

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

Regular meeting, Wednesday, May 4, 2022, 6:00 PM, Engineering Conference Room, Third Floor, 129 Hooper Avenue, Toms River, New Jersey.

Chairman Russell presiding. Attending: Earl Sutton, Joseph Bilotta, Dennis Liberatore, Elaine McCrystal, Mark Jehnke, Joseph Marra, Mat Thompson, Anthony Agliata and Veronica Tompkins.

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

On a motion by Ms. McCrystal, seconded by Mr. Sutton, the minutes of the meeting of April 20, 2022 were moved for approval. The motion was unanimously carried.

**SUBDIVISION AND SITE PLAN REVIEW**

**BARNEGAT: Lots 1.01, 2.01, 3.01 Block 92.56 (BAT24H) Walters Development Co., LLC**

This four-lot minor subdivision is for four single family residential dwellings to be located on a local road, Lookout 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 Ms. McCrystal, this minor subdivision was given final approval. The motion was unanimously carried.

**BRICK: Lots 2 Block 1211 (BRT1744A) Brick Township Board of Education**

This site plan is for access drive and parking lot modifications at the Brick Memorial High School located on Lanes Mill Road. The applicant intends to eliminate three access points to the County road. On a motion by Mr. Sutton, seconded by Ms. McCrystal, this site plan was given final approval contingent upon the applicant to address the following items: (1) dimension the right-of-way half width and full width of Lanes Mill 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 traffic report that identifies the projected traffic at each driveway including staff, parents, students, and bus patterns to and from the site during peak times for the site, (4) provide a circulation plan and design vehicle turning templates showing how parents, students, teachers, and buses will access the site and leave the site, (5) construct ADA compliant handicap ramps at the driveways and crosswalks in accordance with the current Federal ADA standards to be reviewed and approved by the Ocean County Engineer, (6) provide a 9"x18" concrete curb detail in accordance with County standards for the County road curb, and (7) add the following standard County notes for projects located on County roads to the plans set: a) The contractor is required to obtain a Road Opening Permit from the Ocean County Engineering Department prior to the start of construction of any improvements or soil erosion control measures within the County right-of-way, and b) The contractor 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. 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 15 & 52 Block 7 (LAT1359B.01) Congregation Bais Meir**

This site plan is for a two-story 6,557 square footprint yeshiva with 20 proposed parking spaces to be located at the intersection of Miller Road and Hope Chapel Road. This project is within the limits of the County road improvement project for the "Construction of Traffic Signal at Hope Chapel Road (C.R.639) and Miller Road". The plans need to be revised to utilize Ocean County's Miller Road and Hope Chapel Road construction baselines. 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) revise the plans to show all existing features within 200 feet of the site; accurately show the existing driveways on adjoining properties and across the street; revise

the plans to show the County's proposed intersection realignment on the opposite side of both County roads, (2) revise the plans to properly show the County construction baseline; confirm that the CADD units are in survey-feet; provide right-of-way half width and full width dimensions from the County construction baseline on both County roads, (3) revise the plans to show the right-of-way centerline and dimension the existing right-of-way half width and full width from the right-of-way centerline of both Miller Road and Hope Chapel Road, (4) if the right-of-way half width is less than 30' feet from the right-of-way centerline of Miller Road, submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 30' from the right-of-way centerline to Ocean County, (5) since the existing right-of-way half width is less than 35 feet from the construction base line of Hope Chapel Road, submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 35' from construction baseline to Ocean County, (6) provide a right-of-way deed of dedication corner clip at the intersection to accommodate the future County road widening and traffic signal equipment for the area shown on the County road intersection improvement plans, (7) provide a 10' wide sight and utility easement beyond the future right-of-way line to Ocean County, (8) locate the proposed 6' wide shade tree easement to Lakewood Township outside of the 10' wide sight and utility easement to Ocean County, (9) remove proposed sight obstructions from within the 10' wide sight and utility easement, including proposed landscaping that will be taller than 2', (10) properly dimension the decision point of the AASHTO line of sight from the future white fog line at the proposed access points, (11) address the following traffic comments: a) demonstrate entering and exiting passenger vehicles will not conflict at each access point, b) label number of stories and total building area on all plans, c) provide no left turn signs at each access point, d) trees are proposed within driveway and roadway intersection sight lines, depict all sight lines on the tree protection plan, including the sight line for Miller Road right turn to Hope Chapel Road, and revise proposed tree locations as required, and e) the report refers to Ocean Avenue which is not adjacent to the site, (12) address the specific design related construction comments on memo dated 4/19/2022, (13) remove the proposed parking from within 20' of the future County right-of-way in accordance with Section 603:A, and, (14) provide a copy of the recorded deed of lot consolidation. 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 25.20 Block 1159.04 (LAT1991D3) Eichorn, Mordechai**

This two-lot minor subdivision is for a duplex to be located on a local road, Chestnut Gardens Square. Lots 25.01 and 25.02 were created by the recording of final plat J4260 on February 18, 2021, which was approved by Ocean County Planning Board under LAT1991D.02. Lots 25.01 and 25.02 were consolidated by deed into Lot 25.20 recorded on December 8, 2021. Chestnut Gardens Square (fka Fulton Avenue) was vacated by Township Ordinance #2021-065 adopted on December 9, 2021. The deed of lot consolidation for Lot 25.20 was rerecorded on March 31, 2022 to make a correction to the block number. The final plat appears to have been prepared in accordance with the Recordation Act. On a motion by Ms. McCrystal, seconded by Mr. Bilotta, this minor subdivision was given final approval. The motion was unanimously carried.

**LAKEWOOD: Lots 17 Block 855.06 (LAT2182) Wasserman, Devora**

This three-lot minor subdivision is located on a local street, Oak Street. County facilities will not be impacted. On a motion by Ms. McCrystal, seconded by Mr. Bilotta, this minor subdivision was given final approval contingent upon the applicant to address the following items: (1) revise the final plat to properly show adjoining lot lines and properly identify the existing adjoining lots numbers, and (2) provide a graphic scale on the final plat. All of the above conditions must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. The motion was unanimously carried.

**LAKEWOOD: Lots 1-4/1,3 Block 1006/1007 (LAT2183) Elroy Properties LLC**

This 23-lot major subdivision is for Phase I and Phase II of a development to include 22 duplex units with 88 proposed parking spaces to be located on local roads, Oak Street, Elroy Street, and Halsey Street. On a motion by Mr. Bilotta, seconded by Ms. McCrystal, this major subdivision was given preliminary and final approval contingent upon the applicant to address the following items: (1) identify in the title block of the Phase II final plat that new Lot 3.01 will be subdivided, provide shading on proposed Lot 1.03 to indicate that Lot 1.03 is being created under Phase II, and identify the existing lot number 3.01, which is a new lot to be created under Phase I, (2) identify

the Township Ordinance number for the vacation of Croton Avenue on the final plat, (3) provide three corner coordinates on each page of the final plat in accordance with the Recordation Act, (4) reorient the plan view so that north is up or to the right per industry standards, (5) address the following traffic comment: a) specify trip distribution to the County roadways, 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.

**LAKEWOOD: Lots 2.05, 2.10, 2.11, 2.13 Block 961 (LAT944Y7) Tower 5 Equity LLC**

This site plan is for an eight-story 26,500 s.f. office building (228,000 s.f. total) and 945 proposed parking spaces to be located within the Cedarbridge Corporate Complex on the Avenue of the States. 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) confirm consistency with the CAFRA approved plans by providing a certification from the NJDEP stating that the design of the proposed site is consistent with the conditions of the existing CAFRA permit, (2) reduce the proposed impervious coverage on Lot 2.13 to below the 80% threshold required by condition 4 of the CAFRA permit, (3) address the following traffic comments: a) all data in the report and analysis needs to be verified, as it appears the same traffic volumes were used for both No Build and Build analysis in PM for Cedar Bridge and Avenue of the States and some post-development volumes in Figure 4 do not appear to include existing volumes; verify all data and provide a figure for Future No Build condition, b) the number of parking spaces listed in the report does not match the plan, and c) the report refers to a maintenance building and bank which are not proposed, this appears to be copied from LAT944T3 traffic report. 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 2, 6 Block 1.04 (LBT793) 11 Lincoln Avenue Partners LLC**

This three-lot minor subdivision is located on unimproved Lincoln Avenue and Cleveland Avenue at the southern end of Long Beach Township. 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. Sutton, this minor subdivision was given final approval. The motion was unanimously carried.

**STAFFORD: Lots 24.02 Block 133 (ST591) Truex, Leroy and Delores**

This two-lot minor subdivision is for a proposed residential use located on State Highway Route 9. On a motion by Mr. Sutton, seconded by Mr. Bilotta, this minor subdivision was given final approval contingent upon the applicant to address the following items: (1) revise Note 2 to reference the proper lot numbers, (2) update the final plat to show proposed lot numbers as assigned by the Stafford Township Tax Assessor, (3) provide a graphic scale and three corner coordinates in accordance with the Recordation Act, and (4) provide an original final plat signed and sealed by a Land Surveyor. 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 3 Block 411.21 (TRT3484) 1246 Rt. 37 W, LLC**

This site plan is for a 4,200 s.f. one-story medical office with basement storage and 28 proposed parking spaces to be located on a vacant lot on Route 37. On a motion by Mr. Sutton, seconded by Ms. McCrystal, this site plan was given final approval contingent upon the applicant to address the following items: (1) the NJDOT "desired typical section" for this section of NJ Route 37 in accordance with the current NJDOT access code shall be indicated on the plans, and (2) provide a copy of the NJDOT Access Permit. 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.

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

**LAKESWOOD:** Lots 2-5 Block 1086 (LAT1999B) MLMS Holdings LLC

**LAKESWOOD:** Lots 32.12, 32.21, 46.01 Block 251.01 (LAT2185) Piller, Mendy

**TOMS RIVER:** Lots 3,4,5,5.01,10 & 11.01 Block 569 (TRT3080A.01) Meridia Toms River 40 Urban Renewal, LLC

\* \* \* \* \*

**CORRESPONDENCE:**

**BRICK: Block 702.07, Lots 11 & 13 (BRT2023) Brick Smoothies, LLC.** This site plan received conditional approval on November 3, 2021. A letter dated April 18, 2022 was read from Douglas Hanley of Dynamic Engineering requesting a waiver from providing County Road Improvement Plans. The project proposes one right-in/right-out driveway on Chambers Bridge Road. Please note that the County Master Plan right-of-way width for Chambers Bridge Road is 86 feet. The roadway currently provides 96 feet of right-of-way along the frontage and as such exceeds the County requirement. Further, the existing westbound lanes provide approximately 25 feet of width, which is characteristic of County Road 549 for two westbound lanes within the area. Consequently, there should be no need to widen Chambers Bridge Road any further. County Road Improvement Plans will not be necessary and the waiver can be granted. On a motion by Mr. Jehnke, seconded by Mr. Sutton, the Board granted a waiver from providing County Road Improvement Plans, however the applicant must obtain an Ocean County Road Opening Permit prior to construction. The motion was unanimously carried.

**LAKESWOOD: Block 290.01, Lot 8 (LAT2151) Shapiro, Franklin.** This minor subdivision received conditional approval on September 1, 2021. A letter dated March 2, 2022 was read from Glenn Lines of New Lines Engineering indicating that the plans have been revised to provide a 2' right-of-way dedication on James Street and a 23' radius on the intersection of James Street and Sunset Road. We are requesting an easement in lieu of the rest of the dedication. It would not be appropriate to prepare the dedication documents until the easement request is finalized. On a motion by Mr. Jehnke, seconded by Mr. Sutton, the Board denied the request to provide a 2' right-of-way and 8' road easement in lieu of a 40' right-of-way dedication as no engineering justification was provided. The motion was unanimously carried.

**LAKESWOOD: Block 536, Lot 100 (LAT2157) Misameach.** This site plan received conditional approval on October 20, 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 zero and of the off-tract traffic improvement fee to be \$7,083.00. On a motion by Mr. Jehnke, seconded by Mr. Bilotta, the Board did not require an off-tract drainage improvement fee and required the payment of an off-tract traffic improvement fee in the amount of \$7,083.00. 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 January 3, 2022, revised April 5, 2022 and received on April 28, 2022 was read from Brian Murphy of FWH Associates requesting several waivers. A waiver is requested from providing a traffic report since there will be a reduction of traffic generated by the proposed development. 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 off Central Avenue. As such, not only will the amount of traffic generated by the site be reduced, so will the access onto Central Avenue. For these reasons, a waiver is also requested from paying a traffic impact fee. A waiver is requested from paying a drainage impact fee. Currently most of 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. A waiver is requested from providing a deed of dedication for additional right-of-way along Kearney Avenue out to 30 feet

from centerline. The areas along both sides of the roadway are fully developed, and no opportunity for widening will exist for the rest of the roadway. In lieu of a dedication, a 10 foot wide easement to the County will be provided along the frontage of all lots facing Kearney Avenue, which when combined with the existing right-of-way will total 30' from the road centerline. On a motion by Mr. Jehnke, seconded by Mr. Liberatore, the Board granted a waiver from providing a traffic report and required the applicant to submit a trip generation statement indicating existing and proposed conditions, the off-tract traffic improvement fee and the off-tract drainage improvement fee will be determined upon review of the trip generation statement, and the Board granted a waiver from providing a right-of-way dedication and required the applicant to provide a 5' wide road easement along Kearney Avenue to 30' from centerline. The motion was unanimously carried.

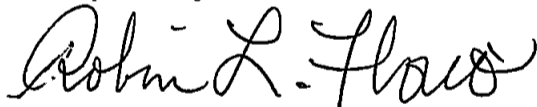
\* \* \* \* \*

<b>THE FOLLOWING PLANS HAVING BEEN GIVEN CONDITIONAL APPROVAL AT A PREVIOUS MEETING HAVE NOW MET THE CONTINGENCIES AND CAN BE SIGNED:</b>				
<b>MUNICIPALITY:</b>	<b>LOT:</b>	<b>BLOCK:</b>	<b>MEETING DATE:</b>	<b>CONTINGENCIES MET:</b>
LAKWOOD LAT2144A	Various	190.01 / 190.04 / 190.05 / 199 / 200/ 201 / 202	11/17/21	04/20/22
LAKWOOD LAT2178	3 & 1	416	04/06/22	05/03/22
LAKWOOD LAT1204A.01	45	1077	09/14/21	05/04/22
LAKWOOD LAT2103.06	2	445	10/06/21	04/27/22
S. TOMS RIVER STRB67B.03	11.02 & 12	20	05/06/20	04/25/22

\* \* \* \* \*

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

Respectfully submitted,



Robin L. Florio, Secretary  
Ocean County Planning Board

/rlf