

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

Regular meeting, Wednesday, May 5, 2021, 10:00 AM, Engineering Conference Room, Third Floor, 129 Hooper Avenue, Toms River, New Jersey.

Pursuant to the directives of Governor Murphy's Executive Orders regarding COVID-19 social distancing compliance, the Ocean County Planning Board meeting was held both publicly in the Ocean County Engineer Conference Room with Chairman James Russell presiding, John Ernst and Robin Florio in attendance and remotely via WebEx conference with Earl Sutton, Scott Tirella, Joseph Bilotta, Dennis Liberatore, Laura Benson, Mark Jehnke and Mark Villinger.

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 Mr. Tirella, seconded by Mr. Bilotta, the minutes of the meeting of April 21, 2021 were moved for approval. The motion was unanimously carried.

SUBDIVISION AND SITE PLAN REVIEW

BARNEGAT LIGHT: Lots 29 & 30 Block 8 (BLB132) 408 Broadway Holdings, LLC

This site plan is for a 2,880 s.f. restaurant with 19 gravel parking spaces to be located on Broadway. 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 copy of the CAFRA Permit or a Jurisdictional Determination letter from the NJDEP (waiver requested), (3) submit a traffic report (waiver requested), (4) provide a paved apron detail for the proposed access drive, (5) design the proposed access point along the County road in accordance with Section 606, (6) design the proposed parking in accordance with Section 603, (7) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer, 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 May 3, 2021 was read from Joseph Gray of Dante Guzzi Engineering requesting a waiver from submitting a traffic report and CAFRA Permit or CAFRA Jurisdictional Determination. Nineteen parking spaces are proposed for the restaurant, which will reduce the number of patrons parking off-site. With the seasonal increase in traffic that the island receives there will be minimal if any impact on traffic patterns on the County road. The existing right-of-way is fully developed with four lanes for traffic and sidewalks for pedestrians. The proposed project is not subject to obtaining a CAFRA or Waterfront Development Permit from the State of New Jersey. The distance from the property line of the subject site to the mean high water line of a tidal waterbody is 178'. The distance from the property line to the extent of work in the right-of-way is 15', therefore the distance from the project limits is 163', thus since it is greater than 150' it is exempt from obtaining a CAFRA permit per N.J.A.C. 7:7-2.2.

On a motion by Mr. Ernst, seconded by Mr. Bilotta, the Board granted a waiver from providing a full traffic report and accepted the traffic statement, and 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) provide a paved apron detail for the proposed access drive, (3) design the proposed access point along the County road in accordance with Section 606, (4) design the proposed parking in accordance with Section 603, (5) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer, 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.

BEACHWOOD: Lots 6 Block 3.08 (BB132) Schacht, Walter

This two-lot minor subdivision is located at the intersection of local roads. 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. Sutton, seconded by Mr. Bilotta, this minor subdivision was given final approval. The motion was unanimously carried.

LAKEWOOD: Lots 11.01, 11.02, 12.01 Block 86 (LAT1672A) 104 Caranetta, LLC

This minor subdivision is for a lot line adjustment and lot consolidation from three lots to two lots located on local roads, Caranetta Drive and Bradshaw Road. On a motion by Mr. Bilotta, seconded by Mr. Sutton, this minor subdivision was given final approval contingent upon the applicant to address the following item: (1) revise the final plat to identify the lot lines "to be removed" by way of the subdivision and clearly identify the existing lot numbers and proposed lot numbers. 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 Block 99 (LAT2135) 1050 Clifton Holdings, LLC

This two-lot minor subdivision is for two duplex units to be located on a local road, Clifton Avenue. The final plat appears to have been prepared in accordance with the Recordation Act. County facilities will not be impacted. On a motion by Mr. Bilotta, seconded by Mr. Tirella, this minor subdivision was given final approval. The motion was unanimously carried.

LAKEWOOD: Lots 10 Block 418 (LAT2136) Eichorn, Mordechai

This two-lot minor subdivision is for two duplex units to be located at the intersection of a State Road, River Avenue (Rt. 9), and a local road, Henry Avenue. The final plat appears to have been prepared in accordance with the Recordation Act. The plans show proposed improvements to be located outside of the NJDOT desired typical section of Route 9. County facilities will not be impacted. On a motion by Mr. Sutton, seconded by Mr. Liberatore, this minor subdivision was given final approval. The motion was unanimously carried.

MANCHESTER: Lots 1.02 Block 109 (MT417B.01) Paramount Commons at Whiting, LLC

This site plan is for a 5,015 s.f. drive-thru fast food restaurant and a 2,200 s.f. drive-thru cafe with 58 proposed parking spaces to be located on a vacant pad lot on Lacey Road and Warren Grove Whiting Road. Access will be provided off of the existing driveways to the Stop and Shop plaza from Warren Grove Whiting Road (CR 539) and Lacey Road (CR 530). The applicant has provided a copy of the Pinelands Commission Certificate of Filing for a previously proposed medical office. The traffic report is acceptable. On a motion by Mr. Sutton, 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 Pinelands Commission "No Further Review" letter, (2) dimension the existing right-of-way half width and full width of Warren Grove Whiting Road on the plan, if the half width is less than 33 feet from centerline then submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 33' from centerline to Ocean County, (3) provide a drainage design to be reviewed and approved by the Ocean County Engineer (per drainage memo dated 5/5/21), (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 14 Block 172 (TRT3460) 4th Street Properties, LLC

This site plan is for a 108,847 s.f. warehouse with office space and 128 proposed parking spaces to be located on a vacant lot on Route 9, Lakewood Road. On a motion by Mr. Tirella seconded by Mr. Bilotta, this site plan was given final approval contingent upon the applicant to address the

following items: (1) address the following traffic comments: a) project future traffic volumes ten years, not two years, and b) revise trip distribution to consider east-west trips via County roadways, (2) indicate on the plan the NJDOT "desired typical section" for this section of NJ Route 9 in accordance with the current NJDOT access code, (3) provide a copy of the NJDOT Access Permit, (4) submit a copy of the CAFRA Permit or a Jurisdictional Determination letter from the NJDEP, (5) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer, and (6) pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer. All of the above conditions must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. Construction shall not commence until all conditions have been met. The motion was unanimously carried.

TOMS RIVER: Lots 2 & 3 Block 159 (TRT3461) Route 70 Equities, LLC

This site plan is for interior building modifications for a change of use from the Dover Woods Health Care Center to an office building and additional parking for a total of 198 spaces (65 existing) located at the intersection of Route 9 and Route 70. On a motion by Mr. Bilotta, seconded by Mr. Tirella, 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) address the following traffic comment: a) revise the traffic report to address potential impacts to County facilities on Locust Street due to U-turns required for access to/from west bound Route 70, 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.

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

JACKSON: Lots 4.01, 5 & 6.01 Block 13801 (JT1657B) 528, LLC

JACKSON: Lots 4.01, 5 & 6.01 Block 13801 (JT1657C) 528, LLC

OCEAN: Lots 17 Block 195 (OT275) South Shore Holdings, LLC

TOMS RIVER: Lots 1, 61 & 78 Block 192.05 (TRT3202C) State Liquor, LLC/Retail, LLC

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CORRESPONDENCE:

BARNEGAT: Block 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 / 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. A letter dated April 5, 2021 was read from Steven Bagge of K2 Consulting Engineers requesting a waiver from revising the intersection radius of Nautilus Drive and Pelican Avenue to be 35' in accordance with County standards. The geometry related comments have been addressed. The largest radius that can be constructed without additional right-of-way is 20', which is shown on the plan. Truck turning templates have been run for a single unit truck and a fire truck. Both movements can be completed without crossing the centerline. On a motion by Mr. Ernst, seconded by Mr. Sutton, the Board granted a waiver to allow a 20' radius at the intersection of Pelican Avenue and Nautilus Drive as the design vehicles turning template shows movements can be accommodated without impeding traffic flow. The motion was unanimously carried.

JACKSON: Block 7309, Lot 11 (JT1612A) 2050 West County Line, LLC. This site plan received conditional approval on June 19, 2019. A letter dated April 27, 2021 was read from Glenn Lines of NewLines Engineering requesting a waiver from providing the required right-of-way dedication and providing a road widening easement in lieu of the dedication. This site plan is for a 1,095 sf addition in the rear of the existing office building. The site is located in the Highway Commercial Zone and the required lot area is 40,000 s.f. By submitting the dedication, the new total tract area would be 17,500.30 s.f., thus further increasing the lot area variance needed for the already undersized lot. The project received Jackson Planning Board approval on March 2, 2020 and is in the process of completing all approvals from the necessary agencies. Should the

dedication be required, the applicant would need to appear back in front of the Jackson Township Planning Board for amended approval for the new variance as the existing building would be non-conforming. On a motion by Mr. Ernst, seconded by Mr. Bilotta, the Board will accept a road easement in lieu of a dedication. The motion was unanimously carried.

JACKSON: Block 21801 / 21702, Lots 57, 58, 59, 61 / 32 (JT1702A) Solomon Zolty Investment, LLC. This major subdivision received conditional preliminary and final approval on December 4, 2019. 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 \$6,250.00. 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 \$6,250.00. The motion was unanimously carried.

JACKSON: Block 5601, Lot 65 (JT1718) Centrastate Healthcare System. This site plan received conditional approval on October 7, 2020. 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 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.

LAKEWOOD: Block 524.27, Lot 74.02 (LAT2046A) 1626 Massachusetts Ave., LLC. This site plan received conditional approval on February 3, 2021. On a motion by Mr. Ernst, seconded by Mr. Tirella, the minutes are hereby amended to add a condition to require a no stopping or standing prohibition be provided along the entire property frontage to prevent student drop-off and/or pick-up within the County right-of-way. Applicant will need to provide a copy of the Lakewood Township Ordinance for this restriction. The motion was unanimously carried.

LAKEWOOD: Block 2.05, Lot 8 (LAT2123) Simchas Kallah, LLC. This site plan received conditional approval on January 20, 2021. A letter dated April 13, 2021 was read from John Rea and Scott Kennel of McDonough & Rea Associates requesting a waiver from Section 603:A for one parking space along the entrance driveway and one parking space along the exiting driveway. The parking space on the entrance is located approximately 20' from the existing right-of-way and 30' from the West County Line Road curb line. The parking space is designed at 75 degrees thereby enhancing the accessibility to/from the parking space. The parking space on the exit driveway is located approximately 14' from the existing right-of-way and is designed at 75 degrees with backing or exiting maneuvers taking place in a southerly direction away from the County right-of-way with minimal impacts on the driveway operation or onto West County Line Road. Therefore, it is our opinion that a waiver from Section 603:A can be granted for the two referenced parking spaces without any negative impacts onto West County Line Road. 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 zero and the off-tract traffic improvement fee to be \$3,750.00. On a motion by Mr. Ernst, seconded by Mr. Sutton, the Board granted a waiver for parking location as the parking space on the entry driveway is approximately 20' and the parking space on the exit only driveway will not impede traffic from the County road; the Board did not require the payment of an off-tract drainage improvement fee and the required the payment of an off-tract traffic improvement fee in the amount of \$3,750.00. The motion was unanimously carried.

MANCHESTER: Block 98, Lot 22 (MT509A) Whiting DG, LLC. This site plan received conditional approval on February 17, 2021. Condition #6 required the payment of an off-tract drainage improvement fee in an amount to be determined by the County Engineer and Condition #7 required the payment of an off-tract traffic improvement fee in an amount to be determined by the County Engineer. The County Engineer has determined the off-tract drainage improvement fee to be zero and the off-tract traffic improvement fee to be \$6,250.00. On a motion by Mr. Ernst, seconded by Mr. Liberatore the Board did not require the payment of an off-tract drainage improvement fee and the 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 646.01, Lot 30 (TRT3448) One Stop Quick Lube & Auto Repair, Inc.

This site plan received conditional approval on April 1, 2020. A letter dated April 22, 2021 was read from Matthew Smith of O'Donnell Stanton & Associates requesting a waiver from dedicating additional right-of-way along the Hooper Avenue and Cedar Grove Road frontages and accept the right-of-way easement dedications, thus eliminating any new variances for front yard setback from the existing property lines. A new application was submitted to the Toms River Township Planning Board eliminating variances, however the existing building front yard setback to Hooper Avenue and Cedar Grove Road are existing non-conforming setbacks. On a motion by Mr. Ernst, seconded by Mr. Liberatore, the Board granted a waiver to allow a road easement for Cedar Grove Road and denied the waiver for an easement along Hooper Avenue as the minimum setback will remain greater than 60'. Additionally, the minutes are hereby amended to reflect the change in the project description to be a 318 s.f. building addition and parking lot modifications. The motion was unanimously carried.

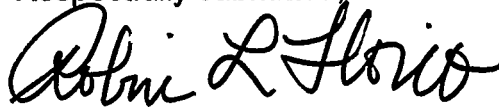
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THE FOLLOWING PLANS HAVING BEEN GIVEN CONDITIONAL APPROVAL AT A PREVIOUS MEETING HAVE NOW MET THE CONTINGENCIES AND CAN BE SIGNED:				
MUNICIPALITY:	LOT:	BLOCK:	MEETING DATE:	CONTINGENCIES MET:
BARNEGAT BAT275J2	5 & 6	90.54	04/07/21	05/04/21
BRICK BRT733X	1.01	671	04/07/21	04/29/21
EAGLESWOOD ET46D	35, 36	36	02/03/21	05/05/21
LAKEHURST LB55D	13	52	03/17/21	05/05/21
JACKSON JT1599C.01	9, 25, 26, 33	11701	12/19/18	05/04/21
JACKSON JT1697	17 & 18	20601	10/03/18	04/22/21
PLUMSTED PT402B (Phase 4)	1, 10, 18	40	04/21/21	05/03/21
PLUMSTED PT402C (Phase 5)	1, 10, 18	40	04/21/21	05/03/21
PLUMSTED PT402D (Phase 6)	1, 10, 18	40	04/21/21	05/03/21

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

Respectfully submitted,



Robin L. Florio, Secretary
Ocean County Planning Board

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