

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

Regular meeting, Wednesday, May 3, 2023, 6:00 PM, Engineering Conference Room, Third Floor, 129 Hooper Avenue, Toms River, New Jersey.

Vice Chairman Earl Sutton read the Open Public Meetings Act statement of compliance.

Vice Chairman Sutton presiding. Attending: Ms. McCrystal, Mr. Liberatore, Joseph Marra, Alan Avery, Debbie Beyman, Bob Budesca, Esq., John Ernst, Tony Agliata and Veronica Tompkins.

On a motion by Mr. Marra, seconded by Mr. Avery, with Ms. McCrystal and Mr. Liberatore abstaining, the minutes of the meeting of April 19, 2023 were moved for approval. The motion was unanimously carried.

**SUBDIVISION AND SITE PLAN REVIEW**

**JACKSON: Lot 5, Block 301 (JT1156E) Merkler, William**

This site plan is for a 6,000 s.f. two-story contractor's office with basement and an 18,000 s.f. one-story warehouse with 77 parking spaces to be located on a vacant lot on Wright-Debow Road. On a motion by Ms. McCrystal, seconded by Mr. Marra, this site plan was given final approval contingent upon the applicant to address the following conditions of approval: (1) submit a copy of the NJDEP Letter of Interpretation for the wetlands located within 150' of the project limits, (2) revise the plans so that north is up or to the right in accordance with industry standards, (3) traffic comments: a) provide trip distribution to County roadways, (4) provide off-site intersection improvement plans for County road intersections to accommodate the anticipated design vehicle, (5) pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer. Certificate of Occupancy shall not be issued by the Township until all off-site County road intersection improvements required as a result of this application have been constructed. 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.

**JACKSON: Lots 29, 30 & 31 Block 2603 (JT1478F) Peg Leg Webb, LLC**

This site plan is for a 222,200 s.f. warehouse and office building with 232 parking spaces to be located on Patterson Road. On a motion by Ms. McCrystal, seconded by Mr. Marra, this site plan was given final approval contingent upon the applicant to address the following conditions of approval: (1) address the following traffic comments: a) provide a WB-62 truck turning template for the intersection of West Commodore & Patterson Road for a three-lane section, b) construct West Commodore and Patterson intersection improvements to accommodate the anticipated design vehicle, c) report states the southerly driveway is full movement but plan shows right turn restriction with all truck traffic to West Commodore Boulevard, revise the report and d) the proposed building area and number of parking spaces in the application do not match plans and report, revise as required, (2) pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer. Certificate of Occupancy shall not be issued by the Township until all off-site County road intersection improvements required as a result of this application have been constructed. 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.

**LACEY: Lots 36; 2, 3, 4, 5, 6, 7 & 8, Block 229; 271 (LT902) Riverview Rentals, LLC**

This site plan is for the demolition of two commercial buildings and a residential dwelling for the construction of a three-story townhouse with nine units with 26 parking spaces and a mixed use commercial/residential building for a laundromat on the first floor and two affordable housing units on the second floor with 14 parking spaces to be located on Route 9 (Main Street) at the intersection with Mill Street/Bay Avenue. The NJDOT "desired typical section" for this section of NJ Route 9 in accordance with the current NJDOT access code is shown on the plan. The trip generation statement is acceptable. On a motion by Ms. McCrystal, seconded by Ms. Beyman, this site plan was given final approval contingent upon the applicant to address the following

conditions of approval: (1) submit a copy of the CAFRA Individual Permit, (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. The motion was unanimously carried.

**MANCHESTER: Lot 22, Block 1.311 (MT531) Cedar Creek Land and Homes, LLC**

This two-lot minor subdivision is located at the intersection of Monmouth Avenue, Oakdale Street, and 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 Ms. McCrystal, seconded by Mr. Liberatore, this minor subdivision was given final approval. The motion was unanimously carried.

**SEASIDE HTS: Lot 31, Block 30 (SHB170) Bay Boulevard SE, LLC**

This three-lot minor subdivision is located at the intersection of Bay Boulevard and Sumner Avenue. Ocean County requires the applicant to address the following items: (1) since the right-of-way half width of Sumner Avenue is less than 30' 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, (2) provide a plan to show the proposed driveway locations on new lots spaced in accordance with Table 600-4 of Section 606 (waiver requested), (3) provide a plan showing off-street parking on new lots situated to prevent vehicles from backing out onto the County road in accordance with Section 603.C (waiver requested), (4) submit a sight right easement form for a sight triangle easement at the intersection in accordance with County standards to Ocean County (see waiver requested), (5) revise the plat so that north is up or to the right in accordance with industry standard, (6) show existing depressed curb on Sumner Avenue to be replaced with full height curb and provide a County concrete curb detail, (7) construct the ADA handicap ramps at the intersection in accordance with the current Federal ADA standards and provide necessary details to be reviewed and approved by the Ocean County Engineer, (8) add the following standard County note to the final plat: 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 within the County right of way. Approval recommended upon fulfillment of the above conditions and the Board's decision on the waivers

A letter dated April 5, 2023 was read from Brian Murphy of FWH Associates requesting a waiver from Section 606 and Table 600-4 providing 50' between driveways as the lots are only 20' wide. A waiver was requested from providing a turnaround (T-type) on the driveway as the lots are only 20' wide. A waiver is also requested from providing a sight easement since both roads are one way.

On a motion by Mr. Ernst, seconded by Mr. Avery, the Board granted the waiver for driveway spacing and turnaround driveway as proposed. The driveways are positioned consistent with the neighborhood. The waiver was granted from providing a sight easement as the intersection does not require sight triangle due to one-way nature of the roadway. This minor subdivision was given final approval contingent upon the applicant to address the following contingencies: (1) since the right-of-way half width of Sumner Avenue is less than 30' 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, (2) revise the plat so that north is up or to the right in accordance with industry standard, (3) show existing depressed curb on Sumner Avenue to be replaced with full height curb and provide a County concrete curb detail, (4) construct the ADA handicap ramps at the intersection in accordance with the current Federal ADA standards and provide necessary details to be reviewed and approved by the Ocean County Engineer, (5) add the following standard County note to the final plat: 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 within the County right of way. 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.

**STAFFORD: Lots 33 & 33.01, Block 144 (ST596) Formica, Mr. Kenneth**

This site plan is for a change of use for an existing residential dwelling and pole barn and a proposed boat/jet ski storage yard located on Route 9 (South Main Street). The applicant has provided a letter of no interest from the NJDOT indicated that a new access permit is not required. On a motion by Ms. McCrystal, seconded by Mr. Liberatore, this site plan was given final approval upon the applicant to address the following conditions of approval: (1) The NJDOT "desired typical

section" for this section of NJ Route 9 in accordance with the current NJDOT access code shall be indicated on the plans, (2) revise the plans so that north is up or to the right in accordance with industry standard. Approval recommended upon fulfillment of the above contingencies. 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.

**TOMS RIVER: Lot 237, Block 300 (TRT3505) Shore Gardens Realty, LLC**

This three-lot minor subdivision is to create one lot for an existing medical office/nursing home, one lot for a single family residential dwelling, one lot for an existing retention basin, and public municipal right-of-way for Warner Street. As per an agreement between Ocean County and Imperial Manor Toms River executed during the approval of site plan DT2866 on 10/1/1997, the existing retention basin was built to service the site plan improvements of Imperial Manor and does not receive runoff from any County drainage facilities on Whitesville Road. On a motion by Ms. McCrystal, seconded by Mr. Avery, this minor subdivision was given final approval upon the applicant to address the following conditions of approval: (1) dimension the existing County right-of-way and road pavement half width and full width on the plat, (2) revise the plat to show the full Warner Street right-of-way and the Cox Cro Road intersection, (3) revise the plat to show all existing features within 200' including underground drainage pipes,(3) revise the plat to indicate that the retention basin located on proposed Lot 237.03 will be owned and maintained by the applicant, not Ocean County, (4) since the right-of-way half width of Whitesville Road is less than 45 feet from centerline, submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 45' from centerline to Ocean County, (5) submit a sight right easement form and metes and bounds description for a 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. 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 16 &17, Block 2101 (JT1748A) May Jackson, LLC**

**LAKWOOD: Lots 1 &7, Block 38 (LAT2217) YJ BSD 545 LLC**

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**CORRESPONDENCE:**

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**BRICK: Lot 19, Block 321.02 (BRT1854C) Del Corp Holdings, LLC**

This site plan was given final approval on 6/15/2022. Condition #8 was to pay an off-tract drainage improvement fee to be determined by the Ocean County Engineer. Condition #9 was to pay an off-tract traffic improvement fee to be determined by the Ocean County Engineer. The Ocean County Engineer has determined that the off-tract drainage improvement fee be \$6,000.00 and the off-tract traffic improvement fee to be \$1,667.00. On a motion by Mr. Ernst, seconded by Ms. McCrystal, the off-tract drainage improvement fee be \$6,000.00 and the off-tract traffic improvement fee to be \$1,667.00. The motion was unanimously carried.

**JACKSON: Lot 6, Block 2401 (JT1736) Progress Jackson, LLC**

This site plan was given final approval on 6/1/2022. Condition #8 was to pay an off-tract traffic improvement fee to be determined by the Ocean County Engineer. The Ocean County Engineer has determined that the off-tract traffic improvement fee to be \$13,333.00. On a motion by Mr. Ernst, seconded by Ms. McCrystal, the off-tract traffic improvement fee to be \$13,333.00. The motion was unanimously carried.

**MANCHESTER: Lot 6, Block 85.20 (MT479A) Gaganddip Kaur/Whitings Group, LLC**

This site plan was given final approval on 1/18/2023. A letter dated April 28, 2023 was read from Roger Marino of Roger J. Marino & Associates, Inc. requesting two waivers. The first waiver was for the requirement for driveway setback from adjacent property line. 25' feet is required and 10' is requested due to the geometric constraints for the access driveway location on the subject property and its relationship between the eastern property line and the existing building location. A waiver is also requested from the installation of concrete curbing for the driveway entrance at Lacey Road. The applicant is requesting this due to the existence of a storm sewer inlet located on the western side of the driveway. On a motion by Mr. Ernst, seconded by Ms. MCCrystal, the Board granted the waiver to allow the proposed driveway as designed with the radius stripping provided and inlet to remain and the applicant provide stripped radius.

**SEASIDE HEIGHTS: Lots 7, 10 & 19.02, Block 1, (SHB168), Herz, Shimshon**

This site plan received site plan approval on 1/18/2023. A letter dated March 28, 2023 was read from Mathew Wilder of Morgan Engineering requesting a partial waiver for submitting a sight right easement form and meets and bounds description for a 30'x100' sight triangle easements at the intersection and an AASHTO sight triangle at the proposed access point in accordance with County standards to Ocean County. A natural sight triangle exists which is formed by the southernmost on-street parking space along Ocean Terrace and the easternmost on-street parking space on Porter Avenue. On a motion by Mr. Ernst, seconded by Ms. McCrystal, the Board denied the waiver request. The applicant should provide AASHTO sight triangles for both street intersections and access driveways. The motion was unanimously carried.

**SEASIDE HEIGHTS: Lots 51 & 66, Block 4.01 (SHB26D) 121 Somerset, LLC**

This major subdivision was given final approval on 3/1/2023. A letter dated March 27, 2023 was read from Brian Murphy of FWH Associates, P.A. requesting several waivers. A waiver is requested from providing a deed of dedication for additional right-of-way along Hamilton Avenue out to 30' from centerline. In lieu of a dedication, a 5' wide easement to the County has been provided along the frontage of lots facing Hamilton Avenue. A waiver was requested from Section 606 and Table 600-4 providing 50' between driveways as the lots are only 20' wide. A waiver has also been requested from providing a turnaround (T type) on the driveway as the lots are only 20' wide and this is a residential area where no other lots have turnarounds. A waiver is requested from providing a 30'x100' sight easement and a waiver is requested from providing concrete curb along the Boulevard.

On a motion by Mr. Ernst, seconded by Ms. McCrystal the Board granted a waiver from providing a right-of-way dedication and accepted a 5' road easement. The Board also granted driveway spacing as proposed spacing will be consistent with the neighborhood. The Board granted t-type driveways as proposed driveways will be consistent with the neighborhood. A waiver was granted from 30'x100' sight triangle easement and accept the AASHTO sight triangle as standard. The waiver was granted from requiring concrete curb and accept the block curb that is consistent with the neighborhood street scape. When the plan was given final approval on 3/1/2023 condition #12 was to pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer. Condition #13 was to pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer. The County Engineer has determined that the off-tract drainage improvement fee be zero and the off-tract traffic improvement fee to be \$5,833.00. On a motion by Mr. Ernst, seconded by Ms. McCrystal, the Board has determined the off-tract drainage improvement fee be zero and the off-tract traffic improvement fee be \$5,833.00. The motion was unanimously carried.

**TOMS RIVER: Lots 6, 7, 8 & 9, Block 444.01 (TRT3128C.01) Hutton St 17, LLC**

This site plan was given final approval on 4/20/2022. Condition #6 is to pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer. Condition #7 is to pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer. The Ocean County Engineer has determined that the off-tract drainage improvement fee be \$6,000.00 and the off-tract traffic improvement fee to be \$5,833.00. On a motion by Mr. Ernst, seconded by Mr. Avery, the Board has determined that the off-tract drainage fee to be \$6,000.00 and the off-tract traffic improvement fee to be \$5,833.00. The motion was unanimously carried.

**TOMS RIVER: Lot 14, Block 172 (TRT3460) 4<sup>th</sup> Street Properties, LLC**

This site plan was given final approval on 5/5/2021. Condition #5 was to pay an off-tract drainage improvement fee to be determined by the Ocean County Engineer. Condition #6 is to pay an off-tract traffic improvement to be determined by the Ocean County Engineer. The Ocean County Engineer has determined that the off-tract drainage fee to be zero and the off-tract traffic improvement fee to be \$8,000. On a motion by Mr. Ernst, seconded by Mr. Avery, the off-tract drainage improvement fee to be zero and the off-tract traffic improvement fee to be \$8,000. The motion was unanimously carried.

**TOMS RIVER; Lot 2, Block 397.02 (TRT3501) Hooper Ave. Properties, LLC**

This site plan was given final approval on 2/1/2023. A letter dated March 10, 2023 was read from John W. Lord of FP&L Associates, Inc. requesting a waiver from providing a traffic report. The traffic generated is anticipated to be 20-25 visits per day. A waiver is requested from providing a drainage report as there are minimal changes being completed on the site and the existing drainage patterns will remain. On a motion by Mr. Ernst, seconded by Ms. McCrystal, the board granted a waiver from providing a full traffic report provided the applicant submit a trip generation statement comparing the previous use trips to the proposed use trips. A waiver was granted from providing a drainage report as the applicant has demonstrated a reduction in impervious coverage on the sight, thereby reducing the runoff. The motion was unanimously carried.

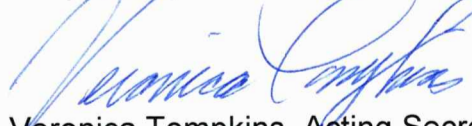
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<b>THE FOLLOWING PLANS HAVING BEEN GIVEN CONDITIONAL APPROVAL AT A PREVIOUS MEETING HAVE NOW MET THE CONTINGENCIES AND CAN BE SIGNED:</b>				
<b>MUNICIPALITY:</b>	<b>LOT:</b>	<b>BLOCK:</b>	<b>MEETING DATE:</b>	<b>CONTINGENCIES MET:</b>
<b>BRICK BRT2027</b>	3, 4	673	04/20/2022	04/26/2023
<b>LAKWOOD LAT2176</b>	1	548	03/16/2022	04/26/2023
<b>LAKWOOD LAT2195</b>	27	1159.01	08/03/2022	05/01/2023
<b>LAKWOOD LAT2203</b>	7	483	10/19/022	05/02/2023
<b>SEASIDE HEIGHTS SHB165</b>	29, 31	26	11/02/2022	05/03/2023
<b>TOMS RIVER TRT3478</b>	10, 11	1501.10	01/19/2022	04/20/2023

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

Respectfully submitted,



Veronica Tompkins, Acting Secretary  
Ocean County Planning Board