

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

Regular meeting, Wednesday, July 20, 2022, 6:00 PM, Engineering Conference Room, Third Floor, 129 Hooper Avenue, Toms River, New Jersey.

Chairman Russell presiding. Attending: Earl Sutton, Elaine McCrystal, Joseph Bilotta, Dennis Liberatore, Mark Jehnke, Laura Benson, Mark Villinger 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. Bilotta, the minutes of the meeting of July 6, 2022 were moved for approval. The motion was unanimously carried.

SUBDIVISION AND SITE PLAN REVIEW

BRICK: Lots 27.01 Block 462 (BRT608E) Bricktown Equities, LLC

This site plan is for re-approval of a 23,012 s.f. two-story commercial building with 60 proposed parking spaces to be located at the intersection of Route 70 and Cedar Bridge Avenue, which was previously approved under BRT608D on April 15, 2015. The previous approval has expired and the proposal remains the same. No improvements are proposed along the County road. 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, (2) submit a copy of the CAFRA permit or a Jurisdictional Determination letter from the NJDEP, (3) submit a traffic report (waiver requested), and (4) 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 June 20, 2022 was read from Jeffrey Carr of Lindstrom, Diessner & Carr requesting a waiver from providing a traffic report. The property is currently improved with an existing commercial building and parking. It is proposed to make improvements to the property by constructing a second 23,012 s.f. building including associated parking and adding trash enclosures, new site lighting and landscaping. This project previously received final approval without conditions on April 15, 2015. The plan has been revised to address the new stormwater regulations and Township resolution compliance items. Due to this, minimal changes have been made to the plans which do not affect the original County approval. Therefore, there is no additional increase in traffic associated with the site for which the previous approval is granted. In addition, the project has frontage on Route 70 which will have adequate capacity to handle any traffic generated from the site. Once completed, the site will have no negative impact on the existing road system. For these reasons we believe a waiver can be granted and a trip generation statement is adequate.

On a motion by Mr. Jehnke, seconded by Ms. McCrystal, the Board denied the request to waive submitting a traffic report; this site plan received 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, (2) submit a copy of the CAFRA permit or a Jurisdictional Determination letter from the NJDEP, (3) submit a traffic report, and (4) 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.

BRICK: Lots 1 Block 1149 (BRT910F) McDonald's USA LLC

This site plan is for an additional drive-thru lane at an existing McDonalds with 22 existing parking spaces located at the intersection of Route 70 and Van Zile Road. The traffic impact statement is acceptable. 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 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, and (2) show the County road edge of pavement on the opposite side and dimension the County road pavement half width and full width. 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 1.01 Block 386 (LAT862G) Cambridge Pavers

This site plan is for three building additions (11,904 s.f., 491 s.f., and 2,800 s.f.) for bin hoppers, silos, machinery, and new equipment at an existing concrete plant located on Prospect Street and Havenwood Court. 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 33 feet from centerline, submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 33' from centerline to Ocean County, (2) submit a traffic report (waiver requested), (3) submit a copy of the CAFRA permit or a Jurisdictional Determination letter from the NJDEP (waiver requested), (4) pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer (waiver requested), (5) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer (waiver requested), and (6) 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 July 12, 2022 was read from Brian Murphy of FWH Associates requesting several waivers. A waiver is requested from providing a traffic report as there is no impact to the existing traffic generation or patterns. There is no new parking or employees associated with the site plan. A waiver is requested from obtaining a CAFRA Permit. The proposed development falls below the jurisdictional threshold for requiring a CAFRA Permit. This site plan/subdivision application consists of expanding the existing paver plant and proposed batching building and additions. The CAFRA regulations (NJAC 7:7-2.2(a)3) exempt commercial developments containing less than fifty parking spaces. The existing plant superseded CAFRA and there are no new parking stalls proposed with this application. A waiver from paying an off-tract traffic impact fee is requested since there is no impact to traffic for the previously mentioned reasons. A waiver from paying a drainage impact fee is requested since there is no new impervious proposed. The plant additions are proposed on what is currently concrete paved areas. A waiver is requested from providing a drainage report as there is no change in impervious, drainage or grading. The areas that the additions are proposed are on existing concrete paved areas so there is no change in impervious coverage or flow.

On a motion by Mr. Jehnke, seconded by Mr. Sutton, the Board granted a waiver from providing a traffic report, drainage report, did not require the payment of an off-tract drainage improvement fee or off-tract traffic improvement fee and the Board acknowledges and accepts the applicants professional's interpretation that the project does not exceed the CAFRA threshold; this site plan was given final approval contingent upon the applicant to address the following item: (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 33 feet from centerline, submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 33' from centerline 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.

PLUMSTED: Lots 16.01 Block 46 (PT407B) MDR Developers, LLC

This site plan is for a 67,891 s.f. commercial warehouse building with 107 proposed parking spaces to be located on Pinehurst Road. The plans indicate that the existing half width of the County road right-of-way is 40' from centerline consistent with the Master Plan. The plans show the proposed edge of pavement to be at 26' from the physical striped centerline on Pinehurst Road to accommodate a three-lane section for a dedicated center left turn lane, a 12' thru lane, and an 8' foot shoulder. The plans also show opposite side pavement widening to 23' from the physical striped centerline on the opposite side of Pinehurst Road to maintain a 5' shoulder. The site is located adjacent to and across from Ocean County Natural Lands Trust Property. On a

motion by Ms. McCrystal, seconded by Mr. Bilotta, 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 point in accordance with County standards to Ocean County, (2) show the existing and proposed stormwater drainage pipes under the County road on the grading and drainage plan sheet 3 and on the County road improvement plan sheets, (3) provide a drainage design to be reviewed and approved by the Ocean County Engineer (per drainage memo dated 7/20/2022), (4) show and reference the existing drainage easement on site per tax map 6, (5) construct a 15:1 paved taper starting at Station 33+80 and extending northwest back to existing edge of pavement along the County road in accordance with Section 611:E-1, (6) address the following traffic comments: a) provide intersection sight distance analysis. Show AASHTO intersection sight distances in plan and profile. Depict the existing vertical curve north of the site and existing vegetation to remain, b) accurately depict the existing passing zone striping and determine if it needs to be restriped in its entirety, c) provide an additional 'No Trucks' sign facing Pinehurst Road as trucks cannot navigate the northerly access point, and d) remove extraneous turning templates from the County road plan details, (7) revise the cross-sections to identify the right-of-way centerline and physical centerline and provide proposed edge of pavement offset dimensions from the physical centerline of the County road to be reviewed and approved by the Ocean County Engineer, (8) provide a left turn slot into the northern access drive, (9) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer, and (10) 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.

TOMS RIVER: Lots 28 Block 410 (TRT3099D) The Marc 1471, LLC

This site plan is for two warehouses with 132 parking spaces to be located at the intersection of Route 9 and Whitty Road. Building A will be 16,000 s.f. and Building B will be 64,880 s.f. On a motion by Mr. Bilotta, seconded by Mr. Liberatore, this site plan was given final approval contingent upon the applicant to address the following items: (1) submit a copy of the NJDEP Freshwater Wetland Permit for the construction within the wetland buffer area as shown on the plans, (2) submit a copy of the CAFRA Permit from the NJDEP, (3) submit a copy of the NJDOT Access Permit, (4) revise the plans to show the NJDOT "desired typical section" for this section of NJ Route 9 in accordance with the current NJDOT access code, (5) address the following traffic comments: a) the trip distribution does not account for increased truck traffic on County roadways caused by the one-way truck aisle and left turn restriction to Route 9, as trucks exiting the site southbound must utilize other roadways to turn around. The distribution also does not include percentage to/from the west via County roadways. Revise the distribution, analyze County intersections for WB50 turning movements as required, and participate in cost sharing to upgrade intersections to accommodate trucks where necessary, and b) the building areas and parking listed on the plans and report do not match the application, and (6) 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.

TOMS RIVER: Lots 256 & 257 Block 724.05 (TRT3488) McIntyre, Gerard

This two-lot minor subdivision is for a lot line adjustment located on local roads, Island Road and Cove Road. County facilities will not be impacted. On a motion by Mr. Sutton, seconded by Ms. McCrystal, this minor subdivision was given final approval contingent upon the applicant to address the following items: (1) reorient the final plat so that north is up or to the right in accordance with industry standard, and (2) provide a final plat signed and sealed by a professional Land Surveyor 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. 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 1.22 Block 162.01 (BAT236M) Barnegat Terrace, LLC
JACKSON: Lots 1 Block 3001 (JT1675D.01) Cardinale & Jackson Crossing

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CORRESPONDENCE:

BARNEGAT: Block 53, Lot 2 (BAT72D) Sullivan, Brian. This site plan received conditional approval on April 6, 2022. A letter dated July 9, 2022 was read from Jason Marciano of East Coast Engineering requesting a waiver from submitting an additional right-of-way dedication to 33' from centerline. The existing half width of Route 532 has been added to the plan. The half width is 30 feet. In lieu of a right-of-way dedication, a 3' road widening easement is proposed and no improvements or site modifications are proposed within this easement area. Please provide the radius for requested corner clip and that will be added to this easement area. On a motion by Mr. Jehnke, seconded by Ms. McCrystal, the Board denied the request to provide a road easement in lieu of a right-of-way dedication. The motion was unanimously carried.

JACKSON: Block 4201, Lots 1.01, 1.02, 1.03 (JT1301M.02) Dreamview, LLC (c/o Walter Glory). This site plan received conditional approval on October 20, 2021. Condition #12 required the payment of an off-tract drainage improvement fee in an amount to be determined by the County Engineer and Condition #13 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 \$6,000.00 and the off-tract traffic improvement fee to be \$27,917.00. On a motion by Mr. Jehnke, seconded by Mr. Sutton, the Board required the payment of an off-tract drainage improvement fee in the amount of \$6,000.00 and an off-tract traffic improvement fee in the amount of \$27,917.00. The motion was unanimously carried.

PT. PLEASANT: Block 113, Lot 41 (PPB796B) Ocean Bay Developers, LLC. This site plan received conditional approval on July 6, 2022. A letter dated July 15, 2022 was read from Matthew Martin of Scope Engineering requesting a waiver from submitting to the NJDEP for a CAFRA Jurisdictional Determination indicating that a CAFRA permit is not required. Per N.J.A.C. 7:7-2.2 CAFRA regulations, the proposed development does not trigger the regulatory threshold for a CAFRA Permit. The subject property is not located on a beach or dune; is located greater than 150' landward of the mean high water line of the Manasquan River; will result in less than 25 residential units; and will result in less than 75 residential units, therefore the proposed development does not trigger the regulatory thresholds for a CAFRA Permit. On a motion by Mr. Jehnke, 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 motion was unanimously carried.

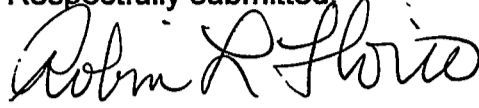
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THE FOLLOWING PLANS HAVING BEEN GIVEN CONDITIONAL APPROVAL AT A PREVIOUS MEETING HAVE NOW MET THE CONTINGENCIES AND CAN BE SIGNED:				
MUNICIPALITY:	LOT:	BLOCK:	MEETING DATE:	CONTINGENCIES MET:
BARNEGAT BAT95Q2	24.14	92.111	07/06/22	07/18/22
BARNEGAT BAT91W	1.03	115	03/16/22	07/08/22
BRICK BRT1753E	29.01	322	11/17/21	07/11/22
BRICK BRT1753F	29.01	322	06/01/22	07/08/22
PLUMSTED PT406A	23	27	08/18/21	07/12/22
STAFFORD ST55G.01	23.01, 47	145	02/16/22	07/18/22

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

Respectfully submitted,



Robin L. Florio, Secretary
Ocean County Planning Board

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