

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

Regular meeting, Wednesday, September 7, 2022, 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, 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 August 17, 2022 were moved for approval. The motion was unanimously carried.

SUBDIVISION AND SITE PLAN REVIEW

BEACH HAVEN: Lots 1 & 2 Block 152 (BHAB193B) Atlantic City Electric

This site plan application is for the removal of existing fencing, grounding rods, concrete sidewalks, pine trees and the construction of a new stone entrance, loop driveway, and concrete foundations for a battery enclosure and transformer bay at the existing Beach Haven substation located at the intersection of Bay Avenue and 2nd Street. 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 30'x100' sight triangle easements at the intersection in accordance with County standards to Ocean County, (3) submit a traffic report (waiver requested), and (4) 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 August 3, 2022 was read from Carolyn Feigin of ARH Associates requesting a waiver from providing a traffic report. The existing substation is currently not staffed and the proposed facility will remain unstaffed. The site does not have visitors or customers. Vehicular traffic is limited to ACE maintenance visits, anticipated at a frequency of two times per week. Therefore, a traffic report is not necessary as there is a minimal number of trips per week to the property and there are no driveways on the County road. The substation does not have a driveway on the County roadway and there is minimal traffic to the site, it is not anticipated to provide any County road improvements. Improvements within the Bay Avenue right-of-way include removal of the existing concrete sidewalk and replacement with brick pavers and the installation of two light fixtures and two benches. This work has been requested and approved by the Borough Engineer and it is our understanding that it meets with County requirements. Therefore, a waiver is requested from submitting County road improvement plans.

On a motion by Mr. Ernst, seconded by Ms. McCrystal, the Board granted a waiver from providing a traffic 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 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 30'x100' sight triangle easements 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.

LAKESIDE: Lots 3.01 Block 1006 (LAT2183A) Elroy Properties LLC

This three-lot major subdivision is for Phase II of a development to include 22 duplex units with 88 proposed parking spaces to be located on local roads, Croton Avenue and Halsey Street. The off-

tract traffic improvement fee was assessed under Phase I. On a motion by Mr. Bilotta, seconded by Mr. Tirella, this major subdivision was given preliminary and final approval contingent upon the applicant to address the following item: (1) identify the Township Ordinance number for the vacation of Croton Avenue on the final plat. 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.

LAKWOOD: Lots 18 Block 284.06 (LAT2198) Sunset Road Sephardic Congregation Inc.

This site plan is for the demolition of a residence and construction of a 4,204 s.f. shul house of worship with nine proposed parking spaces on Sunset Road. The existing County road pavement is at the Master Plan half width of 20' from center and the existing County right-of-way is at the Master Plan half width at 30' from centerline. On a motion by Mr. Bilotta, seconded by Ms. McCrystal, 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 an AASHTO sight triangle easement at the proposed access point in accordance with County standards to Ocean County, (2) revise the plans to show the existing depressed curb to be removed and replaced with full height curb, (3) address the following traffic comments: a) provide passenger vehicle turning templates, b) label curb return radii, c) label number of building stories and total building area on site plans. Total building area listed in the report does not match the plan or application, d) plan states 28 spaces are required, while report states 18 spaces are required, but plans show only nine proposed parking spaces. Clarify if nine on-site parking spaces adequately addresses the parking requirements for the proposed use, (4) add north arrows to the cover sheet key maps. 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.

LAKWOOD: Lots 7 Block 490 (LAT2199) Orange Pool Holdings LLC

This site plan is for a three-story 22,217 s.f. commercial office building with 90 proposed parking spaces to be located on Prospect Street. Ocean County requires the applicant to address the following items: (1) revise the plans to show County road stationing and underground drainage features in the County road, (2) properly depict the AASHTO line of sight, (3) 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, (4) show the existing depressed curb to be removed and replaced with full height curb, (5) construct drainage facilities in the County road to capture runoff prior to entering the site access drive and grade the proposed access to prohibit runoff from entering the site, (6) address the following traffic comment: a) depict current road striping on circulation plan, b) demonstrate entering and exiting right turning passenger vehicles will not conflict and will not cross into center turn lane, (7) submit a copy of the CAFRA permit or a Jurisdictional Determination letter from the NJDEP (waiver requested), and (8) 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 August 10, 2022 was read from Glenn Lines of New Lines Engineering requesting a waiver from providing a CAFRA Permit or Jurisdictional Determination letter from the NJDEP. This site plan is not a residential development, this project is proposing 93 parking spaces for the commercial development and is not a public development or industrial development. Based on the triggers for a CAFRA Permit, this residential development is found to be exempt from CAFRA jurisdiction.

On a motion by Mr. Ernst, seconded by Mr. Bilotta the Board acknowledged and accepted the applicant's professional 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) revise the plans to show County road stationing and underground drainage features in the County road, (2) properly depict the AASHTO line of sight, (3) 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, (4) show the existing depressed curb to be removed and replaced with full height curb, (5) construct drainage facilities in the County road to capture runoff prior to entering the site access drive and grade the proposed access to prohibit runoff from entering the site, (6) address the following traffic comment: a) depict current road striping on circulation plan, b) demonstrate entering and exiting right turning passenger vehicles

will not conflict and will not cross into center turn lane, 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.

LAKEWOOD: Lots 8 Block 420.01 (LAT2201) River Equities LLC

This two-lot minor subdivision is located at the intersection of Route 9 and Buttell Avenue. 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 item: (1) reorient the final plat and key maps so that north is up or to the right in accordance with industry standard. 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.

LAKEWOOD: Lots 175 Block 208 (LAT2202A) Rosenbaum Family Holdings V, LLC

This two-lot minor subdivision is for two duplex units to be located on a local road, East End Avenue. County facilities will not be impacted. On a motion by Mr. Liberatore, seconded by Mr. Tirella, this minor subdivision was given final approval contingent upon the applicant to address the following items: (1) revise the final plat to show the NJDEP wetlands line and provide reference to the NJDEP Category One Waterway 300' buffer, (2) submit concurrence from the NJDEP regarding the wetlands line, the wetlands buffer, and the Category One Waterway 300' buffer. 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 176 Block 208 (LAT2202B) Rosenbaum Family Holdings V, LLC

This two-lot minor subdivision is for two duplex units to be located on a local road, East End Avenue. County facilities will not be impacted. On a motion by Ms. McCrystal, seconded by Mr. Marra, this minor subdivision was given final approval contingent upon the applicant to address the following items: (1) revise the final plat to show the NJDEP wetlands line and provide reference to the NJDEP Category One Waterway 300' buffer, (2) submit concurrence from the NJDEP regarding the wetlands line, the wetlands buffer, and the Category One Waterway 300' buffer. 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.

MANCHESTER: Lots 15.04 Block 44 (MT515C) Marble Arch Homes Inc.

This amended site plan is for Phase 3 to include a three-story 90,000 s.f. total self storage facility with 20 parking spaces to be located on Route 37 and the local section of Commonwealth Boulevard. Plans for Phase 1 and 2 remain unchanged. The trip generation statement is acceptable. 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 items: (1) 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, and (2) submit a copy of the NJDEP CAFRA Permit Modification. 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.

MANCHESTER: Lots 35 & 42 Block 1.309 (MT525) Jerman, Jeffrey

This two-lot minor subdivision is located on a local road, Wellington 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. Marra, this minor subdivision was given final approval. The motion was unanimously carried.

PT. PLEASANT: Lots 1.01 Block 136 (PPB785A) 604 Ocean Shores, LLC

This two-lot minor subdivision is located on Route 88 and a local road. County facilities are not impacted. 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.

PT. PLEASANT BH: Lots 19 Block 164 (PPBB289) 53 Broadway PPB LLC

This site plan is for a 2,220 s.f. office and garage and one residential apartment with five proposed parking spaces to be located at the intersection of Broadway and Channel Drive. 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 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) submit a traffic report (waiver requested), (4) submit a drainage report (waiver requested), (5) submit County road improvement plans (waiver requested), (6) submit a copy of the CAFRA permit or a Jurisdictional Determination letter from the NJDEP (waiver requested), and (7) 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 August 4, 2022 was read from Ray Carpenter of R.C. Associates requesting several waivers. A waiver is requested from providing a drainage report. The total limit of disturbance for the project is approximately 8,000 s.f. with the proposed impervious coverage increase being approximately 4,400 s.f. As a result, this project does not qualify as a major development under the NJDEP rules so we designed the project to comply with the Pt. Pleasant Beach Ordinances. Due to the high water table on the property, Pt. Pleasant Beach is not requiring us to stay two feet above the seasonal high water table as they want us to try to recharge as much of the runoff as possible. Trench drains are included along the edge of the proposed driveways to catch any runoff flowing towards the streets from the driveways. The recharge system has several overflow locations within the property in case the system overflows. A waiver is requested from providing County road improvement plans. At this time, there are no improvements proposed to the pavement or existing curbs/sidewalks on Broadway. The proposed development will utilize the existing curb along Broadway to access the ground level garage and the handicapped parking stall. The proposed development will tie into the existing services that were capped behind the curb line when the previous building on this property was demolished. A waiver is requested from providing a traffic report. Due to the design of the site, we anticipate traffic to the site to be substantially less than what previously existed when the property was used for a coffee shop. The Broadway driveway access will be used for access to the handicapped parking stall located on the site and for secondary access to the ground level garage. We anticipate Channel Drive being used as the main garage access point. Access to the parking stalls for the residential apartment and the visitors to the office/garage space will also be through the proposed driveway on Channel Drive. When the site was previously used as a coffee shop, all vehicular access to/from the site was from Broadway. A waiver is requested from submitting a CAFRA Permit due to the size of the property, and the intervening structures on the east side of Channel Drive, this project does not require a CAFRA Permit. However, the project site is located within the FEMA flood zone and all improvements will be constructed in compliance with the latest FEMA guidelines and NJ building Codes related to construction within a designated flood zone.

On a motion by Mr. Ernst, seconded by Mr. Liberatore, the Board granted a waiver from providing a traffic report, drainage report and County road improvement plans, and acknowledged and accepted the applicant's professional interpretation that 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, (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, and (3) 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.

SEASIDE HTS: Lots 3 Block 61 (SHB162) New Cingular Wireless PCS LLC (AT&T)

This site plan is for a rooftop telecommunication facility at the Aztec Hotel on Ocean Terrace. On a motion by Mr. Tirella, seconded by Mr. Bilotta this site plan was given final approval contingent 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) submit a copy of the CAFRA permit or a Jurisdictional Determination letter from the NJDEP. 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 9.01 Block 164.01 (TRT1653B) Jack's Realty Partners, LLC

This site plan is for a 19,773 s.f. addition to Jacks Auto Body Shop with 90 proposed parking spaces (47 existing and 43 new) to be located on NJ Route 9 and Hickory Street. The plans show the NJDOT desired typical section for NJ Route 9 in accordance with the current NJDOT access code. Ocean County requires the applicant to address the following items: (1) submit a copy of the CAFRA permit or a Jurisdictional Determination letter from the NJDEP (waiver requested), (2) pay an off-tract traffic improvement fee in the amount of \$2,688.00. Approval recommended upon fulfillment of the above contingencies and the Board's decision on the waiver request.

A letter dated August 15, 2022 was read from Michael Dipple of L2A Land Design requesting a formal determination regarding the applicability of a CAFRA permit for the subject development. This site is located within a Mainland Coastal Regional Center, specifically identified as the Toms River Coastal Regional Center. Per Coastal Zone Management Rules N.J.A.C 7:7-2.2(a)(4)(i-iii) a permit shall be required for construction of a facility in a coastal area located within a city of a population of over 30,000 persons within the following criteria: A residential development having 75 or more dwelling units, a commercial development having 150 or more parking spaces or a public development of industrial development. Therefore, the proposed building addition and site improvements do not require a CAFRA Permit.

On a motion by Mr. Ernst, seconded by Mr. Tirella, the Board denied the request to waive submitting a CAFRA Permit as the wrong threshold is cited and the application does exceed the threshold; this site plan was given final approval contingent upon the applicant to address the following items: (1) submit a copy of the CAFRA permit or a Jurisdictional Determination letter from the NJDEP, (2) pay an off-tract traffic improvement fee in the amount of \$2,688.00. 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.

TOMS RIVER: Lots 16.01 Block 171 (TRT3231C) Cox Cro Center Owner, LLC

This amended site plan is for a 29,996 s.f. two-story office building with 111 parking spaces to be located on Cox Cro Road. Lots 16, 29, and 58.01 were consolidated in deed book 18576 page 1893 recorded on 7/13/2021. The previous approval TRT3231B.01 was for a 20,000 s.f. one-story shopping center with 80 parking spaces. 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) revise the plans to show the proposed County road striping maintaining two eastbound 11' wide thru lanes on Cox Cro Road from Ticonderoga Drive to Route 9 per the Van Cleef site layout plan sheets 3 & 4 revision 4. Revise the plan to show the left turn lane into the access drive from Cox Cro Road, (2) revise the circulation plan accordingly to show proposed County road striping, (3) dimension the County road pavement half width and full width and dimension the County right-of-way half width and full width, (4) revise the plans to reference the deed book and page number of the recorded County sight easement at the intersection of Cox Cro Road and Ticonderoga Drive, (5) remove the utility pole shown within the west bound thru lane of Cox Cro Road, (6) submit a copy of the CAFRA Permit Modification from the NJDEP for the current proposal, (7) address the following traffic comments: a) revise the traffic statement to compare the difference in trip generation and parking supply for the previously approved office building and the currently proposed office building expansion. References to the shopping center approved in 2021 and the expired 2011 site plan approval should be removed. Note the trip generation values depicted in Table 1 are not consistent with previously approved data, and b) depict proposed

County road striping per previously approved plans by Van Cleef, (8) pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer, and (9) pay an off-tract drainage 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 6 Block 173 (TRT3432A) TEB Management, LLC

This site plan is for a 15,000 s.f. auto body repair business with 41 proposed parking spaces to be located on Route 9. The NJDOT "desired typical section" for this section of NJ Route 9 in accordance with the current NJDOT access code is indicated on the plans. 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) pay an off-tract drainage improvement fee in the amount of \$6,000.00, and (2) pay an off-tract traffic improvement fee in the amount of \$8,542.00. 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.

TOMS RIVER: Lots 33 Block 172 (TRT3489) 2031 LR, LLC

This site plan is for a three-story 13,800 s.f. office and 26,970 s.f. warehouse building with 91 proposed parking spaces to be located on Route 9 (aka Lakewood Road). The plans show the proposed stormwater management facilities partially located within the NJDOT desired typical section. 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 copy of the NJDEP CAFRA Permit, (2) provide a copy of the NJDOT Access Permit, (3) provide a street name on the cover sheet area map, (4) address the following traffic comment: a) the building area shown on the plans does not match the area in the report; revise accordingly, 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 5, 11, 12 & 46 Block 173 (TRT3491) Infinity Holdings, LLC

This 19-lot major subdivision is for 16 proposed single family residences, one existing single family residence, two stormwater basin lots, and a cul-de-sac to be located on Cox Cro Road and Route 9. On a motion by Mr. Tirella, seconded by Mr. Marra, this major subdivision 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 Cox Cro 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 sight right easement form and metes and bounds description for 30'x100' sight triangle easements at the proposed 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 features on the opposite side of the road and County road pavement half and full width dimensions, (4) address the following traffic comments: a) depict roadway striping on circulation plan; demonstrate entering and exiting right turns do not overlap and vehicles do not cross roadway centerline, and b) provide a striping plan for the County road which provides a three lane section across the entire frontage of the project site to match the existing three lane section to the east and to accommodate a center turn lane with a striped taper starting at 175' from the centerline of the proposed street, (5) provide a drainage design to be reviewed and approved by the Ocean County Engineer (per drainage memo dated 9/7/2022), (6) design the angle of the proposed intersection to the County road in accordance with Section 610.F, (7) design the radii of the proposed intersection to the County road in accordance with Section 610.E, (8) add County road stationing to plan set, (9) identify on the final plat the entity responsible for maintaining the proposed stormwater management basins, (10) construct drainage facilities along the County road to capture runoff at the low point, (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, 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 drainage improvement fee in an amount to be determined by the Ocean County Engineer, and (13) 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.

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

JACKSON: Lots 5.02 & 5.03 Block 2101 (JT1549C.01) Casa Nova Rodal, LLC

JACKSON: Lots 15 Block 4301 (JT1739) 135 Commadore LLC

JACKSON: Lots 18, 22 & 23 Block 8701 (JT594C) 680 Bennetts Mill Road LLC

LAKWOOD: Lots 14.01, 14.02, 14.03, 14.05; 32 Block 2.01 (LAT1634B) Hope Road LLC

TOMS RIVER: Lots 37 Block 171.09 (TRT3490A) TR Estates, LLC

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CORRESPONDENCE:

BRICK: Block 548, Lot 5 (BRT1988A) Hooper Avenue Associates, LLC. This major subdivision received conditional preliminary and approval on January 20, 2021. A letter dated August 15, 2022 was read from Jeffrey Carr of Lindstrom, Diessner & Carr requesting waivers. The applicant does not own the property located at Block 548.08, Lot 1, therefore, a sight triangle easement at the proposed intersection cannot be obtained. It is noted that Avery Lane is an existing Township right-of-way. This project proposes to increase the right-of-way width and improve the road to the Township standards. The corner located on Lot 1, Block 548.01 is not owned by the applicant, therefore, a curb radius cannot be proposed in accordance with County standards. On a motion by Mr. Ernst, seconded by Mr. Tirella, the Board will accept AASHTO sight triangle standards at the proposed intersection in lieu of County standards, and denied the request for not providing curb returns at Avery lane as there needs to be a 35' radius. The motion was unanimously carried.

BRICK: Block 323, Lot 15 (BRT2026) Mom & Pop Ventures, LLC. This site plan received conditional approval on April 20, 2022. Condition #5 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 \$1,458.00. On a motion by Mr. Ernst, seconded by Mr. Bilotta, the Board required the payment of an off-tract traffic improvement fee in the amount of \$1,458.00. The motion was unanimously carried.

JACKSON: Block 23001, Lots 22-29 (JT527C.02) Jackson Trails, LLC. This major subdivision received conditional approval on August 21, 2019. A letter dated August 18, 2022 was read from Ian Borden of Professional Design Services requesting a one year extension of the final approval until August 21, 2023. This project is fully compliant with the Jackson Township Master Plan and zone ordinance with no variances or design waivers proposed. The Jackson Township Planning Board denied the subdivision application regardless of these facts and a Settlement Agreement has been signed by the Federal Court. As a result of the time needed to complete the details of the Settlement Agreement, the project has not been able to move forward prior to the 2022 approval expiration date. All outside approvals have been received with the exception of the final review of the Pinelands Commission and County Planning Board, which contain an approval condition for the Pinelands approval. Condition #9 required the payment of an off-tract drainage improvement fee in an amount to be determined by the County Engineer and Condition #10 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 and the off-tract traffic improvement fee will be assessed on the site plan application JT527D.02. On a motion by Mr. Ernst, seconded by Ms. McCrystal, the Board granted a one-year extension of the approval until August 21, 2023 and the off-tract drainage improvement fee and off-tract traffic improvement fee will be assessed on the site plan application JT527D.02. The motion was unanimously carried.

JACKSON: Block 23001, Lots 22-29 (JT 527D.02) Jackson Trails, LLC. This site plan received conditional approval on August 21, 2019. A letter dated August 18, 2022 was read from Ian Borden of Professional Design Services requesting a one year extension of the final approval until August 21, 2023. This project is fully compliant with the Jackson Township Master Plan and zone ordinance with no variances or design waivers proposed. The Jackson Township Planning Board denied the subdivision application regardless of these facts and a Settlement Agreement has been signed by the Federal Court. As a result of the time needed to complete the details of the Settlement Agreement, the project has not been able to move forward prior to the 2022 approval expiration date. All outside approvals have been received with the exception of the final review of the Pinelands Commission and County Planning Board, which contain an approval condition for the Pinelands approval. Condition #15 required the payment of an off-tract drainage improvement fee in an amount to be determined by the County Engineer and Condition #16 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 as follows: Phase 1 - \$57,500.00; Phase 2 - \$56,875.00; Phase 3 - \$56,875.00 and Phase 4 - \$58,125.00. On a motion by Mr. Ernst, seconded by Ms. McCrystal, the Board granted a one-year extension of the approval until August 21, 2023 and required the payment of an off-tract drainage improvement fee in the amount of \$6,000.00 and the payment of off-tract traffic improvement fees as follows: Phase 1 - \$57,500.00; Phase 2 - \$56,875.00; Phase 3 - \$56,875.00 and Phase 4 - \$58,125.00. The motion was unanimously carried.

JACKSON: Block 21003, Lots 1, 2, 3, 18, 19, 20 (JT1727A) Highland Development Ventures, LLC. This site plan received conditional approval on December 1, 2021. Condition #9 required the payment of an off-tract drainage improvement fee in an amount to be determined by the County Engineer and Condition #10 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 \$3,333.00. On a motion by Mr. Ernst, seconded by Mr. Liberatore, the Board required the payment of an off-tract traffic improvement fee in the amount of \$6,000.00 and the payment of an off-tract traffic improvement fee in the amount of \$3,333.00. The motion was unanimously carried.

LAKEWOOD: Block 1160, Lot 268 (LAT293X16A) 1725 Oak Street Holdings, LLC. This site plan received conditional approval on June 15, 2022. Condition #2 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 \$1,458.00. On a motion by Mr. Ernst, seconded by Ms. McCrystal, the Board required the payment of an off-tract traffic improvement fee in the amount of \$1,458.00. The motion was unanimously carried.

LAKEWOOD: Block 1160.12, Lot 1 (LAT2127) Mactavish Partnership. This site plan received conditional approval on February 3, 2021. 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 \$17,292.00. 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 \$17,292.00. The motion was unanimously carried.

LAKEWOOD: Block 1078, Lots 1 & 3 (LAT2177) Magid, Yosef. This major subdivision received conditional approval on May 18, 2022. Condition #4 required the payment of an off-tract drainage improvement fee in an amount to be determined by the County Engineer and Condition #5 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 \$5,000.00. On a motion by Mr. Ernst, seconded by Mr. Marra, 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 \$5,000.00. The motion was unanimously carried.

SEASIDE HEIGHTS: Block 50, Lot 40 (SHB158) Mordechai Finkelstein. This major subdivision received conditional preliminary and final approval on February 2, 2022. A letter dated August 5, 2022 was read from Brian Murphy of FWH Associates requesting a waiver from paying on off tract traffic improvement fee as there is a slight reduction of traffic generated by the

proposed development as the site use is being changed from a 17 bedroom hotel to just eight single family dwellings. Furthermore, the current hotel parking lot is accessed off Central Avenue, a County road. The proposed subdivision will only have one of the eight single family homes accessed of Central Avenue. As such, not only will the amount of traffic generated by the site be reduced, so will the access onto Central Avenue. A waiver is requested from paying a drainage fee. Currently the existing hotel and all of the associated parking area drains to Central Avenue. The proposed development provides a substantial reduction in impervious surface from 0.30 ac to 0.20 ac. Furthermore, all proposed roof areas are being directed to underground recharge pipes. The drainage discharge to the County has been substantially reduced. On a motion by Mr. Ernst, seconded by Mr. Bilotta, the Board denied the request to waive the off-tract traffic improvement fee as Kearney Avenue is also a County roadway, and did not require an off-tract drainage improvement fee. The motion was unanimously carried.

STAFFORD: Block 146, Lot 28.02 (ST349K2) KBL Development, LLC. This site plan received conditional approval on August 17, 2022. Condition #3 required the payment of an off-tract drainage improvement fee in an amount to be determined by the County Engineer and Condition #4 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 \$6,250.00. On a motion by Mr. Ernst, 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 \$6,250.00. The motion was unanimously carried.

TOMS RIVER: Block 394.06, Lot 124.01 (TRT3485) Hooper Avenue, LLC. This site plan received conditional approval on May 18, 2022. 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 traffic improvement fee to be \$7,500.00. On a motion by Mr. Ernst, seconded by Mr. Bilotta, the Board required the payment of an off-tract traffic improvement fee in the amount of \$7,500.00. The motion was unanimously carried.

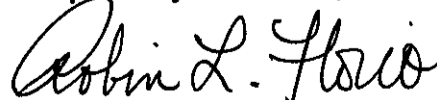
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THE FOLLOWING PLANS HAVING BEEN GIVEN CONDITIONAL APPROVAL AT A PREVIOUS MEETING HAVE NOW MET THE CONTINGENCIES AND CAN BE SIGNED:				
MUNICIPALITY:	LOT:	BLOCK:	MEETING DATE:	CONTINGENCIES MET:
BEACH HAVEN BHAB235	22	131	08/03/22	09/06/22
BEACHWOOD BB133	5.02	11.02	06/01/22	09/01/22
ISLAND HEIGHTS IHB79A	1.02	39.01	06/01/22	08/22/22
LAKWOOD LAT2183	1-4 /1, 3	1006 / 1007	05/04/22	09/01/22
OCEAN OT267A.02	8.01, 12, 13 / 13	169 / 191	08/17/22	08/29/22
PT. PLEASANT PPB37N	65	112	06/01/22	08/25/22
TOMS RIVER TRT2061G8	2.04	539	12/01/21	09/01/22

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

Respectfully submitted,



Robin L. Florio, Secretary
Ocean County Planning Board