

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

Regular meeting, Wednesday, June 16, 2021, 6:00 PM, Engineering Conference Room, Third Floor, 129 Hooper Avenue, Toms River, New Jersey.

Chairman Russell presiding. Attending: Elaine McCrystal, Scott Tirella, Dennis Liberatore, Joseph Marra, John Ernst, Laura Benson, Anthony Agliata and Robin Florio.

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

On a motion by Ms. McCrystal, seconded by Mr. Tirella, the minutes of the meeting of June 2, 2021 were moved for approval. The motion was unanimously carried.

SUBDIVISION AND SITE PLAN REVIEW

BERKELEY: Lots 1.03 Block 615 (BT487D.01) 245 Hickory Lane, LLC

This site plan is for a 10,320 s.f. commercial industrial building with 21 proposed parking spaces to be located on the corner of two local roads, Hickory Street and East Railroad Avenue. The site is across the street from the Ocean County Rail Trail. The trip generation statement is acceptable. The applicant has submitted a copy of the Ocean County Utilities Authority (OCUA) Consent to Use Agreement and will provide concurrence from the OCUA. Ocean County requires the applicant to address the following items: (1) submit a traffic report (waiver requested), (2) address the conditions for minor subdivision BT487C.01, (3) submit a copy of the OCUA concurrence with the Consent to Use Agreement, and (4) provide an Access Easement to Ocean County and metes and bounds description for the Access Easement for the future Rail Trail crossing for the area identified on the site plan. Approval recommended upon fulfillment of the above contingencies and the Board's decision on the waiver request.

A letter dated May 27, 2021 was read from Jeffrey Carr of Lindstrom, Diessner & Carr requesting a waiver from providing a full traffic report. A trip generation statement has been submitted in lieu of a traffic report. It is noted that the Berkeley Township Planning Board has granted approval of the project.

On a motion by Mr. Ernst, seconded by Ms. McCrystal, the Board granted a waiver from providing a full traffic report and accepted the applicant's trip generation statement; this site plan was given final approval contingent upon the applicant to address the following items: (1) address the conditions for minor subdivision BT487C.01, (2) submit a copy of the OCUA concurrence with the Consent to Use Agreement, and (3) provide an Access Easement to Ocean County and metes and bounds description for the Access Easement for the future Rail Trail crossing for the area identified on the site plan. 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 7.01, 8.05 Block 782 (LAT1656A) Rochel, Bais Rivka

This two-lot minor subdivision is for a lot line adjustment between an existing girls high school located on Route 9 and a single family residence at Chelsea Court. The final plat appears to have been prepared in accordance with the Recordation Act. On a motion by Mr. Marra, seconded by Ms. McCrystal, this minor subdivision was given final approval. The motion was unanimously carried.

LAKEWOOD: Lots 4.05 Block 1051.09 (LAT2012A) Soloff, Shimon

This two-lot minor subdivision is for a duplex unit to be located on a vacant lot on a local road. County facilities will not be impacted. On a motion by Mr. Marra, seconded by Ms. McCrystal, this minor subdivision was given final approval contingent upon the applicant to address the following items: (1) revise the final plat to include a north arrow, adjoining lot number, and three corner

coordinates in accordance with the Recordation Act. 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 1 & 10 Block 498 (LAT991C) Bellevue Estates, LLC

This ten-lot major subdivision is Phase II of Bellevue Estates for ten single family houses with 40 proposed parking spaces to be located on Bellevue Avenue, Newport Avenue, and Wenstrom Avenue. The traffic report and drainage reports were reviewed and approved under LAT991A. The plans show the drainage from this development to be accommodated by a stormwater basin on a new lot proposed under LAT1994. Newport Estates, and Bellevue Estates may not be constructed until the basin is built per Lakewood Township. On a motion by Mr. Tirella, seconded by Mr. Liberatore, this major subdivision was given final approval contingent upon the applicant to address the following items: (1) update the existing conditions map to properly show existing lot lines on the adjoining properties, (2) pay an off-tract drainage improvement fee in an amount of \$6,000.00, and (3) pay an off-tract traffic improvement fee in an amount of \$8,333.00. 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.

LITTLE EGG HBR: Lots 8 & 9.01 Block 80 (LEHT383C) Iacono, Michael

This site plan is for a one-story 2,850 s.f. commercial building for auto sales with 13 new parking spaces to be located on a vacant lot on North Green Street (CR539). The plans indicate that the right-of-way half width of the County road is 33 feet from centerline, consistent with the Master Plan. The plans show County road pavement widening to 22' from centerline. The trip generation statement is acceptable. On a motion by Mr. Tirella, seconded by Mr. Liberatore, this site plan was given final approval contingent upon the applicant to address the following items: (1) dimension the full width right-of-way and full width pavement of the County road in front of the adjacent properties on both sides, (2) revise the pavement widening detail to show the standard cross section for County roads to be 6" Dense-Graded Aggregate Base Course, 4" Hot Mix Asphalt 19M64 Base Course, and 2" Hot Mix Asphalt 12.5M64 Surface Course, (3) construct a 15:1 paved taper back to the existing edge of pavement along the County road in accordance with Section 611:E-1, (4) submit a sight right easement form and metes and bounds description for sight triangle easements at the proposed access point in accordance with County standards to Ocean County, (5) address the following traffic comments: a) revise turning templates to show and label the design vehicle, depict existing roadway striping, show vehicles turning from within the travel lane, and demonstrate entering and exiting vehicles will not conflict, and b) depict AASHTO sight lines to demonstrate adequate sight distance in each direction, (6) provide a drainage design to be reviewed and approved by the Ocean County Engineer (per drainage memo dated 6/16/2021), (7) remove the basin maintenance access drive from within the site access drive, (8) identify on the plans the clear zone based on the speed of the County road, and determine if guiderail is warranted based on the proposed basin side slope, or relocate the basin, (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) Alignment and grade for curb and road improvements along the County road shall be established by the developer's engineer as approved by the Ocean County Engineer. Stakeout of all curb and road improvements shall be the responsibility of the developer and shall be executed by a licensed New Jersey Professional Land Surveyor. Curb as-builts shall be submitted to the Ocean County Engineer prior to any paving operations. Final as-built information shall be supplied on a reproducible medium, will include top and bottom of curb, centerline and quarter crown grades, monuments where applicable, shall be signed and sealed by a licensed New Jersey Professional Land Surveyor and accompanied by a monument certification where applicable, d) County road improvements must have base pavement course prior to the issuance of Certificate of Occupancies, e) 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, (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.

LONG BEACH: Lots 13 Block 4.07 (LBT784) Elm H. Holdings, LLC

This two-lot minor subdivision is located at the intersection of Long Beach Boulevard and 14th Street. The application involves the removal of existing paved parking lot for the construction of two single family dwellings. On a motion by Ms. McCrystal, seconded by Mr. Marra, with Mr. Tirella abstaining, this minor subdivision was given final approval contingent upon the applicant to address the following items: (1) dimension the existing right-of-way half width and full width of the County road on the plan, and if the half width is less than 50 feet from centerline, submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 50' from centerline to Ocean County, and (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. 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.

STAFFORD: Lots 15 Block 123 (ST586) Haeberlein, George

This two-lot minor subdivision is for two single family dwellings to be located on a local road, Bolton Lane. The final plat appears to have been prepared in accordance with the Recordation Act. On a motion by Ms. McCrystal, seconded by Mr. Tirella, this minor subdivision was given final approval. The motion was unanimously carried.

TOMS RIVER: Lots 126 Block 688 (TRT3131B) Merk, Danny

This five-lot minor subdivision is located on Brookside Drive. This project falls within the limits of the County project for "Reconstruction and Resurfacing of Brookside Drive from NJ State Highway No. 37 East to Cedar Grove Road". Once the County road project has been completed, there will be a three-year moratorium on Brookside Drive. 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 items: (1) dimension the County road pavement and right-of-way half width and full width on the final plat, (2) if the right-of-way 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, (3) provide a driveway detail for the four new lots along Brookside Drive in accordance with Section 603:C, (4) submit a copy of the NJDEP Letter of Interpretation for the wetland delineation as shown on the plans, (5) show the existing driveway aprons in front of the new lots to be removed and replaced with full height curb and show the proposed location of the new driveways, and (6) add the following notes to the final plat: (a) driveway locations on new lots shall be spaced in accordance with Table 600-4 of Section 606, (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 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.

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

LAKEWOOD: Lots 22, 23, 24 Block 188 (LAT2143) Aderes Bais Yaakov

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CORRESPONDENCE:

JACKSON: Block 16001, Lot 1 (JT1728) NJ State Forest Resource Education Center. This site plan received conditional approval on May 19, 2021. A letter received June 8, 2021 was read from Donald Fiore of Heintz & Fiore with regard to the requirement for the applicant to provide

right-of-way dedications. In consultation with the State, the County does not have the jurisdictional authority to require land dedications from the State of New Jersey. The State declines the request and will not dedicate lands nor grant easements at this time for future County road widening projects. This applies to frontages on East Veterans Highway as well as Don Connor Boulevard. Application was made to the County Planning Board to make the Board aware of the project and to demonstrate no material impact to the County in the development of this polyhouse for the continued propagation of native plants by the New Jersey Forest Tree Nursery. Similarly, we have made application to Jackson Township as a courtesy so they are aware of the project, acknowledging they have no jurisdictional authority over the State. We have made applications to the Ocean County Soil Erosion and Sediment Control Commission in recognition of their jurisdictional authority over development within their district. We have not made application to the Pinelands Commission as the project type is clearly exempt from their regulations. On a motion by Mr. Ernst, seconded by Ms. McCrystal, the Board waived the requirements to provide the additional right-of-way dedications; this site plan was given final approval. The motion was unanimously carried.

JACKSON: Block 10401 / 11404, Lots 5.01 / 52 & 69 (JT358J.02) EL at Jackson, LLC. This major subdivision received conditional preliminary and final approval on July 15, 2020. Condition #10 required the payment of an off-tract drainage improvement fee in an amount to be determined by the County Engineer and Condition #11 required the payment of an off-tract traffic improvement fee in an amount to be determined by the County Engineer. The County Engineer has determined the off-tract drainage improvement fee to be zero and the off-tract traffic improvement fee to be zero. On a motion by Mr. Ernst, seconded by Ms. McCrystal, the Board did not require an off-tract drainage improvement fee or an off-tract traffic improvement fee; this major subdivision was given preliminary and final approval. The motion was unanimously carried.

LAKEWOOD: Block 1100, Lot 23.01 (LAT2063B) Yeshivas Ohr Olam. This site plan received conditional approval on April 7, 2021. On a motion by Mr. Ernst, seconded by Mr. Liberatore, the minutes are hereby amended to reflect the site plan application is for a two-story 30,613 s.f. two-school with a basement and gym, a two-story 14,480 s.f. dormitory, and a two-story 2,409 s.f. faculty house with attic and basement. The motion was unanimously carried.

STAFFORD: Block 57, Lot 12 (ST582) Independence Center, LLC. This site plan received conditional approval on May 20, 2020. Condition #3 required the payment of an off-tract traffic improvement fee in an amount to be determined by the County Engineer. The County Engineer has determined the off-tract traffic improvement fee to be zero. On a motion by Mr. Ernst, seconded by Mr. Tirella, the Board did not require an off-tract traffic improvement fee; this site plan was given final approval. The motion was unanimously carried.

TOMS RIVER: Block 646.01, Lot 10 (TRT1427C) Bank of America. This site plan received conditional approval on February 17, 2021. A letter dated June 16, 2021 was read from Paul Mutch of Stonefield Engineering requesting a waiver to allow the existing 5' wide County road easements along Cedar Grove Road to remain. The right-of-way half-width to the centerline is shown along Cedar Grove Road, measuring 30' wide on the Boundary and Topographic Survey included as part of this submission which shows that the existing 5' wide County road easements along Cedar Grove Road exist out to 30' for the right-of-way half-width. On a motion by Mr. Ernst, seconded by Mr. Tirella, the Board granted a waiver and will accept the existing road easement; this site plan was given final approval. The motion was unanimously carried.

TOMS RIVER: Block 397.02, Lots 39.04, 39.05 & 41 (TRT2437F) March Realty, LLC. This site plan received conditional approval on February 3, 2021. A letter dated March 30, 2021 and revised June 15, 2021 was read from Bradford Bohler and Timothy Aguilar of Bohler Engineering requesting a waiver from providing a full 60' right-of-way half width along Hooper Avenue. Instead, the applicant is proposing to provide a 50' right-of-way half width with an additional 10' road easement. This is due to the impacts to the Township approval relative to setback requirements for parking, either resulting in an additional variance (for parking setback) or exacerbating a previously approved variance (minimum number of parking spaces proposed). The applicant looks to provide a 50' right-of-way half width and 10' road easement to the County. This has been an accepted approach in other areas along this corridor. On a motion by Mr. Ernst, seconded by Ms. McCrystal, the Board granted a waiver from providing a 60' right-of-way half width along Hooper Avenue and will accept a 7' wide right-of-way dedication to 50' from centerline with an additional 10' road easement to be consistent with the Hooper Avenue corridor through Silverton. The motion was unanimously carried.

TOMS RIVER: Block 394.13, Lot 150 (TRT3381A) 1290 Hooper Avenue LLC. This site plan received conditional approval on January 20, 2021. Condition #6 required the payment of an off-tract drainage improvement fee in an amount to be determined by the County Engineer and Condition #7 required the payment of an off-tract traffic improvement fee in an amount to be determined by the County Engineer. The County Engineer has determined the off-tract drainage improvement fee to be zero and the off-tract traffic improvement fee to be zero. On a motion by Mr. Ernst, seconded by Ms. Marra, the Board did not require an off-tract drainage improvement fee or and off-tract traffic improvement fee; this site plan was given preliminary and final approval. 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:
BERKELEY BT193P	1, 2, 2.01, 3, 4, 4.02	1108.01	12/16/20	06/16/21
BRICK BRT2016	1.05	1038	04/07/21	06/11/21
ISLAND HEIGHTS IHB92	4 & 5	51	04/21/21	06/04/21
JACKSON JT1549B.03	5.01	2101	05/20/20	06/04/21
JACKSON JT358J.02	5.01 / 52 & 69	10401 / 11404	07/15/20	06/16/21
JACKSON JT1728	1	16001	05/19/21	06/16/21
LAKEWOOD LAT1268A	13	774.04	02/17/21	06/04/21
LAKEWOOD LAT1672A	11.01, 11.02, 12.01	86	05/05/21	06/09/21
LAKEWOOD LAT2138	13.58	174.08	05/19/21	06/04/21
STAFFORD ST582	12	57	05/20/20	06/15/21
TOMS RIVER TRT1427C	10	646.01	02/17/21	06/15/21
TOMS RIVER TRT 3381A	150	394.13	01/20/21	06/11/21
TOMS RIVER TRT1311G	6.05	159	05/06/20	06/09/21

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

Respectfully submitted,

Robin L. Florio, Secretary
Ocean County Planning Board