

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

Regular meeting, Wednesday, March 15, 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, Elaine McCrystal, Joseph R. Marra, Alan Avery, Debra Beyman, Mat Thompson, Esq., John Ernst, Barbara Jo Crea, Commissioner, Tony Agliata, Mark Villinger and Veronica Tompkins.

On a motion by Ms. McCrystal, seconded by Mr. Marra, the minutes of the meeting of March 1, 2023 were moved for approval. The motion was unanimously carried.

SUBDIVISION AND SITE PLAN REVIEW

BRICK: Lots 13 & 15, Block 1029 (BRT2024A) Ewald, LLC

This four-lot major subdivision is for three new single family residences to be located on Center Drive and one commercial lot to be located on Route 88. The previous minor subdivision of these lots that was approved on January 19, 2022 is hereby withdrawn. Ocean County requires the applicant to address the following conditions of approval: (1) revise the final plat to include a key map that shows the existing lots 13 & 15, (2) revise the final plat to show the NJDOT desired typical section for this section of NJ Route 88 in accordance with the current NJDOT Access code, (3) submit a copy of the NJDOT Access Permit, (4) submit a traffic report (waiver requested), (5) 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 request.

A letter dated February 22, 2023 was read from Albert Varosi of Albert B. Varosi requesting a waiver from providing a traffic report, and from submitting a copy of the CAFRA Permit or a Jurisdictional Determination letter from the NJDEP. The applicant feels a traffic study is not required as the existing uses are to be maintained and reduced. No CAFRA Permit is required as the proposed development site improvements are below the thresholds that require a permit.

On a motion by Mr. Ernst, seconded by Ms. McCrystal, the Board granted the waiver from a full traffic report provided the applicant submit a trip generation statement identifying existing uses versus proposed. The Board also acknowledges and accepts the applicant's professional's interpretation that 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 a key map that shows the existing lots 13 & 15, (2) revise the final plat to show the NJDOT desired typical section for this section of NJ Route 88 in accordance with the current NJDOT Access code, (3) submit a copy of the NJDOT Access Permit, (4) submit a trip generation statement identifying existing uses versus proposed. 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.

LAKWOOD: Lot 7.17, Block 534 (LAT1691G) Celco Partnership d/b/a Verizon Wireless

This site plan is for a wireless communications facility to be located on a vacant lot on Blueberry Court. County facilities will not be impacted. On a motion by Mr. Sutton, seconded by Ms. McCrystal, this site plan was given final approval. The motion was unanimously carried.

LAKWOOD: Lots 2-7 / 6-15, 29-30, Block 1083 / 1086 (LAT1999C) Vermont Equities LLC

This 41-lot major subdivision is for 38 duplex units and three triplex units with 152 parking spaces to be located on Vermont Avenue and Locust Street. This project falls within the limits of the traffic signal intersection improvement project for Vermont Avenue and Locust Street. The plans indicate that the existing right of way half widths of both Locust Street and Vermont Avenue are 33' from

centerline. The plans show pavement widening to 23' from centerline across the entire frontage of the site along Locust Street. The applicant has provided a copy of a signed vacation document for the unimproved Evergreen Boulevard. The applicant has provided documentation from McDonough & Rea Associates, Inc. dated February 28, 2020 indicating that the proposed location of Farry Street will operate safely with respect to the Harrogate driveway. Previous application for this property has expired. The Board previously acknowledged and accepted that the applicant's professional's interpretation represents that the project does not exceed the CAFRA threshold and that wetlands do not exist on the property. On a motion by Mr. Sutton, seconded by Ms. McCrystal, this major subdivision was given final approval contingent the applicant to address the following conditions of approval: (1) obtain and provide the following easements and metes and bounds descriptions for both corners at the proposed June Street/Vermont Avenue intersection: - sight easement to Ocean County from Block 1083, Lot 1 (1,366.77') - sight easement and permanent grading easement to Ocean County from Block 1084, Lot 2 (281.66') - recorded temporary grading easement from Block 1083, Lot 1 to the developer - recorded temporary grading easement from Block 1084, Lot 2 to the developer-right-of-way dedication corner clip to Ocean County from Block 1083, Lot 1, (2) provide the following sight easements and metes and bounds descriptions to Ocean County for both corners at the proposed Farry Street/Locust Street intersection: - sight easement from proposed Block 1086, Lot 11 (30'x100'), - sight easement from proposed Block 1086, Lot 6.01 (30'x100'), - both forms use the existing lot number and both metes and bounds use the proposed lot number, the lot numbers must be the same for filing, revise accordingly, (3) address the following traffic comments: a) submit a single updated traffic report for the full development, the reports submitted are outdated, b) electronic plans are unsigned, and c) sight lines are to be based on design speed, not posted speed, (4) show edge of pavement on the opposite side of Vermont Avenue on the final plat, (5) show the Locust Street edge of pavement with half width and full width dimensions, (6) remove the proposed 24" RCP pipe note on sheet 4B, as the County has already installed 36" RCP pipe, (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.

LAKEWOOD: Lots 18 & 19, Block 76 (LAT2112A) Bar, Binyamin

This two-lot minor subdivision is for a lot line adjustment located on the local section of Sunset Road. The final plat appears to have been prepared in accordance with the Recordation Act. County facilities will not be impacted. On a motion by Ms. McCrystal, seconded by Mr. Sutton, this minor subdivision was given final approval. The motion was unanimously carried.

LAKEWOOD: Lot 8, Block 420.01 (LAT2201A) River Equities LLC

This two-lot minor subdivision is located at the intersection of Route 9 and Buttell Avenue. The NJDOT desired typical section for this section of NJ Route 9 is shown on the plans. County facilities will not be impacted. The final plat appears to have been prepared in accordance with the Recordation Act. The previous minor subdivision LAT2201 approved with conditions on September 7, 2022 is hereby withdrawn. On a motion by Ms. McCrystal, seconded by Mr. Sutton, this minor subdivision was given final approval. The motion was unanimously carried.

LAKEWOOD: Lots 8, 9, 10, 25, 27, 28, 29/ 2/ 1, 2.3, 4, 6, Block 1087/ 1088/ 1089 (LAT2207) Chestnut Equity LLC

This 28-lot major subdivision is for 28 duplex units to be located on Route 70, Evergreen Boulevard, Stradford Street, and Brotman Avenue. Ocean County requires the applicant to address the following items: (1) submit a copy of the CAFRA Permit or a Jurisdictional Determination letter from the NJDEP (waiver requested), (2) revise the title block on the final plat to be signed and sealed by a Land Surveyor, (3) revise the plans to show the NJDOT desired typical section for this section of NJ Route 70 in accordance with the current NJDOT Access code, (4) provide a copy of the NJDOT street permit, (5) revise the drainage design to include pretreatment prior to runoff entering the underground infiltration system, (6) provide a drainage design to be reviewed and approved by the Ocean County Engineer (see drainage memo dated 3/15/2023), (7) submit a copy of the NJDEP Freshwater Wetland permit for the wetland buffer averaging as shown on the plans, (8) pay an off-tract drainage improvement fee in an amount to

be determined by the Ocean County Engineer, (9) pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer. Approval recommended and the Board's decision on the waiver request.

A letter dated November 8, 2022 was read from Glen Lines of NewLines Engineering, requesting a waiver from providing a CAFRA Jurisdictional Determination. This project does not require a CAFRA Permit per NJAC (7:702.2 (a) 4) as the site is located over 500' from a regular body of water and proposes less than 150 or more parking spaces and proposes less than 75 dwelling units.

On a motion by Mr. Ernst, seconded by Mr. Sutton, the Board acknowledges and accepts the applicant's professional's interpretation that 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 title block on the final plat to be signed and sealed by a Land Surveyor, (2) revise the plans to show the NJDOT desired typical section for this section of NJ Route 70 in accordance with the current NJDOT Access code, (3) provide a copy of the NJDOT street permit, (4) revise the drainage design to include pretreatment prior to runoff entering the underground infiltration system, (5) provide a drainage design to be reviewed and approved by the Ocean County Engineer (see drainage memo dated 3/15/2023), (6) submit a copy of the NJDEP Freshwater Wetland permit for the wetland buffer averaging as shown on the plans, (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.

LAKEWOOD: Lot 1, Block 837 (LAT2216) 118 Ocean Avenue, LLC

This site plan is for a 9,300 s.f. childcare center with 69 parking spaces to be located at the intersection of Vine Street and Spruce Street. County facilities will not be impacted. On a motion by Ms. McCrystal, seconded by Mr. Avery, this site plan was given final approval. The motion was unanimously carried.

LAKEWOOD: Lot 1.02, Block 961.02 (LAT944Z5) Tower Park Equity LLC

This four-lot minor subdivision is to create lots for retail center, office buildings, and a remaining lot to be located on Avenue of the States within the Cedar Bridge Development Campus. The final plat appears to have been prepared in accordance with the Recordation Act. The previous minor subdivision LAT944Z4 approved with conditions on November 16, 2022 is hereby withdrawn. On a motion by Ms. McCrystal, seconded by Mr. Sutton, this minor subdivision was given final approval. The motion was unanimously carried.

LONG BEACH: Lots 1.03, 1.04, 1.24 & 1.25, Block 11.28 (LBT589F) PSM Real Estate, LLC

This ten-lot major subdivision is for four upland single family lots, one remaining lot for future water dependent use as required by the NJDEP, and five riparian lots to be located on West Muriel Avenue and Alabama Avenue. The final plat appears to have been prepared in accordance with the Recordation Act. County facilities will not be impacted. On a motion by Ms. McCrystal, seconded by Mr. Marra, this major subdivision was given final approval. The motion was unanimously carried.

MANCHESTER: Lots 1.01 & 1.03, Block 46.01 (MT104G) Presidential Gardens, LLC

This site plan is for a lot consolidation and the construction of 519 two-bedroom garden apartments along with 1,038 parking spaces, a 3,260 s.f. clubhouse, recreation / garden area and associated site improvements to be located at the intersection of Route 37 and Colonial Drive. The applicant has provided a copy of the NJDOT Access Permit and the NJDEP CAFRA Permit. The NJDOT desired typical section for this section of NJ Route 37 in accordance with the current NJDOT Access code is indicated on the plans. The applicant is advised that NJ TRANSIT continues to evaluate capital improvements to re-activate passenger rail service to the Monmouth-Ocean region, therefore the potential remains for possible future NJ TRANSIT rail service

operating along the railroad right-of-way along the southern boundary of the property. Ocean County facilities will not be impacted. On a motion by Ms. McCrystal, seconded by Mr. Sutton, with Mr. Avery abstaining, this site plan was given final approval. The motion was unanimously carried.

MANTOLOKING: Lots 4, 4.01 & 5, Block 24 (MB34) Brad Hargis

This two-lot minor subdivision is for a lot consolidation on Barnegat Lane and Route 35 (aka Ocean 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 Ms. McCrystal, this minor subdivision was given final approval. The motion was unanimously carried.

SEASIDE HTS: Lots 6 & 9, Block 16 (SHB144A) Drifters of Seaside Heights

This site plan is for a restroom trailer, a service bar, and an outdoor dining area at Drifters located at the intersection of the Boulevard and Blaine Avenue. Lot 6 is currently a vacant gravel parking lot. The full width right-of-way of the Boulevard is 70', which is greater than the master plan width. County facilities will not be impacted. On a motion by Ms. McCrystal, seconded by Mr. Sutton, this site plan was given final approval. The motion was unanimously carried.

STAFFORD: Lots 38 & 39, Block 124 (ST179C) Prosperity Lane Associates, LLC

This eight-lot major subdivision is for six single family residential units, a cul-de-sac, a stormwater basin lot, and a remaining lot to be located on Oak 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 NJDEP Letter of Interpretation for the wetland delineation as indicated on the plans, (3) revise the final plat to include the existing lot numbers and show existing lot lines to be removed, (4) revise the key map on the final plat to clearly depict the site location by showing major roads within the vicinity of the site.

A letter dated February 28, 2023 was read from Robert Sive of Geller Sive & Company requesting a waiver from providing a traffic report. The proposed six single-family residential dwellings are a low traffic generating use along Oak Avenue with minimal impacts on existing traffic volumes and patterns.

On a motion by Mr. Ernst, seconded by Ms. McCrystal the Board granted the waiver from providing a full traffic report provided the applicant submit a trip generation statement comparing existing and proposed traffic; this major subdivision was given final approval contingent upon the applicant to address the following items: (1) submit a trip generation statement comparing existing and proposed traffic, (2) submit a copy of the NJDEP Letter of Interpretation for the wetland delineation as indicated on the plans, (3) revise the final plat to include the existing lot numbers and show existing lot lines to be removed, (4) revise the key map on the final plat to clearly depict the site location by showing major roads within the vicinity of the site. 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 1, Block 472 (TRT1478R2) The Fried Group, LP

This site plan is for a 5,206 s.f. addition to an existing commercial building on Route 37 and Industrial Way. On-site parking will be reduced by nine spaces. County facilities will not be impacted. On a motion by Ms. McCrystal, seconded by Mr. Sutton this site plan was given final approval contingent on the applicant to address the following conditions of approval: (1) submit a copy of the CAFRA Permit from the NJDEP, (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. 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

LAKEWOOD: Lots 18 & 93, Block 251.05 (LAT2196A) Bet Midrash Ohel Torah

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CORRESPONDENCE:

BARNEGAT: Block 162.01, Lot 1.22; (BAT236M.01) Barnegat Terrace LLC. This site plan received conditional approval on February 15, 2023. Condition #4 required an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer and condition #5 required 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 \$6,000.00 and the off-tract traffic improvement fee to be \$12,917.00. On a motion by Mr. Ernst, seconded by Ms. McCrystal, the Board required the off-tract drainage improvement fee to be \$6,000.00 and the off-tract traffic improvement fee to be \$12,917.00. The motion was unanimously carried.

LITTLE EGG HARBOR: Block 124, Lot 2 (LEHT442) Defeo, David. This site plan received conditional approval on February 15, 2023. A letter dated March 5, 2023 was read from Mathew Wilder of Morgan Engineering requesting a waiver from Condition #2 regarding the north arrow to point up, as this is their company standard. A waiver was also requested from revising the plans to show the proposed pavement widening to 24' from centerline to extend to the northern property corner with a 15:1 paved taper back to existing edge of pavement. On a motion by Mr. Ernst, seconded by Ms. McCrystal with Mr. Tirella abstaining, the Board denied the waiver on allowing the north pointing up, as this is industry standard. The Board also denied the waiver on widening relief. The applicant needs to provide County road improvement plans across the entire frontage of the site. The motion was unanimously carried.

SEASIDE HEIGHTS: Block 40, Lots 4 & 9 (SHB147A) Pantai LLC. This minor subdivision was given final approval on January 18, 2023. A letter dated February 16, 2023 was read from Stuart Challoner of Challoner & Associates, LLC requesting a waiver that was granted in 2018 to provide a sight triangle easement of 10' by 40' still be accepted by the County Planning Department. It does not appear that the sight triangle easement was filed at the County Clerk's Office by the original developer. A waiver was also requested to provide additional five foot right-of-way dedication along Sheridan Avenue. The current right-of-way width of Sheridan Avenue is 50 feet. In 2018, the County Planning Board granted site plan approval to construct 4 condominium units within a new three story structure with a principal building setback of ten feet. On a motion by Mr. Ernst, seconded by Ms. McCrystal, with Mr. Tirella abstaining, the Board allowed the filing of the sight triangle that was approved in 2018. The Board also granted a waiver from providing 5 foot right-of-way dedication, and accept the 10'x40' sight triangle. The motion was unanimously carried.

SEASIDE HEIGHTS: Block 26, Lots 29 & 31 (SB165) Masluck, Susan. This major subdivision was given final approval on November 2, 2022. Condition #5 required an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer. Condition #6 required 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 \$6,000.00 and the off-tract traffic improvement fee to be \$2,083.00. On a motion by Mr. Ernst, seconded by Ms. McCrystal, the Board required the off-tract drainage improvement fee to be \$6,000.00 and the off-tract traffic improvement fee to be \$2,083.00. 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:
BRICK BRRT1841A.04	7	549	02/02/2022	03/13/2023
JACKSON JT1730A	12,13	7309	12/15/2021	03/07/2023
JACKSON JT216B.02	9,10,11	4601	12/15/2021	03/07/2023
JACKSON JT368C.01	27	20501	09/21/2022	03/09/2023
LAKEWOOD LAT2214	14, 15	237	3/01/2023	03/14/2023
LONG BEACH LBT795	19	4.1	11/02/2022	03/13/2023
MANCHESTER MT340B	1.05-1.07, 1.09	69	11/16/2022	03/15/2023
MANCHESTER MT527	1.01, 7	1.32	3/01/2023	3/14/2023
SEASIDE HEIGHTS SHB162	3	61	09/07/2022	03/06/2023

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Mark Villinger discussed the 2023-2027 Capital Improvement Program (CIP) and distributed a memorandum and draft Resolution for consideration by the Board. The CIP has been reviewed for consistency with the Ocean County Comprehensive Master Plan. On a motion by Mr. Sutton, seconded by Ms. McCrystal, the Board adopted the following Resolution endorsing the 2023-2027 Capital Improvement Plan and Budget.

WHEREAS, a coordinated and consistent program of capital improvements and public improvements are necessary to provide the infrastructure and public services required to meet the existing and future needs of County residents; and

WHEREAS, the Ocean County Board of Commissioners with the assistance of the Administrator, the Department of Finance, the Office of Management and Budget, the Engineering Department, the Planning Board and the County Auditor has developed a six year Capital Improvement Program and Budget; and

WHEREAS, the 2023 – 2028 Capital Improvement Program presents a program budget implementation schedule for capital improvement projects in Ocean County; and

WHEREAS, the capital projects and expenditures identified in the 2023 – 2028 Capital Improvement Program are consistent with the goals and policies contained in the Ocean County Comprehensive Master Plan, adopted by the Planning Board in 2011.

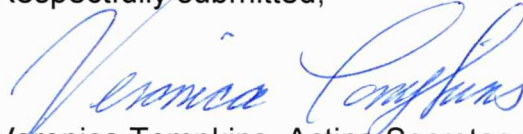
NOW, THEREFORE BE IT RESOLVED that the Ocean County Planning Board endorses the 2023 – 2028 Ocean County Capital Improvement Program and Budget which establishes an orderly financing and implementation schedule for needed capital improvements.

BE IT FURTHER RESOLVED that certified copies of this Resolution be sent to the Ocean County Board of Commissioners, the Administrator, Clerk of the Board, Director of Management and Budget, the Planning Director, the County Engineer, the County Auditor and the Director of Finance.

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

Respectfully submitted,



Veronica Tompkins, Acting Secretary
Ocean County Planning Board