

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

Regular meeting, Wednesday, April 20, 2022, 6:00 PM, Engineering Conference Room, Third Floor, 129 Hooper Avenue, Toms River, New Jersey.

Chairman Russell presiding. Attending: Elaine McCrystal, Scott Tirella, Alan Avery, John Ernst, Laura Benson, Mark Villinger, Tim Gleason and Robin Florio.

Chairman Russell asked if the Planning Board meeting was in compliance with the Open Public Meetings Act. Ms. Florio advised the Chairman that adequate notice of this meeting was provided.

On a motion by Mr. Tirella, seconded by Mr. Ernst, the minutes of the meeting of April 6, 2022 were moved for approval. The motion was unanimously carried.

SUBDIVISION AND SITE PLAN REVIEW

BAY HEAD: Lots 2-2.06 / 9-9.05, 18-18.01 Block 48 / 55 (BHB92C) Bay Head Yacht Club

This site plan application is for renovations to the existing Bay Head Yacht Club located on Metcalfe Street including modernizing the pickle ball, paddle ball and bocci courts, upgrades to the warming center, and the addition of a shed and a trash enclosure. County facilities are not affected. On a motion by Ms. McCrystal, seconded by Mr. Tirella, this site plan was given final approval. The motion was unanimously carried.

BRICK: Lots 15 Block 323 (BRT2026) Mom & Pop Ventures, LLC

This site plan is for a 2,480 s.f. detached garage and seven proposed parking spaces at an existing office building on Drum Point Road. The trip generation statement is acceptable. On a motion by Ms. McCrystal, seconded by Mr. Avery, this site plan was given final approval contingent upon the applicant to address the following items: (1) since the half width 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, (2) design the proposed access point to the County road in accordance with Section 606 and Table 600-4, (3) design the driveway curb return for a distance of 25' in accordance with Section 612.B, (4) address the following traffic comment: a) provide design vehicle turning templates, and (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. Construction shall not commence until all conditions have been met. The motion was unanimously carried.

BRICK: Lots 3 & 4 Block 673 (BRT2027) Brick Gardens Realty, LLC

This site plan is for a 1,675 s.f. clubhouse and a 256 s.f. pool cabana to be located at the Brick Gardens apartment homes on Hooper Avenue. Ocean County requires the applicant to address the following items: (1) dimension the existing right-of-way half width of Hooper Avenue on the plan, and since the half width is less than 33 feet 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, (2) dimension County road pavement half width and full width, (3) submit a sight right easement form and metes and bounds description for sight triangle easements at the access points to the County road in accordance with County standards to Ocean County, (4) add stop signs and stop bars at the existing access drives to the County road, (5) submit a copy of the NJDEP Letter of Interpretation for the wetland delineation, (6) submit a traffic report (waiver requested), (7) submit a drainage report (waiver requested), (8) submit County road improvement plans (waiver requested), (9) submit a copy of the CAFRA permit or a Jurisdictional Determination letter from the NJDEP (waiver requested). Approval recommended upon fulfillment of the above contingencies and the Board's decision on the waiver requests.

A letter dated March 28, 2022 was read from Colliers Engineering requesting waivers. A waiver is requested from providing a traffic report. A traffic report is not necessary as it does not increase or

alter traffic flow and construction is not being proposed in the area of the existing driveways or on the County road. A waiver is requested from providing a drainage report as an increase of approximately 670 s.f. of new, non-motor vehicle impervious surface is being proposed. The improvements are being proposed in a previously developed area and have a disturbance area less than one acre and creates less than 0.25 acres of new impervious surface. A waiver is requested from providing County Road Improvement Plans as construction is not being proposed in the area of the existing driveways or on the County road. This project does not require a CAFRA permit or Jurisdictional Determination per N.J.A.C 7:7-2.2(a). The project is located greater than 500 ft. landward from the closest mean high water line and is not proposing new residential dwellings or new parking impervious area. Brick Gardens Apartments with corresponding parking areas and existing pool amenities were constructed before July 19, 1994. The improvements are being proposed in a previously developed area, have a disturbance area less than one acre and create less than 0.25 acres of new impervious coverage.

On a motion by Mr. Ernst, seconded by Mr. Tirella, the Board granted a waiver from providing a traffic report, drainage report, County road improvement plans and acknowledges and accepts the applicant's professionals 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 items: (1) dimension the existing right-of-way half width of Hooper Avenue on the plan, and since the half width is less than 33 feet 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, (2) dimension County road pavement half width and full width, (3) submit a sight right easement form and metes and bounds description for sight triangle easements at the access points to the County road in accordance with County standards to Ocean County, (4) add stop signs and stop bars at the existing access drives to the County road, and (5) submit a copy of the NJDEP Letter of Interpretation for the wetland delineation. All of the above conditions must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. Construction shall not commence until all conditions have been met. The motion was unanimously carried.

BRICK: Lots 31 Block 1386.03 (BRT2028) Pinnacle Commercial Development, Inc.

This three-lot minor subdivision is located at the intersection of Herbertsville Road and Yellow Brick Road. On a motion by Ms. McCrystal, seconded by Mr. Tirella, this minor subdivision was given final approval contingent upon the applicant to address the following items: (1) dimension the full width right-of-way of Herbertsville Road, (2) dimension the County road pavement half width and full width, (3) since the right-of-way half width is less than 40 feet 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, (4) revise the plans to show the driveway apron closest to the intersection "to be removed", (5) show the location of the proposed driveways on the plan and design the proposed driveway to the County road in accordance with County standards in Section 606, and (6) add the following note to the plan: Off-street parking shall be 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. All of the above conditions must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. Construction shall not commence until all conditions have been met. The motion was unanimously carried.

LACEY: Lots 3 & 4 Block 826 (LT895) Karchik, Ronald

This two-lot minor subdivision is to reestablish an existing lot line on a local road, Bowsprit Point. 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. Tirella, this minor subdivision was given final approval. The motion was unanimously carried.

LAKWOOD: Lots 15 & 109 Block 2 (LAT1669B.01) Sebbag, David

This site plan is for a 5,214 s.f. addition and 27 additional parking spaces at an existing residential and congregate care facility located on Hope Chapel Road (CR 639). This project is located within the limits of the County's "Traffic Signal at Hope Chapel Road and Miller Avenue" project. Ocean County plans to widen Hope Chapel Road to 25 feet from centerline. The site plans show a portion of the existing retaining wall on Lot 109 to be removed and relocated to be outside of the clear zone of the future south bound lane of Hope Chapel Road, as noted in the FWH March 31, 2022 cover letter. On a motion by Ms. McCrystal, seconded by Mr. Tirella, this site plan was given

final approval contingent upon the applicant to address the following items: (1) revise the proposed plans to show all existing features within 200 feet of the site, including County road stationing, existing landscaping, properly show existing features on the opposite side of the road, such as the existing County road intersection curb radii, the existing sidewalk and driveways on Block 12 Lot 225, the fence near the northern access drive, County road striping, and all on-site underground drainage pipes, (2) since the existing right-of-way half width of the County road 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, (3) submit County road improvement plans that show the proposed edge of pavement to be built at 25' from centerline across the entire frontage of Lot 15 with a 15:1 paved taper back to existing edge of pavement in accordance with Section 611.B, (4) submit a copy of the NJDEP Letter of Interpretation for the wetland delineation performed by Trident Environmental Consultants on October 15, 2021, (5) address the following traffic comments: a) remove the fence adjacent to the northern driveway, b) depict the existing "stop" sign and "no left turn" sign at the site exit, and c) provide passenger vehicle turning templates that show non-conflicting movements at the access drive, (6) confirm adequate proposed grading near the wall at Station 289+57 to accommodate OC ADA ramp grades (see G-03); proper sidewalk grading may require additional length of wall reconstruction. Provide proposed sidewalk grades on Sheet 6 and provide adequate bottom of wall elevations to accommodate the sidewalk ADA ramp design, (7) provide a drainage design to be reviewed and approved by the Ocean County Engineer (per drainage memo dated 4/20/2022), (8) revise the plans to show the existing block wall in front of Lot 15 to be removed from within the future County right-of-way, (9) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer, and (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. Construction shall not commence until all conditions have been met. The motion was unanimously carried.

LAKEWOOD: Lots 156 Block 423 (LAT2180) High Point Condominium Association

This two-lot minor subdivision is at the High Point Condominium Association located at the intersection of Massachusetts Avenue and Prospect Street. In March 2022, a parking lot and an access drive to Prospect Street were constructed on this property without County Planning Board approval and without a County Road Opening Permit. All unapproved parking areas and access points need to be identified and formalized on a site plan. Site plan shall be submitted to the Ocean County Planning Board for review and approval. The minor subdivision plat indicates that 479 parking spaces are required for the use, yet only 300 are existing. On a motion by Ms. McCrystal, seconded by Mr. Avery, this minor subdivision was given final approval contingent upon the applicant to address the following items: (1) dimension the existing right-of-way half width and full width of both County road on the plan, and if the half width is less than 33 feet 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, (2) submit a right-of-way dedication to Ocean County for a 45 degree angle corner clip at the intersection of the County roads, (3) submit a sight right easement form and metes and bounds description for sight triangle easements at the access points to County roads and at the County road intersection in accordance with County standards to Ocean County, (4) revise the plan to show easements and prior acquisitions by Ocean County, (5) revise the plans to show all existing features within 200 feet of the site, pavement half width and full width dimensions, and the newly constructed parking lot and access drive to Prospect Street, (6) identify the number of new parking spaces constructed in March 2022 and show anticipated parking, (7) remove the proposed parking from within 20' of the County right-of-way in accordance with Section 603.A, (8) reconstruct all access points to the County road to be designed and built in accordance with County standard Section 606, Table 600-4, and Section 612.B, (8) add the following standard County notes to the plan: 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, and 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, and (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. Construction shall not commence until all conditions have been met. The motion was unanimously carried.

LAKEWOOD: Lots 155 Block 189.30 (LAT2181) 148 Somerset LLC

This two-lot minor subdivision is for two duplex units to be located on a local road, Somerset 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 Mr. Avery, seconded by Mr. Tirella, this minor subdivision was given final approval. The motion was unanimously carried.

LITTLE EGG HBR: Lots 8.01 Block 325.100 (LEHT440) Callahan, James & Noreen

This two-lot minor subdivision is located on a local road, West Raritan Drive. County facilities will not be impacted. The final plat appears to have been prepared in accordance with the Recordation Act. On a motion by Mr. Tirella, seconded by Ms. McCrystal, this minor subdivision was given final approval. The motion was unanimously carried.

PT. PLEASANT: Lots 7.01 Block 275 (PPB801) Malanga, Gerald & Katherine

This two-lot minor subdivision is located on a local road. 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. Tirella, this minor subdivision was given final approval. The motion was unanimously carried.

PT. PLEASANT BH: Lots 34 Block 176 (PPBB287) 20 Inlet Drive, LLC

This site plan is for three new sheds (86 s.f. each), an outdoor dining area, and exterior renovations to an existing restaurant to become Sinner's Steakhouse (formerly Shipwreck Point) located on a local road, Inlet Drive. County facilities will not be impacted. On a motion by Mr. Tirella, seconded by Mr. Avery, this site plan was given final approval. The motion was unanimously carried.

TOMS RIVER: Lots 6,7,8,9 Block 444.01 (TRT3128C.01) Hutton ST 17, LLC

This site plan is for a 4,464 s.f. car wash with 28 parking spaces to be located on a vacant lot on Fischer Boulevard and Meredith Drive. The plans show a proposed modification to the Fischer Boulevard median to provide a center island left turn slot into the site. The half-width right-of-way is 50' from centerline, consistent with the Master Plan. On a motion by Mr. Tirella, seconded by Ms. McCrystal, this site plan was given final approval contingent upon the applicant to address the following items: (1) revise the County road improvement plan to show the cross-slope of County road northbound lanes sloping towards the gutter curb line, provide lane widths and concrete median widths to be reviewed and approved by the Ocean County Engineer, (2) relocate the proposed urban commercial driveway to be 25' from the existing driveway on adjacent Lot 19 in accordance with Table 600-4, (3) relocate the proposed driveway so the existing "B" inlet will not be located within the drive aisle, (4) address the following traffic comments: a) provide roadway improvement plans, including additional detail regarding layout, grading, signing, striping, etc. for the proposed left turn lane. Label the width of the proposed lane; it appears to be only 10 feet wide which is insufficient. Consider reducing the island width to improve the sight line for left turning vehicles, b) increase the scale of the turning templates. Depict entering vehicles (including right turning vehicles and vehicles entering from the proposed left turn lane) and demonstrate entering & exiting vehicles will not conflict, c) remove proposed double yellow striping from driveway apron, d) the building area listed in the report does not match the building area shown on the plans and application, e) future traffic volumes should be projected ten years, not two years, and f) Figure 4 appears to show exiting site traffic to south bound Fischer Boulevard will make illegal U-turns at the Shoprite driveway, please verify, f) utilize the timing previously provided by Ocean County Engineering on 1/20/21 to analyze impacts at the Fischer Boulevard and Bay Avenue signalized intersection, (5) provide a drainage design to be reviewed and approved by the Ocean County Engineer (per drainage memo dated 4/20/2022), (6) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer, and (7) pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer. All of the above conditions must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. Construction shall not commence until all conditions have been met. The motion was unanimously carried.

TOMS RIVER: Lots 15 Block 394 (TRT3483) Our Lady of Perpetual Help

This site plan is for a 4,858 s.f. building expansion and sidewalk and parking lot striping modifications for handicap accessibility at the existing religious facility, Our Lady of Perpetual Help on Church Road. The existing curb is at 22' from centerline and the applicant is not proposing improvements within the County right-of-way. The trip generation statement is acceptable. Ocean County requires the applicant to address the following items: (1) since the half width is less than 33 feet 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, (2) submit a traffic report (waiver request), and (3) submit a drainage report (waiver request). Approval recommended upon fulfillment of the above contingencies and the Board's decision on the waiver requests.

A letter dated March 17, 2022 was read from Jeffrey Carr of Lindstrom, Diessner & Carr requesting a waiver from providing a traffic report. A trip generation statement has been provided in lieu of a full traffic report. The proposed project expansion will not significantly increase traffic and is currently not a significant traffic generator. Adequate parking and on-site traffic circulation is provided. Church Road is a County road. It has adequate capacity to handle the traffic from the site. The proposed improvements will not affect the roadway frontage. Once completed, the site will have no negative impact on the existing road system. A waiver is requested from providing a stormwater report and/or drainage calculations. This project involves construction of a 4,858 s.f. addition to the existing building. The proposed improvements will not disturb more than one acre of land will not include the installation of 0.25 acres or more of impervious coverage. Therefore, the proposed improvements are not considered a major development and do not need to meet the requirements of the Stormwater Management Rules. To mitigate the effect of the improvements on the existing drainage system, roof runoff will be directed towards yard inlets. The yard inlets will be interconnected with perforated pipe in a stone trench allowing stormwater to infiltrate the ground prior to entering the existing drainage system. Since the proposed improvements do not constitute a major development and will have a minimal impact on the existing drainage system, we believe that a waiver of submission of a stormwater report and drainage calculations can be granted.

On a motion by Mr. Ernst, seconded by Ms. McCrystal, the Board granted a waiver from submitting a full traffic report and accepted the trip generation statement submitted, and granted a waiver from submitting a stormwater management report provided the applicant revise the plans to note perforated HDPE pipe set at 0% grade to allow run-off from proposed improvement area to infiltrate prior to flowing to the existing site drainage that connects to the County outfall; this site plan was given final approval contingent upon the applicant to address the following items: (1) since the half width is less than 33 feet 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, and (2) in lieu of a drainage report, the applicant shall revise the plans to note perforated HDPE pipe set at 0% grade to allow run-off from proposed improvement area to infiltrate prior to flowing to the existing site drainage that connects to the County outfall. All of the above conditions must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. Construction shall not commence until all conditions have been met. The motion was unanimously carried.

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CORRESPONDENCE:

JACKSON: Block 4801, Lot 24 (JT1720) 440 North County Line, LLC. This site plan received conditional approval on November 4, 2020. Condition #8 required the payment of an off-tract drainage improvement fee in an amount to be determined by the County Engineer and Condition #9 required the payment of an off-tract traffic improvement fee in an amount to be determined by the County Engineer. The County Engineer has determined the off-tract drainage improvement fee to be \$6,000.00 and the off-tract traffic improvement fee to be \$41,458.00. On a motion by Mr. Ernst, seconded by Mr. Avery, the Board required the payment of an off-tract drainage improvement fee in the amount of \$6,000.00 and the payment of an off-tract traffic improvement fee in the amount of \$41,458.00. The motion was unanimously carried.

LAKWOOD: Blocks: 190.01 / 190.04 / 190.05 / 199 / 200 / 201 / 202, Lots 7 / 37-41, 44-47, 145 / 141, 142 / 1, 2, 3 / 1, 4, 5, 7 / 1 / 1, 5, 8, 10 (LAT2144A) Brook Burnside, LLC. This major subdivision received conditional preliminary and final approval on November 17, 2021. Condition

#13 required the payment of an off-tract drainage improvement fee in an amount to be determined by the County Engineer and Condition #14 required the payment of an off-tract traffic improvement fee in an amount to be determined by the County Engineer. The County Engineer has determined the off-tract drainage improvement fee to be \$6,000.00 and the off-tract traffic improvement fee to be \$35,833.00. On a motion by Mr. Ernst, seconded by Mr. Tirella, the Board required the payment of an off-tract drainage improvement fee in the amount of \$6,000.00 and the payment of an off-tract traffic improvement fee in the amount of \$35,833.00; and the Board hereby amends the minutes to require the applicant to enter into a Developer's Agreement with the Ocean County Board of Commissioners for condemnation as the applicant has indicated they are unable to acquire the right-of-way and sight easements. The motion was unanimously carried.

PLUMSTED: Block 58, Lot 2 (PT405A.02) Cream Ridge DG, LLC. This site plan received conditional approval on January 19, 2022. On a motion by Mr. Ernst, seconded by Ms. McCrystal, the minutes are hereby amended to reflect the minor subdivision was recorded by deed and sold prior to Ocean County Planning Board approval and without providing the right-of-way dedication and sight easements required. The Ocean County Planning Board notified the owner, applicants, Stonefield Engineering, Attorney Jason Tuvel as well as Plumsted Township Planning Board, Engineer, Attorney and Code Official via letters dated April 8, 2022. The County will require the dedications before any development of the subdivided lot will be permitted. The motion was unanimously carried.

TOMS RIVER: Block 159, Lots 2 & 3 (TRT3461) Route 70 Equities, LLC. This site plan received conditional approval on April 21, 2021. Condition #3 required the payment of an off-tract traffic improvement fee in an amount to be determined by the County Engineer. The County Engineer has determined the off-tract traffic improvement fee to be \$2,771.00. On a motion by Mr. Ernst, seconded by Mr. Tirella, the Board required the payment of an off-tract traffic improvement fee in the amount of \$2,771.00. The motion was unanimously carried.

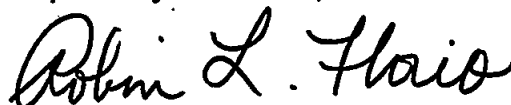
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THE FOLLOWING PLANS HAVING BEEN GIVEN CONDITIONAL APPROVAL AT A PREVIOUS MEETING HAVE NOW MET THE CONTINGENCIES AND CAN BE SIGNED:				
MUNICIPALITY:	LOT:	BLOCK:	MEETING DATE:	CONTINGENCIES MET:
LAKESWOOD LAT1209D	151.01	190	09/04/21	04/06/22
TOMS RIVER TRT1927J	50	591.25	11/06/19	04/05/22
TOMS RIVER TRT3463	53	172	06/02/21	04/07/22
TOMS RIVER TRT3477	59 & 60	1097.54	01/29/22	04/14/22
TOMS RIVER TRT3470	15	231	10/06/21	04/14/22
TOMS RIVER TRT3444A	6, 30.02, 48	694.14	09/14/21	04/20/22

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

Respectfully submitted,



Robin L. Florio, Secretary
Ocean County Planning Board