.00, drainage improvement fee is \$3,000.00. The fees for section 2B traffic improvement fee \$105,347.00 and drainage improvement fee \$3,000.00. The motion was unanimously carried.

**LACEY: Block 1629 Lots 10, 12, 14, 16, 20-24 (LT904) LMDL Real Estate LLC**

This site plan was given final approval on 10/18/2023. Condition #5 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 is \$1,458.00. On a motion by Mr. Ernst, seconded by Ms. McCrystal the off-tract traffic improvement fee is \$1,458.00. The motion was unanimously carried.

**LITTLE EGG HARBOR: Block 192 Lots 1, 14 (LEHT450) CJD Enterprises, LLC – CJ Davies**

This major subdivision was given final approval on 3/6/2024. On a motion by Mr. Ernst, seconded by Ms. Mccrystal, the minutes are amended to waive condition #6, however the applicant needs to provide a right-of-way corner clip dedication associated with a future 35' radius intersection curb. The motion was unanimously carried.

**SHB178: Block 4.01 Lot 29 (SHB178) 29 Hamilton Partners LL**

This minor subdivision was given final approval on 2/7/2024. A letter was read dated 3/28/2024 from Dante Alfieri, Esq. of Cleary, Giacobbe, Alfieri, Jacobs, LLC requesting a waiver from submitting a deed of dedication for an additional right-of-way dedication to 30' from centerline of Ocean County. On a motion by Mr. Ernst, seconded by Ms. McCrystal the Board granted a waiver from providing a right-of-way dedication and accept a 5' road easement of lieu of a right-of-way dedication. The motion was unanimously carried.

\* \* \* \* \*