

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

Regular meeting, Wednesday, February 17, 2021, 10:00 AM, Engineering Conference Room, Third Floor, 129 Hooper Avenue, Toms River, New Jersey.

Pursuant to the directives of Governor Murphy's Executive Orders regarding COVID-19 social distancing compliance, the Ocean County Planning Board meeting was held both publicly in the Ocean County Engineer Conference Room with Chairman James Russell presiding, John Ernst and Veronica Tompkins in attendance and remotely via WebEx conference with Earl Sutton, Joseph Bilotta, Elaine McCrystal, Scott Tirella, and Dennis Liberatore, Laura Benson, Anthony Agliata, and Mark Villinger.

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

On a motion by Ms. McCrystal, seconded by Mr. Bilotta, the minutes of the meeting of February 3, 2021 were moved for approval. The motion was unanimously carried.

SUBDIVISION AND SITE PLAN REVIEW

BERKELEY: Lots 8.04 Block 1247 (BT429E) GS Realty Inc.

This 18 lot major subdivision is for 15 single family dwellings, two rain garden/emergency access lots to Berkeley Township, one infiltration basin/historic site lot also to Berkeley Township, and a cul-de-sac to be located on a vacant lot on Sloop Creek Road and North Stott Street. The final plat appears to have been prepared in accordance with the Recordation Act. Ocean County requires the applicant to address the following items: (1) submit a copy of the NJDEP Presence/Absence letter, NJDEP Letter of Interpretation, or NJDEP Freshwater Wetlands Permit for the construction within the mapped wetlands and buffer area in accordance with NJDEP N.J.A.C. 7:7A-3.1 (d) and (e) and Ocean County Site Plan and Subdivision Resolution Sections 311.G and 401.O, (2) address the following traffic comment: a) update the traffic report to current counts and standards, (3) submit a copy of the CAFRA permit or a Jurisdictional Determination letter from the NJDEP (waiver requested), (4) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer (waiver requested), and (5) pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer (waiver requested). Approval recommended upon fulfillment of the above contingencies and the Board's decision on the waiver requests.

A letter dated February 16, 2021 was read from Brian Murphy of FWH Associates requesting several waivers. A waiver is requested from providing a CAFRA Permit or Jurisdiction Determination. The applicant proposes construction of 15 single family dwellings and CAFRA requirement is 24 units. The applicant is also requesting a waiver from traffic impact and drainage fees as this application does not impact any County facilities.

On a motion by Mr. Ernst, seconded by Mr. Bilotta, the Board acknowledges and accepts the applicant's professional's interpretation that the project does not exceed the CAFRA threshold, the off-tract traffic improvement fee has been determined to be \$3,750.00 and the off-tract drainage improvement fee has been determined to be zero. This major subdivision was given preliminary and final approval contingent upon the applicant to address the following items: (1) submit a copy of the NJDEP Presence/Absence letter, NJDEP Letter of Interpretation, or NJDEP Freshwater Wetlands Permit for the construction within the mapped wetlands and buffer area in accordance with NJDEP N.J.A.C. 7:7A-3.1 (d) and (e) and Ocean County Site Plan and Subdivision Resolution Sections 311.G and 401.O, (2) address the following traffic comment: a) update the traffic report to current counts and standards, (3) pay an off-tract traffic improvement fee in an amount of \$3,750.00. 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.

EAGLESWOOD: Lots 9.01 & 9.02 Block 36 (ET146A) Andrew Finelli

This minor subdivision is for a lot line adjustment on Stafford Forge Road. The plat shows the existing right-of-way half width of the County road to be 30' from centerline consistent with the County Master Plan. On a motion by Mr. Sutton, seconded by Mr. Bilotta, this minor subdivision was given final approval contingent upon the applicant to address the following items: (1) dimension the existing right-of-way full width of the County road on the plat, and (2) add the following notes to the subdivision plat: (a) driveway locations on new lots shall be spaced in accordance with Table 600-4 of Section 606 of the County Site Plan and Subdivision Resolution, (b) off-street parking shall be situated on new lots to prevent vehicles from backing onto the County road in accordance with 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.

JACKSON: Lots 47 Block 12301 (JT1031D) Canaan Christian Church, Inc.

This site plan is for a 9,800 square foot church building and 100 parking spaces at the Canaan Christian Church on Frank Applegate Road. The plans show the existing right-of-way half width at 30' from centerline and existing pavement half width at 20' from centerline consistent with the County Master Plan. The plans show an existing sight easement at the intersection. The applicant does not intend to make changes to the access points to the County road. Ocean County requires the applicant to address the following items: (1) submit a traffic report (waiver requested), (2) submit County road improvement plans (waiver requested), and (3) provide a drainage design to be reviewed and approved by the Ocean County Engineer (per drainage memo dated 2/17/2021).

A letter dated January 5, 2021 was read from Richard DiFolco from JKR Engineering requesting a waiver from providing a traffic report. The proposed project is to construct a new church building on the site and to relocate the worship service from the existing church to the new church building. The site plan maintains and reconfigures the existing paved parking areas and replaces the existing gravel surface parking areas with delineated paved parking. The existing site traffic patterns and traffic volumes will remain as currently exists and although the traffic volume will tend to increase as the congregation may grow over time, it will not cause any detrimental impacts to the County road system. A waiver was also requested from providing County road improvement plans as the site plan proposes to maintain the existing driveway configurations and no changes are to be made to the existing concrete curbing. The County road improvements will continue to provide a safe and efficient means of vehicular and pedestrian access to and from the site.

On a motion made by Mr. Ernst, and seconded by Mr. Bilotta, the Board accepted the applicant's statement that there will be no change to traffic on the site and granted a waiver from providing a traffic report, and granted the waiver from providing County road improvement plans as the existing roadway meets the County Master Plan; this site plan was given preliminary and final approval contingent upon the applicant to address the following items: (1) provide a drainage design to be reviewed and approved by the Ocean County Engineer (per drainage memo dated 2/17/2021). 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.

JACKSON: Lots 1 Block 12202 (JT700F) Jackson Baptist Church, Inc.

This site plan is for a 9,125 square foot addition to the Jackson Baptist Church on Vanhiseville-Bennetts Mills Road. There are no modifications proposed to the access drive and no proposed parking spaces. The trip generation statement is acceptable. Ocean County requires 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 center line to Ocean County, (2) submit a traffic report (waiver requested), and (3) submit a drainage report (waiver requested). Approval recommended upon fulfillment of the above contingencies and the Board's decision on the waiver requests.

A letter dated January 18, 2021 was read from Jeffrey Carr of Lindstrom, Diessner & Carr, requesting a waiver from submitting a traffic report and a trip generation statement was provided in lieu of a traffic report. The applicant is also requesting a waiver from providing a stormwater

report since a stormwater management basin was designed and constructed under the original approval, which has since expired. The basin was designed to control runoff for Phase III as well. Therefore no new stormwater facilities are required. Once completed, the project will have no impact on existing drainage facilities.

On a motion by Mr. Ernst, seconded by Scott Tirella, the Board accepted the trip generation statement in lieu of a traffic report. The waiver for the drainage report was denied as there is a change in the amount of impervious coverage; this site plan was given preliminary and 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 center line to Ocean County, and (2) submit a drainage report. 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 13 Block 774.04 (LAT1268A) M.B. of Pine Street, Inc.

This six-lot major subdivision is for one single family house, four duplex units, and a 4,553 square foot Shul with 20 proposed parking spaces to be located at the corner of local roads Pine Street and Martin Luther King Drive. On a motion by Mr. Sutton, and seconded by Mr. Bilotta, this major subdivision was given final approval contingent upon the applicant to address the following items: (1) address the following traffic comments: a) the proposed Shul building area listed in the report (9,058 square feet) does not match the area listed on the plans / application (4,553 square feet), and the improvement plan included in the appendix is not current. The total building area and number of stories should be clearly labeled on all plans and reports. Revise as required, and (2) 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 8 Block 150.02 (LAT2130) Aryeh Zabrowsky

This two-lot minor subdivision is located at the intersection of two local roads, 13th Street and Shafto 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 Mr. Sutton, seconded by Mr. Tirella, this minor subdivision was given final approval. The motion was unanimously carried.

MANCHESTER: Lots 22 Block 98 (MT509A) Whiting DG, LLC

This site plan is for a 7,500 square foot Dollar General with 30 parking spaces to be located at the intersection of Pinewald Keswick Road (CR530) and Schoolhouse Road. The existing right-of-way half width of Pinewald Keswick Road (CR530) is forty feet from centerline consistent with the County Master Plan. The existing right-of-way half width of Schoolhouse Road is thirty feet from centerline consistent with the County Master Plan. The applicant has provided a copy of the Pinelands Commission Inconsistent Certificate of Filing. On a motion by Mr. Sutton, seconded by Mr. Liberatore, this site plan was given final approval contingent upon the applicant to address the following items: (1) submit a sight right easement form and metes and bounds description for sight triangle easements at the proposed access points and County road intersection in accordance with County standards to Ocean County, (2) provide a drainage design to be reviewed and approved by the Ocean County Engineer (per drainage memo dated 2/17/2021), (3) add the following Ocean County standard notes for projects located on County roads: a) The developer is required to obtain a road opening permit from the Ocean County Engineering Department prior to the start of construction of any improvements or soil erosion control measures within the County right-of-way, b) The developer shall obtain a letter of final acceptance from the Ocean County Engineer for the County road improvements prior to the issuance of a TCO/CO from the municipality and release of any bond or other financial surety posted with the municipality for the completion of said improvement, and c) "County road improvements must

have base pavement course prior to the issuance of Certificate of Occupancies," (4) revise the drainage plan to include the labels for the County road drainage structures, (5) provide a Pinelands Commission Letter of No Further Review, (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.

PT. PLEASANT: Lots 41 & 43 Block 113 (PPB796) Northstar Capital, LLC

This site plan is for a three story multi-family residential apartment building for 16 units with 32 proposed parking spaces to be located on Arnold Avenue. The trip generation statement is acceptable in lieu of traffic report because the proposed use will generate less traffic than the existing use. On a motion by Mr. Tirella, seconded by Mr. Bilotta, 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) depict the AASHTO horizontal curve sight lines and profile for the design speed limit around the curve radius in the County Road in order to provide a clear line of sight, (3) depict intersection sight lines and profile at the egress point in both directions per current AASHTO intersection sight distance criteria, dimension the decision point, measure sight triangle legs along the roadway, label the roadway curve radius, show full extent of each sight line limit by providing additional base map, (4) submit a sight right easement form and metes and bounds description for sight triangle easements at the proposed egress point in accordance with County standards to Ocean County. The location of the sight easement will be dictated by the more restrictive sight line, (5) revise the plans to show all existing features within 200 feet of the site, including existing features on the opposite side of the road and adjoining properties, including access drives and right-of-way lines, and dimension County road pavement half width and full width, (6) address the following traffic comments: a) provide design vehicle turning templates, including roadway striping, and b) provide one-way signs at each access point, (7) provide a drainage design to be reviewed and approved by the Ocean County Engineer (per drainage memo dated 2/17/2021), (8) remove the proposed parking from within 5' of the County right-of-way in accordance with Section 603.B, (9) add the following Ocean County standard notes for projects located on County roads: a) the developer is required to obtain a road opening permit from the Ocean County Engineering department prior to the start of construction of any improvements or soil erosion control measures within the County right-of-way, b) the developer shall obtain a letter of final acceptance from the Ocean County Engineer for the County road improvements prior to the issuance of a TCO/CO from the municipality and release of any bond or other financial surety posted with the municipality for the completion of said improvement, c) "County road improvements must have base pavement course prior to the issuance of Certificate of Occupancies," (10) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer, and (11) 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.

PT. PLEASANT: Lots 9,10,11,12,13 Block 83 (PPB798) Coyne, Edward & Jennifer

This major subdivision is for a five-lot consolidation into four lots by removing a linear lot across the back of all for properties. While the Township required this be a major subdivision, it's more consistent with a minor subdivision because there is no change to the number of units. There are four existing single family houses. There will be no impacts to County facilities. The final plat appears to have been prepared in accordance with the Recordation Act. On a motion by Mr. Bilotta, and seconded by Mr. Sutton, this major subdivision was given final approval. The motion was unanimously carried.

TOMS RIVER: Lots 10 Block 646.01 (TRT1427C) Bank of America

This site plan is for minor modifications to the drive-thru at the Bank of America on Route 37, Charles Drive, and Cedar Grove Road. On a motion by Mr. Sutton, seconded by Mr. Liberatore, 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 Cedar Grove 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, and (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. Construction shall not commence until all conditions have been met. The motion was unanimously carried.

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

LAKESWOOD: Lots 1 Block 1248 (LAT1368B.01) Somerset NH LLC
LAKESWOOD: Lots 58 Block 174.04 (LAT2129) Tikotzky, Abraham

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CORRESPONDENCE:

LAKESWOOD: Block 57, Lot 6 (LAT2111) Kashouty, Fouad. This site plan received conditional approval on October 21, 2010. A letter dated December 7, 2020 was read from Glenn Lines of New Lines Engineering requesting a waiver from removing parking spaces within 20 feet of the County right-of-way. The two parking spaces on the northwest corner of the site have been designated as "Employee Only" with signage. The one spot on the southwest side of the site is the ADA accessible space. All three spaces have minimal turnover during the day. On a motion by Mr. Ernst, seconded by Mr. Sutton, the board granted the waiver to allow the existing spaces to remain as designated employee and ADA spaces. The motion was unanimously carried.

LAKESWOOD: Block 172, Lot 9; (LAT587B) TILWY, LLC/C/O Marshall Weisman. This site plan received conditional approval on June 3, 2020. Condition #11 required the payment of an off-tract drainage improvement fee and Condition #12 required payment of an off-tract traffic improvement fee in amounts to be determined by the County Engineering. The County Engineer has determined the off-tract drainage improvement fee to be \$6,000.00, and off-tract traffic improvement fee to be \$41,042.00. On a motion by Mr. Ernst and seconded by Mr. Bilotta, the Board required the payment of an off-tract drainage fee in the amount of \$6,000.00 and the payment of an off-tract traffic improvement fee in the amount of \$41,042.00. The motion was unanimously carried.

PT. PLEASANT: Block 28.01, Lots 1.01 & 1 (PPBB282) Cherian, Thomas. This minor subdivision received conditional approval on January 20, 2021. A letter dated February 10, 2021 was received by John Jackson requesting a waiver from submitting a deed of dedication description for an additional right-of-way dedication to 33' from centerline to Ocean County as this would be a hardship. The applicant is under a contract of sale and a dedication is contrary to that contract. On a motion by Mr. Ernst, seconded by Mr. Bilotta, the Board granted a waiver from providing a 3' dedication and will accept a 3' wide road easement. The motion was unanimously carried.

TOMS RIVER: Block 578, Lots 10 & 19 (TRT3345.02) Block 578 Bay Avenue, LLC. This site plan received conditional approval on January 20, 2021. A letter dated February 11, 2021 was read from Millis Looney requesting a waiver from providing a CAFRA Jurisdictional Determination as the proposed development falls below the jurisdictional threshold for requiring a CAFRA permit. On a motion by Mr. Ernst, and seconded by Mr. Bilotta, the Board acknowledges that the applicants interpretation represents that the project does not exceed the CAFRA threshold. The motion was unanimously carried.

TOMS RIVER: Block 389, Lots 3 & 4 (TRT3433.02) Toms River Commerce Park, LLC. This site plan received conditional approval on March 4, 2020. Condition #11 required the payment of an off-tract drainage improvement fee, and Condition #12 required payment of an off-tract traffic improvement fee in amounts to be determined by the County Engineer. The County Engineer has determined the off-tract drainage improvement fee to be \$6,000.00, and off-tract traffic improvement fee to be \$34,583.00. On a motion by Mr. Ernst, and seconded by Mr. Bilotta, 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 \$34,583.00. The motion was unanimously carried.

TOMS RIVER: Block 444.07, Lot 18.03 (TRT3449) Fischer Blvd Associates, LLC. This site plan received conditional approval on July 1, 2020. Condition #6 required the payment of an off-tract drainage improvement fee, and Condition #7 required the payment of an off-tract traffic improvement fee in amounts to be determined by the County Engineer. The County Engineer has determined the off-tract drainage improvement fee be zero, and the off-tract traffic improvement fee to be \$1,667.00. On a motion by Mr. Ernst, and seconded by Mr. Tirella, the Board did not require the payment of an off-tract drainage improvement fee and required the payment of an off-tract traffic improvement fee in the amount of \$1,667.00. 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:
LAKWOOD LAT2080	9	538	10/16/19	2/11/21
SEASIDE PARK SPB76	21, 23.01	22	11/18/20	2/8/21
TOMS RIVER TRT3277B.01	35	535.08	7/15/20	2/4/21
TOMS RIVER TRT3345.02	10, 19	578	1/20/21	2/16/21

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

Respectfully submitted,



Robin L. Florio, Secretary
Ocean County Planning Board