

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

Regular meeting, Wednesday, May 18, 2022, 6:00 PM, Engineering Conference Room, Third Floor, 129 Hooper Avenue, Toms River, New Jersey.

Chairman Russell presiding. Attending: Earl Sutton, Elaine McCrystal, Joseph Bilotta, Scott Tirella, Dennis Liberatore, Joseph Marra, John Ernst, Laura Benson, Mark Villinger 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 Mr. Bilotta, seconded by Ms. McCrystal, the minutes of the meeting of May 4, 2022 were moved for approval. The motion was unanimously carried.

**SUBDIVISION AND SITE PLAN REVIEW**

**LAKEWOOD: Lots 1, 2, 3.01, 3.02 Block 247 (LAT2108A) Congregation Torah V'Chaim**

This six-lot minor subdivision is for a triplex, a duplex, and a single family residence to be located at the intersection of local roads, East Fourth Street and Cottage Place. 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. Marra, this minor subdivision was given final approval. The motion was unanimously carried.

**LAKEWOOD: Lots 1&3 Block 1078 (LAT2177) Magid, Yosef**

This six-lot major subdivision is for 12 duplex units to be located on unimproved local roads, Stradford, Florence and Jonas Avenues. The local roads are to be "improved by others" under major subdivision LAT2131. The final plat appears to have been prepared in accordance with the Recordation Act. Ocean County requires the applicant to address the following items: (1) provide a copy of the Lakewood Township Department of Public Works plan review of the drainage demarcation plan and the recorded Operation & Maintenance Manual stating that the Lakewood Township Department of Public Works is responsible for maintaining the pervious pavement on the local roads and the stormwater management system in accordance with Chapter 9.6 of the NJDEP Best Management Practices Manual, (2) provide a drainage design to be reviewed and approved by the Ocean County Engineer, (3) submit a copy of the CAFRA permit or a Jurisdictional Determination letter from the NJDEP (waiver requested), (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. Approval recommended upon fulfillment of the above contingencies and the Board's decision on the waiver request.

A letter dated February 28, 2022 was read from Christopher Rosati of FWH Associates requesting a waiver from submitting a CAFRA Jurisdictional Determination. The proposed development falls below the jurisdictional threshold for requiring a CAFRA Permit. This subdivision proposes the construction of six duplex dwellings. The CAFRA regulations exempt residential developments of less than 75 dwelling units (NJAC 7:7-2.2 (a) 4). Additionally, this development does not propose the offsite construction of more than 1,200 linear feet of new sanitary sewer or roadways (NJAC 7:7-2.2 (b) 11).

On a motion by Mr. Ernst, seconded by Mr. Sutton, the Board acknowledges and accepts the applicant's professional's interpretation that the project does not exceed the CAFRA threshold; this major subdivision was given preliminary and final approval contingent upon the applicant to address the following items: (1) provide a copy of the Lakewood Township Department of Public Works plan review of the drainage demarcation plan and the recorded Operation & Maintenance Manual stating that the Lakewood Township Department of Public Works is responsible for maintaining the pervious pavement on the local roads and the stormwater management system in accordance with Chapter 9.6 of the NJDEP Best Management Practices Manual, (2) provide a drainage design to be reviewed and approved by the Ocean County Engineer, (3) pay an off-tract

drainage improvement fee in an amount to be determined by the Ocean County Engineer, and (4) 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.

**LAKESWOOD: Lots 23 & 24.01 Block 26 (LAT2186) Rokeach, Nachum**

This two-lot minor subdivision is for a lot line adjustment on 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. Tirella, seconded by Mr. Liberatore, this minor subdivision was given final approval. The motion was unanimously carried.

**LAKESWOOD: Lots 13.35 Block 174.01 (LAT2187) DRT Investments LLC**

This two-lot minor subdivision is for two single family residences to be located on local roads, Arosa Hill and Twin Oaks Drive. 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.

**MANCHESTER: Lots 1 Block 1.29 (MT520A) Ronald Raisin**

This two-lot minor subdivision is located on three local roads, First Avenue, Second Avenue, and South Hampton Boulevard. 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. Tirella, this minor subdivision was given final approval. The motion was unanimously carried.

**PT. PLEASANT BH: Lots 6 Block 160 (PPBB288) Broadway Court Motel Inc.**

This four-lot major subdivision is for four single family residential dwellings to be located on Broadway. The full width right-of-way of Broadway is 100', which is greater than the Master Plan width. The trip generation statement is acceptable. Broadway is fully improved, therefore County road improvement plans are not required. The final plat appears to have been prepared in accordance with the Recordation Act. Ocean County requires the applicant to address the following items: (1) submit a copy of the CAFRA jurisdictional determination (waiver requested), (2) design the proposed driveways to have combined access to the County road and proper spacing in accordance with Table 600-4, and (3) 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 April 19, 2022 was read from Robert Burdick, P.E. requesting a waiver from submitting a CAFRA Jurisdictional Determination as the property is in excess of 500' from a tidal water body and CAFRA Jurisdiction would take affect when 25 or more residential units are proposed, whereas the plan calls for four residential units only.

On a motion by Mr. Ernst, seconded by Mr. Sutton, the Board acknowledges and accepts the applicant's professional's interpretation that the project does not exceed the CAFRA threshold; this major subdivision was given preliminary and final approval contingent upon the applicant to address the following items: (1) design the proposed driveways to have combined access to the County road and proper spacing in accordance with Table 600-4, and (2) 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.

**STAFFORD: Lots 12 Block 123 (ST114E) Cedar Run Holdings LLC**

This site plan is for landscaping, stone, gravel, and curb improvements at an existing Ace Power Equipment commercial site on the corner of Route 9 and Bolton Lane. On a motion by Mr. Bilotta, seconded by Mr. Sutton, this site plan was given final approval contingent upon the applicant to address the following item: (1) indicate the NJDOT "desired typical section" for this section of NJ

Route 9 in accordance with the current NJDOT access code across the frontage of the site. 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 28.01 Block 647 (TRT2060E) Pine Belt Nissan of Toms River, Inc c/o Joe Hill**

This site plan is for the replacement of four building mounted signs and two pylon signs, and the addition of two electrical charging stations at the Pine Belt Nissan car dealership on Route 37. County facilities will not be impacted. On a motion by Mr. Liberatore, seconded by Mr. Marra, this site plan was given final approval. The motion was unanimously carried.

**TOMS RIVER: Lots 6 & 9 Block 145 (TRT3394C) St. Mary of the Lake**

This three-lot minor subdivision is located on Massachusetts Avenue, Honey Locust Drive, and Route 70. The final plat shows the existing right-of-way half width of Honey Locust is 33' from centerline and the existing right-of-way half width of Massachusetts Avenue is 37.5' from centerline. A 35' radius corner clip dedication was provided under the previous application TRT3394. The NJDOT "desired typical section" for this section of NJ Route 70 is indicated on the plans. 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.

**TOMS RIVER: Lots 124.01 Block 394.06 (TRT3485) Hooper Avenue LLC**

This site plan is for a 3,500 s.f. dental office and 36 parking spaces to be located on Hooper Avenue. On a motion by Ms. McCrystal, seconded by Mr. Liberatore, 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 60 feet from centerline, submit a deed of dedication and metes and bounds description for an additional right-of-way dedication to 60' from centerline to Ocean County, (2) dimension the County road pavement half width and full width, (3) construct the handicap ramps at the driveway in accordance with the current Federal ADA standards to be reviewed and approved by the Ocean County Engineer, (4) design the access drive curb radii in accordance with Table 600-4, (5) provide a County road pavement detail for the section of road restoration behind the proposed saw cut on the County improvement plan for the construction of concrete curb on Hooper Avenue, (6) address the following traffic comments: a) provide design vehicle turning templates to demonstrate no conflicts between entering and exiting vehicles, and b) provide no left turn sign, 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.

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

**LAKEWOOD: Lots 91, 101 Block 251.05 (LAT2184) PD Family Credit Shelter Trust**

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**CORRESPONDENCE:**

**JACKSON: Block 21103, Lots 1, 2, 3, 18, 19, 20 (JT1727A) Highland Development Ventures, LLC.** This site plan received conditional approval on December 1, 2021. On a motion by Mr. Ernst, seconded by Mr. Sutton, the minutes are hereby amended to reflect the number of parking spaces has increased from ten to 16. The motion was unanimously carried.

**LAKEWOOD: Block 104, Lots 13, 59.01 (LAT2097) Congregation Toldos Yaakov Yosef.** This site plan received conditional approval on May 20, 2020. A letter dated May 17, 2022 was read from Glenn Lines of NewLines Engineering requesting a one-year extension. This project was

under litigation with the neighboring property owners, which resulted in the project to be put on hold for a lengthy amount of time. The issues have since been resolved and the applicant is currently moving forward with the project. On a motion by Mr. Ernst, seconded by Mr. Bilotta, the Board granted a one year extension until May 20, 2023. The motion was unanimously carried.

**TOMS RIVER: Block 535.08, Lot 35.01 (TRT3277C) R. Stone & Co., Inc.** This site plan received conditional approval on February 3, 2021. Condition #8 required the payment of an off-tract traffic improvement fee to be determined by the County Engineer. The County Engineer has determined the off-tract traffic improvement fee to be \$8,333.00. 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 \$8,333.00. The motion was unanimously carried.

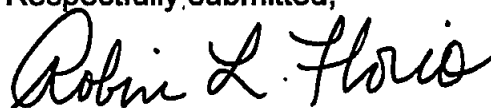
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THE FOLLOWING PLANS HAVING BEEN GIVEN CONDITIONAL APPROVAL AT A PREVIOUS MEETING HAVE NOW MET THE CONTINGENCIES AND CAN BE SIGNED:				
MUNICIPALITY:	LOT:	BLOCK:	MEETING DATE:	CONTINGENCIES MET:
LACEY LT441J	22, 23, 24, 25, 26	314	12/02/20	05/10/22
LAKWOOD LAT2157	100	536	10/20/21	05/18/22
LAKWOOD LAT944T3	6.02	961.03	01/19/22	05/18/22
LAKWOOD LAT2115A	88	251.02	10/06/21	05/16/22
TOMS RIVER TRT2507D	25	410	12/15/21	05/16/22

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

Respectfully submitted,



Robin L. Florio, Secretary  
Ocean County Planning Board

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