

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

Regular meeting, Wednesday, April 5, 2023, 8:00 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: Joe Bilotta, Joseph R. Marra, Alan Avery, Mat Thompson, Esq., Mark Jehnke, Tony Agliata, Barbara Jo Crea, Commissioner and Veronica Tompkins

On a motion by Mr. Avery, seconded by Mr. Marra, Mr. Bilotta abstaining, the minutes of the meeting of March 15, 2023 were moved for approval. The motion was unanimously carried.

SUBDIVISION AND SITE PLAN REVIEW

JACKSON: Lot 1, Block 5101 (JT1469C) McDonald's USA LLC

This site plan is for the addition of a drive-thru lane at an existing McDonalds located on North County Line Road. The County road half width right-of-way is 51' from centerline, consistent with the Master Plan. County facilities will not be impacted. On a motion by Mr. Bilotta, seconded by Mr. Avery, this site plan was given final approval. The motion was unanimously carried.

LAKEWOOD: Lot 76.02, Block 423 (LAT1949A) Pine BLVD Gardens, LLC

This seven-lot major subdivision is for six duplex units and one single family residential dwelling with 32 proposed parking spaces to be located on Pine Boulevard. On a motion by Mr. Bilotta, seconded by Mr. Avery, this major subdivision was given final approval contingent upon the applicant to address the following conditions of approval: (1) provide three corner coordinates on the final plat in accordance with the Recordation Act, (2) revise the key map to properly locate the site on the existing conditions sheet, (3) revise the plans to correctly identify the existing lot number in title block, (4) address the following traffic comments: the number of dwellings and lot number listed on the traffic statement does not match the plan. 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 & 87, Block 1159 (LAT1991G) SGS Development Project LLC

This ten-lot major subdivision plan is for three duplexes and four single family dwellings (ten total dwellings) at Chestnut Street and Clinton Avenue. The County road right-of-way is 33' from centerline, consistent with the Master Plan width. Ocean County requires the applicant to address the following conditions of approval: (1) submit a copy of the CAFRA permit or a Jurisdictional Determination letter from the NJDEP (waiver requested), (2) submit a sight right easement form and metes and bounds description for a 30'x100' sight triangle easement at the intersection in accordance with County standards to Ocean County, (3) dimension the plans to show pavement widening to 23' from centerline across the entire frontage of the project site and revise the cross-sections accordingly, (4) revise the subdivision plans and the final plat to show existing and proposed full and half widths of pavement and ROW dimensions, (5) address the following traffic comments: a) depict AASHTO intersection sight lines from Clinton Avenue along Chestnut Street. Verify proposed landscaping will not restrict sight lines, particularly for horizontal curve east of site, provide sight easement(s), and b) the traffic report does not list all lot numbers, revise accordingly, (6) provide a drainage design to be reviewed and approved by the Ocean County Engineer (see drainage memo dated 4/5/23), (7) construct the handicap ramps at the intersection in accordance with the current Federal ADA standards - to be reviewed and approved by the Ocean County Engineer, (8) add the following Ocean County standard notes for projects located on County roads: a) County road improvements must have base pavement course prior to the issuance of Certificate of Occupancies, and, b) the developer is responsible for obtaining all off-site easements necessary for grading, pavement widening, and utility relocations required as a result of the County road improvements, (9) revise the final plat to include a north arrow, a graphic scale, and three corner coordinates in accordance with the Recordation Act, (10) enter into a Hold

Harmless Agreement with the Ocean County Board of Commissioners with regard to the co-mingling of storm water, (11) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer, (12) pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer. Approval recommended upon fulfillment of the above contingencies and the Board's decision on the waiver request.

A letter dated September 12, 2022 was read from Brian Murphy of FWH Associates requesting a waiver from submitting a copy of the CAFRA Permit. The regulations exempt residential developments of less than seventy-five dwelling units (NJAC 76:7-2.2 (a) 4), this development does not propose the offsite construction of more than 1,200 linear feet of new sanitary sewer or roadways (NJAC 7:7-2.2 (b) 11). This subdivision consists of construction of three duplex buildings (six units). No CAFRA Permit is required as the proposed site improvements are below the thresholds that require a permit.

On a motion by Mr. Jehnke, seconded by Mr. Bilotta the Board granted the waiver from requiring a CAFRA Permit 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) submit a sight right easement form and metes and bounds description for a 30'x100' sight triangle easement at the intersection in accordance with County standards to Ocean County, (2) dimension the plans to show pavement widening to 23' from centerline across the entire frontage of the project site and revise the cross-sections accordingly, (3) revise the subdivision plans and the final plat to show existing and proposed full and half widths of pavement and ROW dimensions, (4) address the following traffic comments: a) depict AASHTO intersection sight lines from Clinton Avenue along Chestnut Street. Verify proposed landscaping will not restrict sight lines, particularly for horizontal curve east of site, provide sight easement(s), and b) the traffic report does not list all lot numbers, revise accordingly, (5) provide a drainage design to be reviewed and approved by the Ocean County Engineer (see drainage memo dated 4/5/23), (6) construct the handicap ramps at the intersection in accordance with the current Federal ADA standards - to be reviewed and approved by the Ocean County Engineer, (7) add the following Ocean County standard notes for projects located on County roads: a) County road improvements must have base pavement course prior to the issuance of Certificate of Occupancies and, b) the developer is responsible for obtaining all off-site easements necessary for grading, pavement widening, and utility relocations required as a result of the County road improvements, (8) revise the final plat to include a north arrow, a graphic scale, and three corner coordinates in accordance with the Recordation Act, (9) enter into a Hold Harmless Agreement with the Ocean County Board of Commissioners with regard to the co-mingling of storm water, (10) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer, (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. The motion was unanimously carried.

LAKEWOOD: Lot 62.02, Block 189.04 (LAT2022B) Migdal Bais Yaakov

This two-lot minor subdivision is to create lots for two schools to be located on Joe Parker Road. Ocean County requires the applicant to address the following conditions of approval: (1) dimension full width of the County right-of-way, (2) revise the plat to show sight easements at the proposed access drives, (3) submit a sight right easement form and metes and bounds descriptions for sight triangle easements at the proposed access points in accordance with County standards to Ocean County, (4) revise the plat to show County road edge of pavement and half width and full width dimensions, (5) revise the access easement note to reference the proper lot number, (6) revise note 12 to state "proposed access drives to the future schools are to be designed consistently with the concept plan dated 7-11-22 signed and sealed by Glenn D. Lines on 3-27-2023." On a motion by Mr. Bilotta, seconded by Mr. Avery, this minor subdivision was given final approval 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.

MANCHESTER: Lots 15 & 39, Block 1.165 (MT529) Susan Erikson

This two-lot minor subdivision is for a lot line adjustment on local roads, Eighth Avenue and Ninth 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. Bilotta, seconded by Mr. Avery, Mr. Tirella abstaining, this minor subdivision was given final approval. The motion was unanimously carried.

MANCHESTER: Lots 26, 28 & 29, Block 1.267 (MT530) Jerman, Jeffrey R

This two-lot minor subdivision is located on local roads, Madison Avenue and Pemberton 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 Mr. Bilotta, seconded by Mr. Marra, this minor subdivision was given final approval. The motion was unanimously carried.

OCEAN: Lot 2.01, Block 90 (OT280) 21 Cortlandt, LLC

This four-lot minor subdivision is for a lot line adjustment on Captain 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 Mr. Bilotta, seconded by Mr. Avery, this minor subdivision was given final approval. This motion was unanimously carried.

TOMS RIVER: Lots 2 & 32, Block 535 (TRT1635S) Community Medical Center

This site plan is for the demolition of the existing parking garage and the construction of a proposed six-level parking garage with 702 parking spaces and a 20,932 s.f. two-story central utility plant at the Community Medical Center. County facilities are not affected. On a motion by Mr. Bilotta, seconded by Mr. Marra, this site plan was given final approval. This motion was unanimously carried.

TOMS RIVER: Lot 17, Block 575 (TRT3504) Onyx Toms River LLC

This site plan is for a loading dock expansion and access and parking lot modifications for seven new parking spaces at an existing furniture store at the intersection of Hooper Avenue and Oak Avenue. Ocean County requires the applicant to address the following conditions of approval: (1) submit a traffic report (waiver requested), (2) submit County road improvement plans (waiver requested), (3) submit a copy of the CAFRA permit or a Jurisdictional Determination letter from the NJDEP (waiver requested), (4) dimension the existing right-of-way full width of both County roads on the plan, (5) since the right-of-way half width is less than 60' from centerline of Hooper Avenue, submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 60' from centerline to Ocean County, (6) provide a copy of map reference 2 (MR2), (7) submit a sight right easement form and metes and bounds description for a 30'x100' sight triangle easement at the Box Elder Drive intersection in accordance with County standards to Ocean County, (8) submit a sight right easement form and metes and bounds description for AASHTO sight triangle easements at the access points in accordance with County standards to Ocean County, (9) redesign the access point to Oak Avenue to accommodate the anticipated design vehicle so that the delivery truck does not cross over the centerline of Oak Avenue, (10) provide a delivery schedule on the plan set, (11) 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, 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, (12) 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 requests.

A letter dated March 6, 2023 was read from Douglas Grysko of Dynamic Engineering, requesting three waivers. A waiver from requiring a traffic report was requested. The subject project proposes to renovate the interior of the existing furniture store building with exterior façade improvements along with limited site improvements/repairs for a new furniture store tenant. A waiver from requiring County roadway improvement plans was requested. The subject project proposes to

maintain the existing driveways in their current locations along the County roadway frontages with repairs made to deteriorated curbs, aprons and/or islands. A waiver was requested from providing a CAFRA Permit. In accordance with (NJAC 7:7-2.2(a) 3ii), a commercial development having 50 or more parking spaces or equivalent parking area would be subject to CAFRA jurisdiction. The subject project will maintain existing parking spaces and/or equivalent parking areas consisting of only 46 parking spaces.

On a motion by Mr. Bilotta, seconded by Mr. Marra, the Board granted the waiver for a traffic report as there is no change in use. The Board granted the waiver from providing County roadway improvement plans, however, the applicant needs to address the access driveway in accordance with condition #9. The Board acknowledged and accepts the applicant's professional's interpretation that the project does not exceed the CAFARA threshold. This site plan was given final approval contingent upon the applicant to address the following items: (1) dimension the existing right-of-way full width of both County roads on the plan, (2) since the right-of-way half width is less than 60' from centerline of Hooper Avenue, submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 60' from centerline to Ocean County, (3) provide a copy of map reference 2 (MR2), (4) submit a sight right easement form and metes and bounds description for a 30'x100' sight triangle easement at the Box Elder Drive intersection in accordance with County standards to Ocean County, (5) submit a sight right easement form and metes and bounds description for AASHTO sight triangle easements at the access points in accordance with County standards to Ocean County, (6) redesign the access point to Oak Avenue to accommodate the anticipated design vehicle so that the delivery truck does not cross over the centerline of Oak Avenue, (7) provide a delivery schedule on the plan set, (8) 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, 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, (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. The motion was unanimously carried.

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

- JACKSON: Lot 25, Block 19501 (JT512B) Whitesville Homes, LLC**
- LAKEWOOD: Lots 17 & 18, Block 445 (LAT1296E) Aharon Mansour**
- LAKEWOOD: Lot 9, Block 1082 (LAT697N) Covington Village Condominium Association Inc.**
- MANCHESTER: Lots 11, 12, 13 & 14, Block 65 (MT528) Parkwood Square LP & Parkwood Venter B, LLC**

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CORRESPONDENCE:

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Jackson: Block 18201, Lot 17 (JT1655B) Allmann Properties, LLC. This site plan received final approval on December 15, 2021. Condition #11 required an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer. Condition #12 required an off tract traffic improvement fee 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 \$11,042.00. On a motion by Mr. Jehnke, seconded by Mr. Bilotta, the Board required the off-tract drainage improvement fee to be \$6,000.00 and the off-tract traffic improvement fee to be \$11,042.00. The motion was unanimously carried.

Jackson: Block 8401, Lot 8 (JT1731) R&K Jordan Realty LLC. This site plan received final approval on August 18, 2021. Condition #8 required an off-tract drainage improvement fee to be determined by the Ocean County Engineer. Condition #9 required an off-tract traffic improvement fee to be determined by the County Engineer. The County Engineer has determined that the off-tract drainage improvement fee to be zero and the off-tract traffic improvement fee to be \$11,667.00. On a motion by Mr. Jehnke, seconded by Mr. Bilotta, the Board required the off-tract drainage improvement fee to be zero and the off-tract traffic improvement fee to be \$11,667.00. The motion was unanimously carried.

Lakewood: Block 7, Lots 15 & 52 (LAT1359B.01) Congregation Bais Meir. This site plan received final approval on May 4, 2022. The minutes are being amended to require the applicant to submit County road improvement plans that match the County intersection design plans. On a motion by Mr. Jehnke, seconded by Mr. Bilotta the Board required the submittal of County road plans. The motion was unanimously carried.

Lakewood: Block 251.05, Lots 91 & 101 (LAT2184A) PD Family Credit Shelter Trust. This major subdivision was given final approval on September 21, 2022. Condition #12 required an off-tract drainage improvement fee to be determined by the Ocean County Engineer. Condition #13 required an off-tract traffic improvement fee to be determined by the County Engineer. The County Engineer has determined that the off-tract drainage improvement fee to be zero and the off-tract traffic improvement fee to be \$34,633.00. On a motion by Mr. Jehnke, seconded by Mr. Bilotta, the Board required the off-tract drainage improvement fee to be zero and the off-tract traffic improvement fee to be \$34,633.00. The motion was unanimously carried.

Lakewood: Block 2.04, Lot 4 (LAT2210) Bursztyn, Moshe Chaim. This site plan was given final approval on December 21, 2022. The minutes are amending the daycare to 5,945 s.f. from 3,113 s.f. Condition #4 required an off-tract traffic improvement fee to be determined by the County Engineer. The County Engineer has determined that the off-tract traffic improvement fee to be \$4,313.00. On a motion by Mr. Jehnke, seconded by Mr. Bilotta, the Board required the off-tract improvement fee to be \$4,313.00. The motion was unanimously carried.

Seaside Heights: Block 40, Lots 4 & 9 (SHB147B) Pantai LLC. This site plan was given final approval on January 18, 2023. Condition #10 required an off-tract traffic improvement fee to be determined by the Ocean County Engineer. Condition #11 required an off-tract drainage improvement fee to be determined by the County Engineer. The County Engineer has determined that the off-tract traffic improvement fee to be \$5,625.00 and the off-tract drainage improvement fee to be zero. On a motion by Mr. Jehnke, seconded by Mr. Bilotta, the Board required the off-tract traffic improvement fee to be \$5,625.00 and the off-tract drainage improvement fee to be zero. The motion was unanimously carried

Toms River: Block 647, Lot 8.02 (TRT1193D) 255 Route 37 LLC. This site plan was given final approval on February 15, 2023. Condition #5 required an off-tract traffic improvement fee to be determined by the Ocean County Engineering. The Ocean County Engineer has determined that the off-tract traffic fee be \$1,125.00. On a motion by Mr. Jehnke, seconded by Mr. Bilotta, the Board required the off-tract traffic improvement fee to be \$1,125.00. 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 BRT1251G	1.02	380.19	09/21/2022	04/03/2023
JACKSON JT1674A	5	21901	12/15/2021	04/05/2023
LAKWOOD LAT1875A	44 & 72	246	06/02/2021	03/31/2023
LAKWOOD LAT594G	13	1602	10/20/2021	04/03/2023
POINT PLEASANT PPB803	8	126	10/06/2022	03/24/2023
SEASIDE HEIGHTS SHB147A	4 & 9	40	01/18/2023	03/31/2023

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

Respectfully submitted,

Veronica Tompkins, Acting Secretary
Ocean County Planning Board