

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

Regular meeting, Wednesday, August 4, 2021, 6:00 PM, Engineering Conference Room, Third Floor, 129 Hooper Avenue, Toms River, New Jersey.

Chairman Russell presiding. Attending: Elaine McCrystal, Joseph Bilotta, Scott Tirella, Dennis Liberatore, Alan Avery, 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 July 21, 2021 were moved for approval. The motion was unanimously carried.

SUBDIVISION AND SITE PLAN REVIEW

BRICK: Lots 2 Block 109.11 (BRT1972A) 247 Mantoloking Road, LLC

This site plan is for permanent outdoor seating for 20 tables and 11 proposed parking spaces at an existing Mantoloking Ale House on Mantoloking Road. Waivers were previously granted for providing a traffic report, drainage report, County road improvement plans, and a CAFRA permit. The applicant proposes to improve the radii of the access drives. On a motion by Mr. Liberatore, seconded by Mr. Bilotta, this site plan was given final approval contingent upon the applicant to address the following items: (1) indicate the existing right-of-way full width of the County road on the plan, (2) since the existing right-of-way half width is less than 40 feet from centerline, submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 40' from centerline to Ocean County, (3) submit a sight right easement form and metes and bounds description for sight triangle easements at the intersection in accordance with County standards to Ocean County, (4) address the following traffic comments: a) Portions of the traffic assessment are for an unrelated project. The report refers to North Raleigh Drive which is not adjacent to the site. The report states access will be eliminated at Mantoloking Road. Revise as required, (5) remove the parking from within 20' of the proposed County right-of-way in accordance with Section 603.A, 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.

BRICK: Lots 6 Block 1428 (BRT2019) Sheer Service, LLC

This site plan is for a change of use from a funeral home to office space in an existing 3,742 s.f. building with 41 existing parking spaces located on Sally Ike 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 and dimension the existing pavement half width and full width of the County road on the plan, (2) 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, (3) submit a sight right easement form and metes and bounds description for an AASHTO sight triangle easement at the access points in accordance with County standards to Ocean County, (4) submit a traffic report (waiver requested), (5) submit a drainage report (waiver requested), and (6) submit County road improvement plans (waiver requested). Approval recommended upon fulfillment of the above contingencies and the Board's decision on the waiver requests.

A letter dated July 30, 2021 was read from Jeffrey Carr of Lindstrom, Diessner & Carr requesting a waiver from providing a traffic report, drainage report and County road improvement plans. The project is for a change of use within an existing building. There is no construction proposed. Brick Township requires an application to the Planning Board for an abridged site plan due to this change of use. The existing site was previously used as a funeral home. The proposed use is for an office. There will be no site construction. Therefore, there will be no changes to the impervious coverage and no increase in stormwater runoff. Per the NJDOT Trip Generation Rate Table, the

average daily weekday trips for a funeral home is 124 and the average daily weekday trips for a general office building less than 200,000 s.f. is 44. Therefore, the proposed use will decrease the number of anticipated trips to the site.

On a motion by Mr. Ernst, seconded by Ms. McCrystal, the Board granted a waiver from providing a traffic report and accepted the trip generation statement submitted, granted a waiver from submitting a drainage report and County road improvement plans; 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 and dimension the existing pavement half width and full width of the County road on the plan, (2) 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 (3) submit a sight right easement form and metes and bounds description for an AASHTO sight triangle easement at the access points 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.

LAKEWOOD: Lots 9 Block 187.15 (LAT1552C.02) Harvard Partners LLC

This 16-lot major subdivision is for 15 single family residential units, a detention basin lot, a cul-de-sac, and a road connection to the adjoining development off of Lanes Mills Road. The traffic report is acceptable. Ocean County requires the applicant to address the following items: (1) revise the final plat to include County road existing and proposed right-of-way half-width and full-width dimensions, (2) revise the existing conditions plan to include County road existing right-of-way half-width and full-width dimensions and existing pavement half-width and full-width dimensions in front of the project site and in front of both adjoining properties and show the physical centerline of the County road, (3) submit a copy of the CAFRA permit or a Jurisdictional Determination letter from the NJDEP (waiver requested), (4) since the existing right-of-way half width of the County road is less than 43 feet from centerline, submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 43' from centerline to Ocean County, (5) submit a sight right easement form and metes and bounds description for 30' x 100' sight triangle easements at the proposed intersection in accordance with County standards to Ocean County, (6) revise the plans to show the proposed curb to be located at a distance from the physical centerline equal to the curb on the adjoining properties, (7) provide a drainage design to be reviewed and approved by the Ocean County Engineer (per drainage memo dated 8/4/2021), (8) 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 (see ADA notes on memo dated 7/27/2021), (9) revise the proposed grades on the County road improvement plans (see construction notes on memo dated 7/27/2021), (10) revise the cross-sections to properly show the location of the proposed curb, (11) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer, and (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 July 28, 2021 was read from Ray Carpenter of R.C. Associates requesting a waiver from submitting a copy of the CAFRA Permit of Jurisdictional Determination from NJDEP. The previous application submitted as LAT1552 was processed without a CAFRA Jurisdictional Determination from the NJDEP because the application does not meet the NJ Department of Environmental Protection Land Use Regulation N.J.A.C 7.7-2.1(a)5 criteria of: (1) 25 dwelling units or more, (2) commercial development having 50 or more parking spaces, or (3) lineal development of 1,200 feet or more.

On a motion by Mr. Ernst, seconded by Mr. Tirella, the Board acknowledges and accepts the applicant's professional's interpretation that the project does not exceed the CAFRA threshold; this major subdivision was given preliminary and final approval contingent upon the applicant to address the following items: (1) revise the final plat to include County road existing and proposed right-of-way half-width and full-width dimensions, (2) revise the existing conditions plan to include County road existing right-of-way half-width and full-width dimensions and existing pavement half-width and full-width dimensions in front of the project site and in front of both adjoining properties and show the physical centerline of the County road, (3) since the existing right-of-way half width of the County road is less than 43 feet from centerline, submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 43' from centerline to Ocean

County, (4) submit a sight right easement form and metes and bounds description for 30' x 100' sight triangle easements at the proposed intersection in accordance with County standards to Ocean County, (5) revise the plans to show the proposed curb to be located at a distance from the physical centerline equal to the curb on the adjoining properties, (6) provide a drainage design to be reviewed and approved by the Ocean County Engineer (per drainage memo dated 8/4/2021), (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 (see ADA notes on memo dated 7/27/2021), (8) revise the proposed grades on the County road improvement plans (see construction notes on memo dated 7/27/2021), (9) revise the cross-sections to properly show the location of the proposed curb, (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.

LAKEWOOD: Lots 8 & 16 Block 763 (LAT2148) 519 Arlington LLC

This four lot minor subdivision is for four duplex units with four parking spaces each to be located on two local roads, Vine Avenue and Melville 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. Liberatore, this minor subdivision was given final approval. The motion was unanimously carried.

LAKEWOOD: Lots 7 Block 1602 (LAT594D1) Von Worthington

This site plan is for an outdoor cold storage area and parking lot modifications for a total of 66 paved parking spaces and eight gravel parking spaces at an existing manufacturing and office operation at the Worthington Bio-Chemical Corporation within the Lakewood Industrial Complex on Vassar Avenue. The trip generation statement is acceptable. This application supersedes and withdraws LAT594D. On a motion by Mr. Tirella, seconded by Ms. McCrystal, this site plan was given final approval contingent upon the applicant to address the following item: (1) submit a copy of the CAFRA permit from the NJDEP. The above condition 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 38 Block 77 (PT408) Ocean County Planning Dept. (NLTF)

This two-lot minor subdivision is located on Archertown-Colliers Mills Road. The intention is to subdivide off new Lot 38.02 (99.589 acre) to be encumbered with a Farmland Preservation Easement to Ocean County. The plan indicates that the existing right-of-way half width of Archertown-Colliers Mills Road is 16.5 feet. County Bridge Structure #1523-028 is within the vicinity of the subdivision. On a motion by Mr. Bilotta, 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 key map, signature blocks, zone table, full width right-of-way dimensions, County road stationing, and three corner coordinates in accordance with the Recordation Act, (2) since the right-of-way half width is less than 30 feet from centerline, submit a deed of right-of-way dedication and metes and bounds description for a right-of-way dedication to 30' from centerline to Ocean County from Station 12+20 to Station 20+40 and provide a deed of right-of-way dedication to 40' from centerline from Station 5+80 to Station 12+20 in the vicinity of culvert Structure #1523-028, and (3) provide a 10' road easement to Ocean County to 40' from centerline in front of new Lot 38.01. 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.

SHIP BOTTOM: Lots 2 Block 58 (SBB232) 1701 J&A, LLC, Abraham Shiloach

This site plan is for a two-story building to include 2,007 s.f. of retail and 2,033 s.f. of storage with seven proposed parking spaces on a vacant lot at the intersection of West 17th Street and Long Beach Boulevard. Access will be from the local road. 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 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, (2) submit a sight right easement form and metes and bounds description for a 30' x 100' sight triangle easement at the intersection in accordance with County standards to Ocean County, (3) revise the plans to show all existing features within 200 feet of the site, including existing curb radius on the opposite side of the 17th Street and County road pavement half width and full width dimensions, (4) submit a drainage report for the site (waiver requested), (5) submit a copy of the CAFRA permit or a Jurisdictional Determination letter from the NJDEP (waiver requested), (6) revise the curb label to indicate 9"x18" concrete curb to be constructed along the County road, (7) fix the orientation of the key tax map, (8) add the following standard County notes for projects located on a County road: 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 (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 and the Board's decision on the waiver requests.

A letter dated July 12, 2021 was read from Jason Marciano of East Coast Engineering requesting a waiver from providing a drainage report and CAFRA Permit. The applicant plans to redevelop a commercial site by constructing a two-story retail building. The site was previously a gas station which has been removed. The runoff volumes are mostly unchanged. The proposed site has two primary drainage areas, the roof top and the parking lot. A recharge trench is proposed to collect rooftop runoff as a method to decrease runoff. The parking lot runoff will sheet flow toward 17th Street similar to existing conditions. Based on site grading and the minor drainage improvements, there shall be no increase in runoff discharge. A waiver is requested from providing a CAFRA Jurisdictional Determination. The site is a small lot of 6,000 s.f. The commercial building and site are not oceanfront or bayfront. The nearest water is the Atlantic Ocean and it is nearly 1,000 feet from the site. For commercial sites that are not waterfront, the CAFRA threshold is based on the number of parking spaces. This site with only seven parking spaces is well below the NJDEP threshold to require a CAFRA Permit.

On a motion by Mr. Ernst, seconded by Mr. Tirella, the Board denied the request to waive the drainage report as the applicant is redeveloping the site and needs to address the runoff from the site, the Board acknowledges and accepts the applicant's 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 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, (2) submit a sight right easement form and metes and bounds description for a 30' x 100' sight triangle easement at the intersection in accordance with County standards to Ocean County, (3) revise the plans to show all existing features within 200 feet of the site, including existing curb radius on the opposite side of the 17th Street and County road pavement half width and full width dimensions, (4) submit a drainage report for the site (5) revise the curb label to indicate 9"x18" concrete curb to be constructed along the County road, (6) fix the orientation of the key tax map, (7) add the following standard County notes for projects located on a County road: 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 (8) 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 4 Block 135 (TRT3458A) 117 Route 70, LLC

This site plan is for six proposed office buildings with a total of 204,000 s.f. of ground floor area with 826 proposed parking spaces to be located on Route 70 near the intersection with Whitesville Road. Four buildings will be three stories and two buildings will be two stories. The NJDOT

"desired typical section" for this section of NJ Route 70 is shown on the NJDOT access permit plans. On a motion by Ms. McCrystal, seconded by Mr. Liberatore, this site plan was given final approval contingent upon the applicant to address the following items: (1) address the following traffic comments: a) Provide the anticipated traffic distribution to the County road network. Trip distribution to County roadways appears to be underestimated. Table 4 shows 40% to/from Massachusetts Avenue (CR 637), yet Figure 4 shows 95% of exiting vehicles to Whitesville Road (CR 527). Additionally, it appears other County roadways must be utilized to access the site, such as Cox Cro Road and Honey Locust Drive, and b) The report does not specify how Eastbound Route 70 vehicles will access the site nor how exiting vehicles will access Eastbound Route 70. Revise as required, (2) submit a copy of the CAFRA permit from the NJDEP, (3) provide a copy of the NJDOT access permit, (4) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer, and (5) 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 4,5,28,29 Block 694.14 (TRT3466) Ocean County Planning Department (NLTF)

This three-lot minor subdivision is located on Brookside Drive. The intention is to subdivide off one residence onto new Lot 4.02 (9.136 acre) to be encumbered with a Farmland Preservation Easement to Ocean County. The plan indicates that the right-of-way half width of Brookside Drive is 16.5 feet plus an existing 13.5' wide road easement. The Master Plan right-of-way half-width of Brookside Drive is 30' from centerline. On a motion by Mr. Tirella, seconded by Ms. McCrystal, this minor subdivision was given final approval contingent upon the applicant to address the following items: (1) since 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. 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

- LAKWOOD:** Lots 7.02, 56 & 60 Block 440 (LAT1105C) Yeshiva Chemdas Hatorah
- LAKWOOD:** Lots 1 Block 1248 (LAT1368B.03) Somerset NH LLC
- LAKWOOD:** Lots 2 Block 445 (LAT2103.05) Fifth Point Holdings LLC

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CORRESPONDENCE:

BARNEGAT: Blocks 92 / 92.103 / 92.104 / 92.105 / 92.106 / 92.107 / 92.108 / 92.109 / 92.113, Lots 15, 16, 18, 18.01, 20, 21, 23, 23.03, 23.04 / 1-4 / 1-16 / 1-23 / 1-24 / 7-8 / 15-24 / 14-15 / 42-45 (BAT327A) 1111 West Bay & Nautilus Assoc. Limited. This site plan received conditional approval on June 17, 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 \$6,000.00 and the off-tract traffic improvement fee to be \$54,792.00. On a motion by Mr. Ernst, 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 \$54,792.00. The motion was unanimously carried.

BERKELEY: Block 1077, Lots 1.01 & 2 (BT113D) Millcreek Crossing, LLC. This site plan received conditional approval on June 3, 2020. 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 \$12,708.00. On a motion by

Mr. Ernst, seconded by Mr. Liberatore, 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 \$12,708.00. The motion was unanimously carried.

BRICK: Block 868.01, Lots 15, 15.01, 16.02 (BRT1690G) JSM at Martin Boulevard. This site plan received conditional approval on November 4, 2020. A letter dated June 14, 2021 was read from Paul Latham of EP Design Services requesting a waiver from designing the proposed sidewalk in accordance with Table 600-8 and Figure 600-6. The sidewalk was proposed and approved under Phase 1 of this project, Laurelton Plaza. The proposed sidewalk along Jack Martin Boulevard is situated as thus to remain consistent with the existing sidewalk in this vicinity which abuts the curb with no separation. A minimum separation from the proposed sidewalk to the face of the curb, per Table 600-8 would be inconsistent and visually distracting. On a motion by Mr. Ernst, seconded by Mr. Bilotta, the Board granted a waiver to allow the existing sidewalk to remain along Jack Martin Boulevard consistent with the Township approval. The motion was unanimously carried.

JACKSON: Block 6501, Lot 42.03 (JT1711) Safstor Land Co., LLC. This site plan received conditional approval on November 20, 2019. Condition #7 required the payment of an off-tract drainage improvement fee in an amount to be determined by the County Engineer and Condition #8 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 \$3,542.00. On a motion by Mr. Ernst, seconded by Ms. McCrystal, 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 \$3,542.00. 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 July 20, 2021 was read from Cameron MacLeod of Gibbons requesting a waiver from submitting a CAFRA Permit or Jurisdictional Determination from NJDEP. The applicant proposes the construction of 49 parking spaces, so no CAFRA Permit is necessary. By way of this correspondence, the applicant confirms that the future construction of any additional parking spaces, including those shown on the revised plans as "banked", will require returning to the County Planning Board for approval, as well as seeking any necessary approvals from the Township of Toms River and NJDEP. Condition #8 required the payment of an off-tract drainage improvement fee in an amount to be determined by the County Engineer and Condition #9 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 \$10,208.00. On a motion by Mr. Ernst, seconded by Mr. Tirella, 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 \$10,208.00; the Board acknowledges and accepts the applicant's professionals interpretation that the project does not exceed the CAFRA threshold. The motion was unanimously carried.

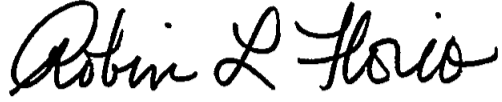
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THE FOLLOWING PLANS HAVING BEEN GIVEN CONDITIONAL APPROVAL AT A PREVIOUS MEETING HAVE NOW MET THE CONTINGENCIES AND CAN BE SIGNED:				
MUNICIPALITY:	LOT:	BLOCK:	MEETING DATE:	CONTINGENCIES MET:
JACKSON JT1700.01	3	2501	08/21/19	08/03/21
LAKWOOD LAT1566C	42.01	246	07/07/21	07/28/21
LAKWOOD LAT1923A	1, 19.01, 19.02	236	10/16/19	08/03/21
SEASIDE HEIGHTS SHB154	21	73	02/03/21	07/23/21
TOMS RIVER TRT1478.16A	11.02	472	12/16/20	07/28/21

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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

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