

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

Regular meeting, Wednesday, June 5, 2024, 6:00 PM, Engineering Conference Room, Third Floor, 129 Hooper Avenue, Toms River, New Jersey.

Attending: Chairman Tirella read the Open Public Meetings Act Statement of Compliance

Chairman Tirella presiding. Attending: Earle Sutton, Debbie Beyman, Elaine McCrystal, Matt Lotano, John Ernst, Commissioner Barbara Jo Crea, Laura Benson, Esq., Tony Agliata and Veronica Tompkins.

On a motion by Ms. McCrystal, seconded by Mr. Sutton, the minutes of the meeting of May 15, 2024 were moved for approval. The motion was unanimously carried.

SUBDIVISION AND SITE PLAN REVIEW

BARNEGAT: Lots 6, 6.03 & 7 Block 264 (BAT337) MacFarland, David & Faith

This three-lot minor subdivision is for a lot line adjustment located on Route 9. The NJDOT "desired typical section" for this section of NJ Route 9 in accordance with the current NJDOT Access code is shown on the plans. 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. Approval recommended. The motion was unanimously carried.

JACKSON: Lots 4.02 Block 22010 (JT1464D) Coastal Classics, LLC

This site plan is for the addition of a paint booth at an existing contractor's flex space on Faraday Drive. Ocean County requires the applicant to address the following conditions of approval: (1) submit County road improvement plans (waiver requested), (2) submit a traffic report (waiver requested), (3) submit a drainage report (waiver requested), (4) dimension the existing right-of-way half width and full width of the County road on the plan, and if the half width is less than 30 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, (5) revise the plans to show all existing features within 200' of the site, including existing curb line to the north of the site, (6) indicate the proposed edge of pavement is to be built 20' from centerline in accordance with Section 611.B and expired site plan conditional approval for JT1464C from 8/6/2003. Approval recommended upon fulfillment of the above contingencies and the Board decision on the waiver requests.

A letter was read dated May 7, 2024 from Michael Intile requesting three waivers. A waiver was requested from providing County road improvement plans as the plan is to add a self-contained paint booth to an existing commercial property. A waiver is requested from providing a drainage report as the site will remain the same after development. A waiver is requested from providing a traffic report as there will be no additional trips because of the improvement.

On a motion by Mr. Ernst, seconded by Ms. McCrystal it was recommended the Board deny the waiver from providing County Road improvements, as per the previous application to revise the cross sections for Farraday Avenue to indicate the limit of pavement reconstruction from the existing centerline of Farraday Avenue to the proposed curb based on a 2% cross slope. The Board granted a waiver from providing a drainage report as there will be no increase in stormwater runoff. The Board granted a waiver from providing a traffic report as there will be no increase in traffic to the site. 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 and full width of the County road on the plan, and if 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) revise the plans to show all existing features within 200' of the site, including existing curb line to the north of the site, (3) indicate the proposed edge of pavement is to be built 20' from centerline in accordance with Section 611.B and expired site plan conditional approval for JT1464C from 8/6/2003. 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 3.01, 7, 3 & 4 Block 1, 1.01, 1.07 (LAT1003D) Congregation Bros Yaakov, Inc.

This site plan is for a proposed 3,932 s.f. day care and 53 proposed parking spaces at an existing school located at the intersection of West County Line Road and Kent Road. 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) dimension the existing right-of-way half width and full width of West County Line Road on the plan, and if the half width is less than 43' from centerline, submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 43' from centerline across the entire frontage of the site to Ocean County, (2) dimension the existing right-of-way half width and full width of Kent Road on the plan, and if the half width is less than 30' from centerline, submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 30' from centerline to Ocean County, (3) remove from the plan the shade tree, utility, and drainage easement to Ocean County, (4) dimension the pavement half width and full width of both County roads, (5) revise the key map to include all lots that are subject of this application, (6) provide a copy of the deed of lot consolidation, (7) provide a drainage design to be reviewed and approved by the Ocean County Engineer (see drainage memo dated 6/6/2024), (8) add to the plans the previously approved staggered arrival and departure times for the student buses to minimize the overflow from the site and ensure the safe operation of the County facilities adjacent to the site, (9) revise the plans to show existing County road striping, (10) relocate the right-in right-out access drive to West County Line Road further away from the County road intersection. 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 36 Block 1235 (LAT1171C) Parkway Lodging Realty, LLC

This site plan is for a four-story 5,442 square footprint addition to an existing Hilton Garden Inn hotel with 18 proposed parking spaces located on Route 70. The site also includes an existing Starbucks drive-thru restaurant and Longhorn Steakhouse restaurant. 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) submit a copy of the CAFRA Jurisdictional Determination letter from the NJDEP. 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 10, 11, 12 Block 249 (LAT2009A) Bimbaum, David

This six-lot minor subdivision is located on Ocean Avenue (State Route 88). County facilities will not be impacted. The final plat appears to have been prepared in accordance with the Recordation Act. The NJDOT "desired typical section" for this section of NJ Route 88 in accordance with the current NJDOT Access code is indicated on the plans. On a motion by Ms. McCrystal, seconded by Mr. Liberatore this minor subdivision was given final approval. The motion was unanimously carried.

LAKEWOOD: Lots 2-11 Block 1084 (LAT2162C2) MLMS Holdings, LLC

This 13-lot minor subdivision is for 12 duplex units with four parking spaces each and a remainder lot to be located on Vermont Avenue, unimproved June Street, unimproved Farry Street, and unimproved Evergreen Boulevard. The proposed lots do not currently have access to an improved road, although June Street and Evergreen Boulevard will be improved by the developer for LAT1999C and the road construction has been bonded with the Township. Temporary Certificates of Occupancy and Certificates of Occupancy are not to be issued until the road improvements have been constructed. On a motion by Ms. McCrystal, seconded by Mr. Liberatore this minor subdivision was given final approval contingent upon the applicant to address the following conditions of approval: (1) revise the subdivision plans and final plat to indicate the deed book and page number of the existing sight easement on Lot 2, (2) pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer. Approval recommended upon fulfillment of the above contingencies. All of the above conditions must be addressed in order to

obtain Ocean County Planning Board approval stamp and signature. The motion was unanimously carried.

LAKEWOOD: Lots 40 & 41 Block 778 (LAT2247) 51 River Avenue, LLC

This site plan is for a 4,906 s.f. addition to a commercial retail building with 35 parking spaces located on Route 9. The NJDOT "desired typical section" for this section of NJ Route 9 is shown in accordance with the current NJDOT Access code. On a motion by Ms. McCrystal, seconded by Mr. Sutton, Mr. Tirella abstaining this site plan was given final approval contingent upon the applicant to address the following conditions of approval: (1) provide a copy of the NJDOT Access Permit, (2) address the following traffic comment: provide trip distribution percentage to County roadways, including Prospect Street and James Street., (3) pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer. Approval recommended upon fulfillment of the above contingencies. All of the above conditions must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. The motion was unanimously carried.

LAKEWOOD: Lots 171 Block 208 (LAT2248) 359 East 7th, LLC

This two-lot minor subdivision is located on a local road, East 7th Street. County facilities will not be impacted. The final plat appears to have been prepared in accordance with the Recordation Act. On a motion by Ms. McCrystal, seconded by Ms. Beyman this minor subdivision was given final approval. Approval recommended. The motion was unanimously carried.

LAKEWOOD: Lots 1 Block 242 (LAT2249) Congregation Torah V' Chaim

This two-lot minor subdivision is located on local roads, East 5th Street and Negba Street. County facilities will not be impacted. The final plat appears to have been prepared in accordance with the Recordation Act. On a motion by Ms. McCrystal, seconded by Mr. Liberatore this minor subdivision was given final approval. Approval recommended. The motion was unanimously carried.

LAKEWOOD: Lots 8.03 & 20 Block 251 (LAT769C) Congregation White Street

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

LONG BEACH: Lots 22 Block 1.10 (LBT802) McKinley Ave. Properties, LLC

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

OCEAN: Lots 4.01 Block 200 (OT288) Seaside Equities, LLC

This two-lot minor subdivision is located at the intersection of local roads, Lincoln Drive, and Illinois Avenue. 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 conditions of approval: (1) rotate the final plat so that north is up or to the right in accordance with industry standard, (2) provide 3 corner coordinates in accordance with the Recordation Act, (3) provide a north arrow for the key map. 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.

PINE BEACH: Lots 26,28, 34-38 Block 65 (PBB64) Saxton, James & Saxton, Justine

This two-lot minor subdivision is located at the intersection of Prospect Avenue and Avon Road. On a motion by Ms. McCrystal, seconded by Mr. Liberatore, this minor subdivision was given final approval contingent upon the applicant to address the following conditions of approval:

(1) dimension the existing right-of-way half width and full width of the County road on the plan, and if the half width is less than 30' from centerline, submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 30' from centerline to Ocean County, (2) submit a sight right easement form and metes and bounds description for 30'x100' sight triangle easement at the intersection in accordance with County standards to Ocean County, (3) dimension County road pavement half width and full width, (4) provide new lot numbers on the final plat, (5) add to the plans Ocean County standard notes for projects located on County roads: (a) driveway locations on new lots shall be spaced in accordance with Ocean County Site Plan and Subdivision Resolution Table 600-4 of Section 606, and (b) 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. (6) if the Township requires curb and sidewalk, the curb shall be set at the County's Master plan width with 15:1 tapers back to the existing edge of pavement.

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.

PT. PLEASANT: Lots 5 Block 160 (PPB817) Bobowski, Jim

This two-lot minor subdivision is for two single family residential units to be located at the intersection of Burnt Tavern Road and Old Farm Road. On a motion by Ms. McCrystal, seconded by Mr. Liberatore this minor subdivision was given final approval contingent upon the applicant to address the following conditions of approval: (1) dimension the existing right-of-way half width and full width of Burnt Tavern Road on the plan, and if the half width is less than 30' from centerline, submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 30' from centerline to Ocean County, (2) dimension the existing right-of-way half width and full width of Old Farm Road on the plan, and if the half width is less than 30' from centerline, submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 30' from centerline to Ocean County, (3) dimension the County road pavement half width and full width of both County roads, (4) submit a sight right easement form and metes and bounds description for a 30'x100' sight triangle easement at the intersection of Old Farm Road and Benedict Street and at the intersection of Old Farm Road and Burnt Tavern Road in accordance with County standards to Ocean County, (5) if the Township requires curb or sidewalk along Old Farm Road, the curb shall be set at the County's Master plan width at 17' from centerline, (6) 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.

SEASIDE HTS: Lots 13, 21,25, 38 & 40/21 Block 3.01/2.01 (SHB183) 6M Development

This site plan is for 55 condominium units and a 135-room hotel and banquet hall and 1st floor retail with 300 parking spaces, including 20 electric vehicle spaces on a separate lot, to be located on Ocean Terrace, Franklin Avenue, and Lincoln Avenue. The project includes the demolition of the Surfside Motel, the Glendale Motel, and the Dry Dock Motel. The existing right-of-way full width of Ocean Terrace is 60' consistent with the master plan desired width. 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 condition of approval: (1) submit a sight right easement form and metes and bounds description for an AASHTO sight triangle easement at the intersection in accordance with County standards to Ocean County, (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 6/5/2024), (4) identify the proposed number of stories on the plan set, (5) provide a proposed striping plan for the County road, (6) revise the County road cross-sections so that they are drawn consistently with the plan view, (7) address the following traffic comments: a) depict roadway striping on the 'County Site Amenities Plan', dimension AASHTO sight line decision point from Lincoln Avenue stop bar and Ocean Terrace edge of traveled way, and b) the lots listed in the report do not match the plans and application, (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 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 16 Block 687 (TRT2496C) Christ Church of Toms River

This site plan is for a 949 s.f. addition to the Ocean Christian Community Building for a 17 bed Homeless Shelter at the Christ Episcopal Church of Toms River on Washington Street. No improvements are proposed along Washington Street. A 7' road easement to Ocean County already exists to 33' from centerline, which is the desired master plan right-of-way width. Ocean County requires the applicant to address the following conditions of approval: (1) dimension the full width of the County right-of-way, (2) submit a copy of the CAFRA permit or a Jurisdictional Determination letter from the NJDEP (waiver requested), (3) submit a drainage report (waiver requested).

A letter dated June 4, 2024 was read from Brian Murphy of FWH Associates requesting a waiver from providing a CAFRA Permit or Jurisdictional Determination letter from the NJDEP. The development is legally existing and has been regulated by CAFRA since 1994. The current application for the homeless shelter and outreach center would fall under the residential and commercial designations by CAFRA. A waiver was requested from providing a drainage report. There is less than 1 acre of disturbance, less than ¼ acre of new impervious coverage since 2004 and ¼ of motor vehicle surface proposed since 2004.

On a motion by Mr. Ernst, seconded by Mr. Sutton, Commissioner Crea abstaining, it was recommended the Board acknowledges and accepts the applicant's professional's interpretation that the project does not exceed the CAFRA threshold. It was also recommended that the Board grant a waiver from providing a drainage report as there will be no increase in stormwater runoff towards the County road. Ocean County requires the applicant to address the following condition of approval: (1) dimension the full width of the County right-of-way. 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.

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

BARNEGAT: Lots 42.05-42.07, 42.09-42.11 Block 92.112 (BAT95N2) Cardinale & Barnegat Crossing Assoc.

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CORRESPONDENCE:

BRICK: Block 383.40 Lots 1-5 (BRT2043) Clancy, John This site plan received conditional approval on 1/17/2024. A letter was read dated May 10, 2024, from Mark Whitaker of Dynamic Engineering Consultants requesting a waiver from providing a sight right easement. The intersection is signalized and therefore, a sight easement is not required. On a motion by Mr. Ernst, seconded by Mr. Sutton, it was recommended the Board deny the waiver and the applicant must provide a 30'x100' sight triangle easement at the intersection. The motion was unanimously carried.

LAKEWOOD: Block 445 Lots 17, 18 (LAT1296E.02) Prospect Massachusetts Heights, LLC This major subdivision received conditional approval on 4/17/2024. A letter was read dated November 8, 2023 requested a waiver from providing a CAFRA Permit or a Jurisdictional Determination letter from the NJDEP. Per CAFRA requirements 7:7-2.2(a)4 a residential development having 70 or more dwelling units, a commercial development having 150 or more parking spaces and a public development or industrial development. This project is a subdivision for 32 duplex units and a Synagogue. On a motion by Mr. Ernst, seconded by Ms. McCrystal it was recommended the Board acknowledges and accepts the applicant's professional's interpretation that the project does not exceed the CAFRA threshold. The motion was unanimously carried.

JACKSON: Block 6401 Lots 21 & 22 (JT1770) BMOJ, LLC This site plan received conditional approval on 5/1/2024. The minutes are amended to require a road easement for traffic signal equipment beyond the master plan right-of-way width. Also, the minutes are amended to require the applicant to enter into a Developers Agreement with the Ocean County Board of Commissioners with regard to the developer's share of the proposed traffic signal modifications and road improvements to accommodate the proposed site driveway in the overlay project. The motion was unanimously carried.