

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

Regular meeting, Wednesday, March 1, 2023, 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: Earl Sutton, Joseph Bilotta, Dennis Liberatore, Elaine McCrystal, Joseph R. Marra, John Ernst, Barbara Jo Crea, Laura Benson, Esq. and Veronica Tompkins.

On a motion by Ms. McCrystal, seconded by Mr. Sutton, the minutes of the meeting of February 15, 2023 were moved for approval. The motion was unanimously carried.

SUBDIVISION AND SITE PLAN REVIEW

JACKSON: Lots 9.04-9.09 Block 11701 (JT1599D) Lakewood Investments

This seven-lot major subdivision is located within the previously approved Rutherford Estates subdivision off of Toms River Road (Route 571), and will provide one additional lot for a single family residential dwelling. The applicant has provided documentation from the Pinelands Commission that the 12/22/2005 Certificate of Filing still applies. Ocean County requires the applicant to address the following conditions of approval: (1) revise the final plat to include three corner coordinates in accordance with the Recordation Act, (2) revise the general notes to properly describe the proposed subdivision, (3) provide a final plat that is signed and sealed by a Professional Land Surveyor, (4) revise the final plat so that north is up or to the right in accordance with industry standard, (5) submit a traffic report (waiver requested), (6) submit a drainage report (waiver requested). Approval recommended upon fulfillment of the above contingencies and the Boards decision on the waivers.

A letter dated February 3, 2023 from Ian Borden of Professional Design Services, LLC was read requesting two waivers. They are requesting a waiver from providing a traffic report. The lot being created is located along a Municipal road with no frontage on a County road. A waiver is also requested from providing a stormwater management report as the lot being created is located along a municipal road with no frontage on a County road. On a motion by Mr. Ernst, seconded by Mr. Sutton, the Board is granting a waiver from a traffic report and also granting a waiver from providing a drainage report, as there are de minimis changes to the original overall subdivision. This major subdivision was given final approval contingent upon the applicant to address the following items: (1) revise the final plat to include three corner coordinates in accordance with the Recordation Act, (2) revise the general notes to properly describe the proposed subdivision, (3) provide a final plat that is signed and sealed by a Professional Land Surveyor, (4) revise the final plat so that north is up or to the right in accordance with industry standard. 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 14 & 15 Block 237 (LAT2214) Oak Sheraton LLC

This three-lot minor subdivision is for one single family residence and one duplex to be located at the intersection of Negba Street and the local section of Ridge 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 the applicant to address the following conditions of approval: (1) revise the final plat to include three corner coordinates in accordance with the Recordation Act, (2) revise the final plat to include north arrows on the key maps. 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 79 & 80 / 4 / 2, 3, 4, 5 Block 175.02 /181 /182 (LAT2215) Stuybell Management LLC

This six-lot major subdivision is for single family residential dwellings and a cul-de-sac to be located off of unimproved Major Avenue. It's anticipated that Major Avenue will be built by the applicant for LAT1981A/B which was conditionally approved by the Ocean County Planning Board on 2/2/2022. Ocean County requires the applicant to address the following conditions of approval: (1) provide documentation from JCP&L allowing for the construction of the proposed cul-de-sac under the power lines and within the power company easement, (2) submit a traffic report (waiver requested), (3) revise the final plat to include three corner coordinates in accordance with the Recordation Act, (4) revise the final plat to include Block 181 Lot 4 within the project limits, or to remove Block 181 Lot 4 from the title block. Approval recommended upon fulfillment of the above contingencies and the waiver request.

A letter dated February 17, 2023 was read from Christopher Rosati of FWH requesting a waiver from a traffic report. The application is a major subdivision for the construction of six single family dwellings and the anticipated traffic impact from the development is negligible. On a motion from Mr. Ernst, seconded by Ms. McCrystal, the Board granted the waiver from a full traffic report provided the applicant submit a trip generation statement for the uses within this application and LAT1981A/B showing total trips on Elkins Avenue and County Line Road. This major subdivision was given final approval contingent upon the applicant to address the following items: (1) provide documentation from JCP&L allowing for the construction of the proposed cul-de-sac under the power lines and within the power company easement, (2) revise the final plat to include three corner coordinates in accordance with the Recordation Act, (3) revise the final plat to include Block 181, Lot 4, within the project limits, or to remove Block 181, Lot 4, from the title block. 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.

MANCHESTER: Lots 1.01 & 7 Block 1.32 (MT527) K. Sarama, LLC

This two-lot minor subdivision is for two single family residences to be located on Champlain Street, First Avenue and Second Avenue. County facilities will not be impacted. On a motion by Mr. Billota, seconded by Mr. Sutton, this minor subdivision was given final approval contingent the applicant to address the following condition of approval: (1) reorient the plat so that north is up or to the right in accordance with industry standard and provide a north arrow on the key map. Approval recommended upon fulfillment of the above contingencies. The above condition must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. The motion was unanimously carried.

OCEAN: Lot 17 Block 195 (OT275A) South Shore Holdings, LLC

This site plan is for the demolition of a residence and the construction of a 6,542 s.f. commercial flex space building for business, office and storage with 20 proposed parking spaces on Main Street and Route 9. The plans show the NJDOT desired typical section for this section of NJ Route 9 in accordance with the current NJDOT Access code. The plans show additional pavement widening to 20 feet from right-of-way centerline of Main Street. Ocean County requires the applicant to address the following conditions of approval: (1) since the existing right-of-way 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 (waiver requested), (2) submit a sight right easement form and metes and bounds description for sight triangle easement at the proposed access point to the County road in accordance with County standards to Ocean County, (3) revise the plans to show all existing features within 200' of the site, including existing drainage feature under the County road, (4) submit a copy of the NJDOT Access Permit, (5) revise the standard cross section for County roads to be 6" Dense-Graded Aggregate Base Course, 4" Hot Mix Asphalt 19M64 Base Course, and 2" Hot Mix Asphalt 12.5M64 Surface Course, (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 conditions and the Board's decision on the waiver request.

A letter dated February 2, 2023 was read from Jason Marciano of East Coast Engineering, Inc. requesting a 5.25' road widening easement to get a half right of way half width of 30 feet. East Coast is proposing an easement in lieu of dedication in order to not impact the front setback as it would be a hardship to move the building and drainage basin westerly toward the wetlands and

away from Main Street. On a motion by Mr. Ernst, seconded by Ms. McCrystal, the Board denied the waiver request. This site plan was given final approval contingent the applicant to address the following contingencies: (1) since the existing right-of-way 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 easement at the proposed access point to the County road in accordance with County standards to Ocean County, (3) revise the plans to show all existing features within 200 feet of the site, including existing drainage feature under the County road, (4) submit a copy of the NJDOT Access Permit, (5) revise the standard cross section for County roads to be 6" Dense-Graded Aggregate Base Course, 4" Hot Mix Asphalt 19M64 Base Course, and 2" Hot Mix Asphalt 12.5M64 Surface Course, (6) 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 51 & 66 Block 4.01 (SHB26D) 121 Somerset, LLC

This 13-lot major subdivision and site plan is for 11 single family dwellings, two commercial units, and three apartment units with 28 parking spaces to be located at the intersection of the Boulevard, Hamilton Avenue, and Franklin Avenue. Ocean County requires the applicant to address the following conditions of approval: (1) revise the final plat to include right-of-way half width and full width dimensions and pavement half and full width dimensions for the Boulevard and Hamilton Avenue, (2) since the right-of-way half width of Hamilton Avenue is less than 30 feet 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, (3) submit a sight right easement form and metes and bounds description for 30'x100' sight triangle easements at both intersections in accordance with County standards to Ocean County, (4) submit a copy of the CAFRA Permit or a Jurisdictional Determination letter from the NJDEP (waiver requested), (5) address the following traffic comments: a) design the spacing of the proposed driveway locations to the County road in accordance with Ocean County Site Plan and Subdivision Resolution Section 606 and Table 600-4, b) label the AASHTO intersection sight line distance and decision point for the signalized right turn on red from Hamilton Avenue to Boulevard. Verify sight distance is based on design speed, c) statement does not discuss net loss of public parking spaces, d) properly show the existing striping in the County road at the Franklin Avenue/Boulevard intersection, and e) the traffic statement incorrectly refers to "local Lakewood trip rates", (6) revise the storm water statement to quantify the amount of underground storage capacity of the proposed infiltration system as it relates to the roof runoff and the amount of storage volume in the proposed stone trench, (7) revise the plans to show off-street parking situated on the new lots in a "T" type design to prevent vehicles from backing out onto the County road in accordance with Ocean County Site Plan and Subdivision Resolution Section 603.C, (8) provide a concrete curb detail for the Boulevard in accordance with the Ocean County standards, (9) revise the plans to show the proposed on-street parking on the County road delineated in accordance with MUTCD and Title 39, (10) construct concrete handicap ramps with detectable warning surface at the Boulevard/Franklin Avenue intersection in accordance with the current Federal ADA standards - to be reviewed & approved by the Ocean County Engineer, (11) add the following standard notes for projects located on County roads: a) the developer is required to obtain a Road Opening Permit from the Ocean County Engineering Department prior to the start of construction of any improvements within the right of way of the Boulevard & Hamilton Avenue, and b) the developer shall obtain a letter of final acceptance from the Ocean County Engineer for the road improvements along the Boulevard & Hamilton Avenue prior to the release of any bond or other financial surety posted with the municipality for the completion of said improvement, (12) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer, and (13) 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 request.

A letter dated February 6, 2022 was read from Brian Murphy of FWH Associates, requesting a waiver from providing a CAFRA permit. The CAFRA regulation exempt residential developments of less than 25 dwellings (NJAC 7:7-2.2 (a)3). This development does not propose the offsite construction of more than 1,200 linear feet of new sanitary sewer or roadways (NJAC 7:7-2.2 (b)11). The CAFRA regulation exempt commercial developments containing less than fifty parking spaces (NJAC 7:7-2.2 (a)3). On a motion by Mr. Ernst, seconded by Mr. Bilotta, the Board acknowledges and accepts the applicants professional's interpretation the project does not

exceed the CAFRA threshold; this major subdivision was given final approval contingent upon the applicant to address the following items: (1) revise the final plat to include right-of-way half width and full width dimensions and pavement half and full width dimensions for the Boulevard and Hamilton Avenue, (2) since the 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, (3) submit a sight right easement form and metes and bounds description for 30'x100' sight triangle easements at both intersections in accordance with County standards to Ocean County, (4) address the following traffic comments: a) design the spacing of the proposed driveway locations to the County road in accordance with Ocean County Site Plan and Subdivision Resolution Section 606 and Table 600-5, b) label the AASHTO intersection sight line distance and decision point for the signalized right turn on red from Hamilton Avenue to Boulevard. Verify sight distance is based on design speed, c) statement does not discuss net loss of public parking spaces, d) properly show the existing striping in the County road at the Franklin Avenue/Boulevard intersection, and e) the traffic statement incorrectly refers to "local Lakewood trip rates", (6) revise the storm water statement to quantify the amount of underground storage capacity of the proposed infiltration system as it relates to the roof runoff and the amount of storage volume in the proposed stone trench, (7) revise the plans to show off-street parking situated on the new lots in a "T" type design to prevent vehicles from backing out onto the County road in accordance with Ocean County Site Plan and Subdivision Resolution Section 603.C, (8) provide a concrete curb detail for the Boulevard in accordance with the Ocean County standards, (9) revise the plans to show the proposed on-street parking on the County road delineated in accordance with MUTCD and Title 39, (10) construct concrete handicap ramps with detectable warning surface at the Boulevard/Franklin Ave intersection in accordance with the current Federal ADA standards - to be reviewed & approved by the Ocean County Engineer, (11) add the following standard notes for projects located on County roads: a) the developer is required to obtain a Road Opening Permit from the Ocean County Engineering Department prior to the start of construction of any improvements within the right-of-way of the Boulevard & Hamilton Avenue, and b) the developer shall obtain a letter of final acceptance from the Ocean County Engineer for the road improvements along the Boulevard & Hamilton Avenue prior to the release of any bond or other financial surety posted with the municipality for the completion of said improvement, (12) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer, and (13) 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.

STAFFORD: Lot 94.03 Block 120 (ST158J) LTD Realty Investment III LP

This site plan is for a 7,490 s.f. addition to the Hyundai Auto Dealership on State Highway Route 72. Ocean County requires the applicant to address the following: (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 plans to show the NJDOT desired typical section of Route 72 in accordance with the current NJDOT Access code. Approval recommended upon fulfillment of the above contingencies and the Board's decision on the waiver requests.

A letter dated February 17, 2023 was read from Brian Murphy of FWH requesting a waiver from obtaining a CAFRA Permit, as this site would only require 16 parking stalls and CAFRA regulations exempt commercial developments containing less than fifty parking spaces. A letter dated February 21, 2023 was read from Brian Murphy from FWH requesting a waiver from supplying a traffic report. The applicant is proposing a 7,490 s.f. addition to the existing garage and no additional traffic will be generated from this expansion. On a motion by Mr. Ernst, seconded by Mr. Sutton, the Board acknowledges and accepts the applicants professional's interpretation the project does not exceed the CAFRA threshold; the Board also granted the waiver from a full traffic report provided the applicant to submit a trip generation statement identifying pre and post trips. This site plan was given final approval contingent upon the following condition being met: 1) revise the plans to show the NJDOT desired typical section of Route 72 in accordance with the current NJDOT Access code. The above condition must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. The motion was unanimously carried.

STAFFORD: Lots 22.01/34.06/34.07 Block 25.02/25/25 (ST385Z1) Stafford Twp., Stafford Properties Urban Renewal

This four-lot minor subdivision is to create a recreation lot within the Stafford Park Redevelopment Area on Campbell Boulevard. A Memorandum of Agreement dated June 28, 2006 between Stafford Township, Ocean County and The Pinelands Commission is in place. County facilities are not impacted. 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.

TOMS RIVER: Lot 8.01 Block 170 (TRT1534C) Kleppe, Clint

This site plan is for a 72,352 s.f. self-storage facility with 5 parking spaces to be located on Route 9. On a motion by Mr. Sutton, seconded by Ms. McCrystal, this site plan was given final approval contingent upon the applicant to address the following items: (1) 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, (2) revise the plans so that the number of parking spaces required is consistent with the number of parking spaces proposed. 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: Lots 5 Block 794.08 (TRT3503) Hommel, Amy & Nate

This site plan is for renovations of an existing 2,009 s.f. building to accommodate a business/professional office/residential use with 12 parking spaces at the intersection of Route 37 and Fischer Boulevard. On a motion by Ms. McCrystal, seconded by Mr. Sutton this site plan was given final approval contingent upon the applicant to address the following conditions of approval: (1) provide monumentation and control on a boundary survey, (2) revise the plans to show the NJDOT "desired typical section" for this section of NJ Route 37 in accordance with the current NJDOT Access code, (3) revise the plans to indicate that Fischer Boulevard south of Route 37 is not a County road. 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

BERKELEY: Lots 1-5, 18;/ 32-35, 6.02 ,6.03 Block 963;/ 964 (BT697) The LLC

LAKEWOOD: Lot 1 Block 1600 (LAT594.94) 500 Oberlin NJ LLC

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CORRESPONDENCE:

JACKSON: Block 7309 Lots 12 & 13; (JT1730A) Jackson Property LLC. This site plan received conditional approval on December 15, 2021. On a motion by Mr. Ernst, seconded by Ms. McCrystal, the meeting minutes are hereby amended to change the project description to reflect the building size from 11,340 s.f. to 10,793 s.f. The motion was unanimously carried.

JACKSON: Block 20501 Lot 27; (JT368C.01) Hunter Casey. This major subdivision received conditional approval on September 21, 2022. Condition #11 required the payment of an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer and condition #12 required the payment of an off-tract drainage improvement fee to be determined by the Ocean County Engineer. The County Engineer has determined the off-tract traffic improvement fee to be \$9,375.00 and the off-tract drainage improvement fee to be \$6,000.00. On a motion by Mr. Ernst, seconded by Mr. Bilotta, the Board required the payment of an off-tract traffic improvement fee to be \$9,375.00 and the off-tract drainage improvement fee to be \$6,000.00. 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:
IHB96 ISLAND HEIGHTS	10 & 11.02	54	12/07/2022	02/28/2023
SCB121 SURF CITY	21	32	02/01/2023	03/01/2023

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

Respectfully submitted,

Veronica Tompkins, Acting Secretary
Ocean County Planning Board