

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

Regular meeting, Wednesday, May 19, 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, Mark Jehnke and Robin Florio in attendance and remotely via WebEx conference with Scott Tirella, Joseph Bilotta, Elaine McCrystal, Laura Benson, Anthony Agliata 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. Bilotta, seconded by Ms. McCrystal, the minutes of the meeting of May 5, 2021 were moved for approval. The motion was unanimously carried.

SUBDIVISION AND SITE PLAN REVIEW

BERKELEY: Lots 14 Block 1681 (BT689) Meseroll, Betty

This two-lot minor subdivision is located on a local road on Pelican Island. On a motion by Mr. Bilotta, seconded by Ms. McCrystal, this minor subdivision was given final approval contingent upon the applicant to address the following item: (1) revise the final plat to properly locate the project location on the vicinity map and on the 200' radius map, and properly identify adjoining lot numbers on both sides and behind the subject property. The above conditions must be addressed in order to obtain Ocean County Planning Board approval stamp and signature. Construction shall not commence until all conditions have been met. The motion was unanimously carried.

BRICK: Lots 2 Block 902 (BRT2017) Ever Upward, LLC

This site plan is for a 22,490 s.f. brewery with 126 proposed parking spaces (14 less than existing) to be located on a previously developed site located on Route 88. The plans show the proposed improvements to be located outside of the NJDOT "desired typical section for this section of Route 88. There is less impervious area proposed than what currently exists on site. The trip generation statement is acceptable. On a motion by Ms. McCrystal, seconded by Mr. Tirella, this site plan was given final approval. The motion was unanimously carried.

JACKSON: Lots 1 Block 16001 (JT1728) NJ State Forest Resource Education Center

This site plan is for a 2,800 s.f. replacement greenhouse at the NJ State Forest Research Education Center (FREC) on Don Conner Boulevard and East Veterans Highway. The project is located within the Pinelands jurisdiction but the activity is exempt from Pinelands regulations as per exemption 4.1(a)3 on the New Jersey Pinelands Commission Application Exemption list. Ocean County requires the applicant to address the following items: (1) dimension the existing right-of-way half width and full width of East Veterans Highway on the plan, and if the half width is less than 40 feet from centerline, submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 40' from centerline to Ocean County, (2) dimension the existing right-of-way half width and full width of Don Connor Boulevard 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, (3) submit a traffic report (waiver requested), (4) submit a drainage report (waiver requested), and (5) submit County road improvement plans (waiver request). Approval recommended upon fulfillment of the above contingencies and the Board's decision on the waiver requests.

A letter dated April 6, 2021 was read from Donald Fiore of Heinz & Fiore requesting a waiver from submitting a traffic report. The project consists solely of the installation of a new greenhouse effectively replacing the old hoop house immediately adjacent and in disrepair. The project will not generate any new employees or occupants to this site and there will be no traffic impact. A waiver is requested from submitting a drainage report. The greenhouse is to be located in the middle of a

124 acre working tree farm and is to be used for the propagation of tree sapplings. The greenhouse will be located approximately 730' from East Veterans Highway and there is no intention to include a storm drainage system in the middle of a working farm. A waiver is requested from submitting County road improvement plans. The greenhouse will be accessed solely from the existing farm roads already in place. All utilities will be connected off existing services already on site, including water and electric. There is no intent for any disturbance or improvements in the County road.

On a motion by Mr. Jehnke, seconded by Ms. McCrystal, the Board granted a waiver from providing a traffic report as the proposed improvements will not impact traffic, granted a waiver from providing a drainage report as the proposed structure is replacing an existing structure, and granted a waiver from submitting County road improvement plans as no future widening is anticipated across the frontage of the site; this site plan was given final approval contingent upon the applicant address the following items: (1) dimension the existing right-of-way half width and full width of East Veterans Highway on the plan, and if the half width is less than 40 feet from centerline, submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 40' from centerline to Ocean County, and (2) dimension the existing right-of-way half width and full width of Don Connor Boulevard 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. 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 65 Block 246 (LAT2137) Finkelstein, Mordechai

This two-lot minor subdivision is for two duplex units located on a State road, Route 88. On a motion by Mr. Bilotta, seconded by Ms. McCrystal, this minor subdivision was given final approval contingent upon the applicant to: (1) show the NJDOT "desired typical section" for this section of NJ Route 88 in accordance with the current NJDOT access code on the plans. 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 13.58 Block 174.08 (LAT2138) Goldring, Alexander

This two-lot minor subdivision is located on Engleberg Terrace and the local section of East Kennedy Boulevard. 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) Identify the owner and applicant on the final plat in accordance with the Recordation Act. 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 13 Block 423.01 (LAT2139) 42 W Spruce LLC

This two-lot minor subdivision is for two duplex units to be located on a local road. 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 20.01 Block 423.01 (LAT2140) 11 Cedar LLC

This two-lot minor subdivision is for two duplex units to be located on a local road. 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.

LAKEWOOD: Lots 21,22 Block 439 (LAT720B) Casa Nova Today LLC

This site plan is for a 12,636 s.f. footprint two-story commercial building with 145 proposed parking spaces to be located on River Avenue (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 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 parking table to properly identify the number of proposed parking spaces, (2) clearly label the total building area and number of floors on all documents, as the information shown on the application, plan and traffic report is inconsistent, (3) provide a copy of the NJDOT access permit, (4) revise the plans so that on-site improvements are located outside of the NJDOT desired typical section of Route 9, (5) submit a copy of the CAFRA permit or a Jurisdictional Determination letter from the NJDEP, (6) address the following traffic comments: a) the trip distribution does not consider trips to/from the west on Cross Street. Additionally, Chestnut Street should be utilized for the trip distribution to/from the east, as Yale Drive is a local residential street, and b) verify the AM & PM trip generation information shown in Table 1, as it appears the information was not consistently taken from the same ITE time period, (7) pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer, and (8) 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.

LAKWOOD: Lots 2.02, 2.04, 2.05 & 2.06 Block 774.03 (LAT865D) Jakobovits, Elie

This six-lot minor subdivision is located on three local roads, Pine Street, Arlington Avenue, and Ashley 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. Tirella, seconded by Ms. McCrystal, this site plan was given final approval. The motion was unanimously carried.

LAKWOOD: Lots 2.02, 2.03 Block 961.01 (LAT944N3) RD Lakewood, LLC

This site plan is for the construction of a 20,300 square footprint five-story hotel with basement and 193 parking spaces to be located at the intersection of New Hampshire Avenue and Pine Street. This application supersedes LAT944N2. Stormwater facilities for this site are directed to a regional stormwater basin (Basin #5) for the Cedar Bridge Corporate Campus located on Lot 2.03 (see LAT944L). The plans show the existing right-of-way half width of New Hampshire Avenue to be 60' from centerline. On a motion by Ms. McCrystal, seconded by Mr. Bilotta, this site plan was given final approval contingent upon the applicant address the following items: (1) address the following traffic comments: a) The circulation plan shows WB-50 trucks will encroach into the southbound thru lane of New Hampshire Avenue when turning right onto west bound Pine Street. Per Table 600-6, a minimum 40' radius is required for the intersection curb return, yet the plan shows a proposed 28' radius abruptly meeting the existing 60' radius. The traffic signal controller cabinet will be only 2' from the proposed edge of pavement; therefore, errant trucks may damage the signal equipment. Revise the design as required to address these issues, b) the County recently implemented a timing directive to address current traffic conditions at the intersection. Revise the proposed analysis and timing to be consistent with the timing currently in operation, c) See the plan markups and memorandum (dated December 23, 2020) for additional comments, and d) submit revised signal plan, electrical plan, circulation plan, or analysis, (2) submit a right-of-way deed of dedication and metes and bounds description for an additional right-of-way dedication to an adequate distance from centerline to be determined by the County Engineer to Ocean County to accommodate the proposed right turn lane and traffic signal equipment, (3) submit a sight right easement form and metes and bounds description for sight triangle easements at the intersection in accordance with County standards to Ocean County, (4) provide a 15:1 paved taper starting at Station 161+80 back to existing edge of pavement on the County road, (5) submit a copy of the NJDEP CAFRA Permit Modification for the proposed project, (6) enter into a Developers Agreement with the Ocean County Board of Commissioners with regard to the traffic signal modifications and County road improvements, (7) add the following standard County notes to the plans: a) Any utility pole relocations within the limits of the proposed road widening on the County road are to be completed prior to the issuance of the Road Opening permit from the Ocean County Engineer's Office, b) 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, c) 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, d) Alignment and grade for curb and road improvements along the County road shall be established by the developer's engineer as approved by the Ocean County Engineer. Stakeout of

all curb and road improvements shall be the responsibility of the developer and shall be executed by a licensed New Jersey Professional Land Surveyor. Curb as-builts shall be submitted to the Ocean County Engineer prior to any paving operations. Final as-built information shall be supplied on a reproducible medium, will include top and bottom of curb, centerline and quarter crown grades, monuments where applicable, shall be signed and sealed by a licensed New Jersey Professional Land Surveyor and accompanied by a monument certification where applicable, e) County road improvements must have base pavement course prior to the issuance of Certificate of Occupancies, and (8) pay an off-tract traffic improvement fee in an amount to be determined by the Ocean County Engineer. County road improvements are to be built prior to the issuance of the first Certificate of Occupancy. 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 48 Block 1946.02 (TRT3462) Sichel, William

This two-lot minor subdivision is located on a local road, Venice Drive, on Chadwick Beach Island. 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.

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

BARNEGAT LIGHT: Lots 12, 13, 14 & 15 Block 32 (BLB122A) John H.Reilly Trust c/o Michael Palmer

LAKWOOD: Lots 58 Block 174.04 (LAT2129A) Tikotzky, Abraham

PLUMSTED: Lots 2 Block 58 (PT405) Cream Ridge DG, LLC

PLUMSTED: Lots 2 Block 58 (PT405A) Cream Ridge DG, LLC

PLUMSTED: Lots 23 Block 27 (PT406) Babbit, John

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CORRESPONDENCE:

BRICK: Block 645.01, Lot 107 (BRT2001) Fine Art Holdings, LLC. This site plan received conditional approval on February 19, 2020. On a motion by Mr. Jehnke, seconded by Mr. Bilotta, the minutes are hereby amended to reflect the first floor catering business is 5,018 s.f and the second floor residential apartment is 4,664 s.f. with 19 proposed parking spaces instead of 16. The motion was unanimously carried.

ISLAND HEIGHTS: Block 51, Lots 4 & 5 (IHB92) Hillyer, Curtis. This minor subdivision received conditional approval on April 21, 2021. A letter dated May 10, 2021 was read from Justin Hedges and Patrick Ward of InSite Engineering requesting a road widening easement be offered in lieu of the right-of-way dedication. The owner/applicant obtained minor subdivision approval from the Borough of Island Heights Planning Board on January 14, 2021. The approval granted a lot area variance for proposed Lot 4.01. If the County were to require the variable width right-of-way, the resulting lot area of proposed Lot 4.01 would be reduced, further exacerbating the previously granted variance relief. In addition, the resulting lot area of proposed Lot 5.02 would be less than the minimum required for the zone and would require new variance relief not previously granted. We believe this to be a reasonable request due to the existing development pattern of Ocean Avenue and the minor nature of the application. On a motion by Mr. Jehnke, seconded by Mr. Tirella, the Board accepted a road easement in lieu of a right-of-way dedication: 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. 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 of off-tract traffic improvement fee to be \$2,708.00. 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 \$2,708.00. The motion was unanimously carried.

LAKEWOOD: Block 524.36, Lot 9 (LAT2120) Gellerman, Simcha. This site plan received conditional approval on January 20, 2021. A letter dated May 7, 2021 and amended May 19, 2021 was read from Joseph Kociuba of KBA Engineering requesting several waivers. This project is a minor change of use converting an existing structure to a school. Pursuant to an approval by the Township of Lakewood, the school shall propose 90 students in 2020 and 120 students in 2021. The students do not drive and shall be bused to the location. The design anticipates the loading and unloading of three school buses. The three classrooms and one office create a parking demand of four parking stalls pursuant to Lakewood Township standards. The proposed design provides ample parking. Please accept the limited trip generation statement in lieu of a traffic report as the proposed use is minimal and anticipated to be temporary in nature. The proposed increase in impervious coverage is not considered a major development as there is less than one-quarter acre of increased impervious area and proposes substantially less than one acre of disturbance. Therefore, any increase in stormwater generation is de minimis. Please accept pipe sizing calculations in lieu of a drainage report. Please accept a 10' road widening easement in lieu of a full right-of-way dedication for this application. A right-of-way dedication will be provided with a future application. A waiver is requested to provide 15' AASHTO sight triangles at the driveway egress. The entire sight distance is located within the right-of-way. No easements required. The unimproved street west of the site also has no intention of being improved in the near future, therefore, an easement is not warranted at this time. Therefore, a waiver is justified from providing a 30' x 100' sight triangle easement as AASHTO sight distance is accommodated within the County right-of-way and road widening easement. In addition, the applicant acknowledges that any future application will need to comply with the County sight triangle easement standards including the sight triangle easement required at the unimproved street or future waivers will need to be obtained. For parking within 20' of the future county right-of-way line, a waiver is requested to provide 20' to existing right-of-way line. Given the location of the existing structure, the impact that the expanded right-of-way would create a hardship for the applicant in removing up to three existing parking stalls. As such, the applicant is requesting a waiver to permit this dimension to be measured from the existing right-of-way for this change of use application and acknowledges that any future application will either need to comply or request relief. On a motion by Mr. Jehnke, seconded by Ms. McCrystal, the Board accepted the trip generation statement in lieu of the traffic report; granted a waiver from providing a drainage report as the increase in impervious coverage is de minimus and there is on-site recharge; accepted the 10' wide road easement in lieu of a right-of-way dedication; accepted the AASHTO sight triangle in lieu of County standards at the driveway egress and granted a waiver to provide 20' from existing right-of-way line. The motion was unanimously carried.

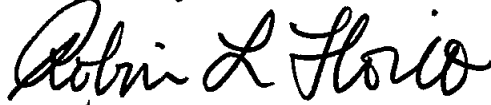
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THE FOLLOWING PLANS HAVING BEEN GIVEN CONDITIONAL APPROVAL AT A PREVIOUS MEETING HAVE NOW MET THE CONTINGENCIES AND CAN BE SIGNED:				
MUNICIPALITY:	LOT:	BLOCK:	MEETING DATE:	CONTINGENCIES MET:
BRICK BRT850G	7 & 7.01	670	04/07/21	05/18/21
EAGLEWOOD ET146A	9.01, 9.02	36	02/17/21	05/13/21
JACKSON JT1702A	21702 / 21801	57, 58, 59, 61 / 32	12/04/19	05/18/21
JACKSON JT700F	1	12202	02/17/21	05/12/21
LAKEWOOD LAT594E	4	1600	12/16/20	05/12/21
MANCHESTER MT514	2	102	02/03/21	05/19/21
MANCHESTER MT509A	22	98	02/17/21	05/19/21

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

Respectfully submitted,



Robin L. Florio, Secretary
Ocean County Planning Board

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