

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

Regular meeting, Wednesday, July 7, 2021, 6:00 PM, Engineering Conference Room, Third Floor, 129 Hooper Avenue, Toms River, New Jersey.

Chairman Russell presiding. Attending: Elaine McCrystal, Joseph Bilotta, Scott Tirella, Dennis Liberatore, John Ernst, Mat Thompson, 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 Ms. McCrystal, seconded by Mr. Tirella, the minutes of the meeting of June 16, 2021 were moved for approval. The motion was unanimously carried.

SUBDIVISION AND SITE PLAN REVIEW

BERKELEY: Lots 840.01 / 830-839 Block 73 / 74 (BT476A) Homes For All, Inc.

This five-lot minor subdivision is for a lot consolidation for five single family residences to be located on First Street (CR#109), Fourth Avenue and Fifth Avenue. 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) 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 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, (2) submit a sight right easement form and metes and bounds description for 30' x 100' sight triangle easements at the intersections in accordance with County standards to Ocean County, (3) revise setbacks on the Model Area Development Plan accordingly, (4) revise the proposed driveways on the new lots in a "T" type design to prevent vehicles from backing out onto the County road in accordance with Section 603.C, (5) add the following standard County notes to the final plat: (a) driveway locations on new lots shall be spaced in accordance with Table 600-4 of Section 606, and (b) off-street parking shall be situated on the new lots in a "T" type design to prevent vehicles from backing out onto the County road in accordance with Section 603.C, (6) if the Township requires curb and sidewalk, the curb shall be set at the County's Master Plan width of 18 feet from centerline of First Street, (7) revise the final plat to include three corner coordinates in accordance with the Recordation Act, (8) verify the proposed lot numbers, since one of the proposed lot numbers is the same as the existing number, and (9) modify the zone requirement table notes to properly describe the proposed project. 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.

JACKSON: Lots 13 Block 12301 (JT486B) BMH Property 2 LLC

This site plan is for the change of use including parking lot and handicap access modifications to a 1,784 s.f. commercial building from an animal care facility to office space with nine parking spaces (five existing and four proposed) located on Bennetts Mills Road. The plans indicate that the existing right-of-way half width of the County road is 30' from centerline, consistent with the Master Plan width. Ocean County requires the applicant to address the following items: (1) indicate the proposed edge of pavement along Bennetts Mills Road to be built 25 feet from centerline in accordance with Section 611.B. and submit road improvement plans for the County road indicating County stationing, existing centerline and edge of pavement elevations, proposed curb elevations, limit of pavement reconstruction and cross-sections to be reviewed and approved by the Ocean County Engineer (waiver requested), (2) submit a traffic report (waiver requested), (3) submit a drainage report (waiver requested), and (4) pay an off-tract traffic improvement fee in an amount of \$833.00. Approval recommended upon fulfillment of the above contingencies and the Board's decision on the waiver requests.

A letter dated June 23, 2021 was read from Glenn Lines of NewLines Engineering requesting a waiver from providing a traffic study as this is a minor site with no exterior building renovations

proposed. The previous animal care facility had four employees and the new proposed office use is estimated to have five or six employees. The future traffic generation for this site is expected to remain within the range from the previous use. A waiver is requested from providing a drainage report as this is a minor site and no exterior changes are proposed. Per NJDEP qualifications, this is not classified as a major development. Under the original approval (JT486A) the County previously granted the following waivers: (i) in lieu of submitting a sight right easement at the exit driveway on Bennett's Mills Road in accordance with County standards, the Board granted a waiver and allowed a modified sight triangle easement measured 25' from the future curb line instead of the existing pavement. The current plans show the existing sight triangle easement that the Board had requested, (ii) a waiver was granted from constructing improvements along Bennett's Mills Road with County standards. The applicant respectfully requests that the previous waivers granted be grandfathered in as the applicant is currently seeking change of use approval and minimal construction is proposed for the increase in parking spaces.

On a motion by Mr. Ernst, seconded by Ms. McCrystal, the Board granted a waiver from providing a traffic report and drainage report due to the minor site improvements, and granted a waiver from providing County road improvements; this site plan was given final approval contingent upon the applicant to address the following items: (1) pay an off-tract traffic improvement fee in an amount of \$833.00. 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 39.58 Block 1077 (LAT1542E) Casa Nova Today LLC

This site plan is for 12,540 s.f. commercial building with 68 proposed parking spaces to be located on Route 9 (River Avenue). The NJDOT "desired typical section" for this section of NJ Route 9 is indicated on the plans. Ocean County requires the applicant to address the following items: 1) address the following traffic comments: a) the lot number and total number of parking spaces listed in the traffic report do not match the plans; revise accordingly, and b) provide percent traffic distribution to Cross Street/Chestnut Street, (2) submit a CAFRA Jurisdictional Determination letter from the NJDEP (waiver requested), and (3) pay an off-tract traffic improvement fee in an amount to be determined by the County Engineer. Approval recommended upon fulfillment of the above contingencies and the Board's decision on the waiver request.

A letter dated July 7, 2021 was read from Glenn Lines of NewLines Engineering stating that in accordance with CAFRA regulations, this site plan would fall under the CAFRA class as 7:7-2.2(a)4, a development located in the CAFRA area beyond 500 feet landward of the mean high water line and which is located within the boundaries of a qualifying municipality of the fourth class with a population over 30,000 persons and may trigger the below requirements: (i) A residential development having 75 or more dwelling units. This project is not a residential development, it is a commercial building. A CAFRA permit is not required by this provision. (ii) A commercial development having 150 or more parking spaces. This project has a proposed 68 parking spaces. A CAFRA permit is not required by this provision. (iii) A public development or industrial development. This is not a public development or industrial development. A CAFRA permit is not required by this provision. Based on the three triggers for a CAFRA permit, this commercial development is found to be exempt from CAFRA jurisdiction.

On a motion by Mr. Ernst, seconded by Mr. Bilotta, 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) address the following traffic comments: a) the lot number and total number of parking spaces listed in the traffic report do not match the plans; revise accordingly, and b) provide percent traffic distribution to Cross Street/Chestnut Street, and (2) pay an off-tract traffic improvement fee in an amount to be determined by the 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 42.01 Block 246 (LAT1566C) Mizz Consstruction N.J., Inc.

This two-lot minor subdivision is located on State Highway Route 88, Ocean Avenue. 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 items: (1) revise the final plat to include current lot numbers on the adjoining properties, (2) revise the final plat to include all existing easements per Filed Map J-3825, (3) revise the final plat to include the wetland buffer line as verified by the NJDEP File No. 1514-09-0014.1, and (4) revise the final plat to include the NJDOT "desired typical section" for this section of NJ Route 88 in accordance with the current NJDOT access code. 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 6 Block 385 (LAT1784C.01) 650 James Street, LLC

This site plan is for a three-story 31,320 s.f. (total) commercial building with 155 proposed parking spaces to be located on James Street. The applicant has provided a right-of-way dedication to 33' from centerline and a sight easement at the egress drive to Ocean County. The plans show the proposed curb to be built at 23 feet from the centerline of James Street. 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) design the proposed driveway location on James Street in accordance with Section 606:C, Figure 600-2, and Table 600-4 taking into consideration the location of the proposed access drive on adjoining Lot 4, (2) remove the "Meet Existing Curb" note at Station 91+06, (3) address the following traffic comment: a) provide driveway curb return radii in accordance with County standards in Table 600-4, (4) provide a drainage design to be reviewed and approved by the Ocean County Engineer (per drainage memo dated 7/7/2021), (5) revise the County road drainage design to include an additional type "B" inlet at the eastern property line and 24" perforated pipe along the entire frontage of the site, (6) pay an off-tract drainage improvement fee in an amount to be determined by the Ocean County Engineer, 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.

LAKEWOOD: Lots 25.01-25.19/ 1-16 Block 1159.04/1159.05 (LAT1991D2) Eichorn, Mordechai

This 35-lot amended major subdivision is for various lot line adjustments within a previously approved Chestnut Hill major subdivision LAT1991D.02 recorded on 2/18/21 as J-4260. The traffic and drainage reports were reviewed and approved under the earlier application and off-tract improvement fees have been paid. 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 major subdivision was given final approval. The motion was unanimously carried.

LAKEWOOD: Lots 1.01/1 & 2 Block 1017/1024 (LAT2105A) Wolhendler, Pinchus

This 12-lot major subdivision is for Phase 1 to include ten new residential lots for five duplex units, a drainage easement through Block 1017 Lot 1.01, and one remaining Lot 2.01, which will be further subdivided in Phase 2. Block 1024 Lot 1 will remain unchanged through Phase 1. Previously approved subdivision LAT2105 is being withdrawn by way of this new subdivision application for Phase 1 & 2. 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 major subdivision was given final approval. The motion was unanimously carried.

LAKEWOOD: Lots 1.01/1 & 2.01 Block 1017/1024 (LAT2105B) Wolhendler, Pinchus

This 29-lot major subdivision is for Phase 2 to include 29 new residential lots for 14 duplex units, a 2,916 s.f. yeshiva and rabbi residence with six proposed parking spaces, and the improvement of paper street, Edgecomb Avenue. Previously approved subdivision LAT2105 is being withdrawn by way of the new subdivision application for Phase 1 & 2. 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. Liberatore, seconded by Mr. Bilotta, this major subdivision was given final approval. The motion was unanimously carried.

LONG BEACH: Lots 7 Block 4.29 (LBT785) Houser, Marilyn

This two-lot minor subdivision is located on a local road, West 18th Street. 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.

LONG BEACH: Lots 1 Block 6.26 (LBT786) 2JS Kline, LLC

This two-lot minor subdivision is located on Long Beach Boulevard, South 31st Street, South 32nd Street, and Baltic Avenue. The plans indicate that the half width right-of-way of Long Beach Boulevard is 50' from centerline consistent with the Master Plan. The proposed driveway aprons will be located on the local roads. Ocean County requires the applicant to address the following items: (1) submit a sight right easement form and metes and bounds description for 30' x 100' sight triangle easements at the intersections in accordance with County standards to Ocean County. (waiver requested), (2) design the proposed intersection curb radii in accordance with Table 600-6 (waiver requested), (3) dimension County road pavement half width and full width, (4) revise the County road pavement detail to show the standard cross section for County roads to be 6" Dense-Graded Aggregate Base Course, 4" Hot Mix Asphalt 19M64 Base Course, and 2" Hot Mix Asphalt 12.5M64 Surface Course, (5) revise the plans to show all existing features within 200 feet of the site, including existing drainage features under the County road, (6) provide a three foot grassed strip between the proposed curb and proposed sidewalk in accordance with Table 600-8, and (7) revise the plans to show the landscape box around the utility pole to be removed. Approval recommended upon fulfillment of the above contingencies and the Board's decision on the waiver requests.

A letter dated June 18, 2021 was read from James Brzozoski of Horn, Tyson & Yoder requesting waivers from County standards regarding sight triangle easements and curb radius at intersections. The applicant requests waivers from Section 610:E requiring a 25' radius at the intersection of the easterly side of Long Beach Boulevard and the southerly side of South 32nd Street as well as the intersection of the easterly side of Long Beach Boulevard and the northerly side of South 31st Street. Currently there are no curbs and no radius in the pavement for either of these intersections. The proposed curb radius at each intersection is 15' which is commensurate to the vast majority of intersections along Long Beach Boulevard throughout Long Beach Island. Providing a 25' radius at these intersections would require a portion of the proposed sidewalk to be construction on the existing/proposed lots. A waiver is requested from Section 610:D at the intersection of the easterly side of Long Beach Boulevard and the southerly side of South 32nd Street as well as the intersection of the easterly side of Long Beach Boulevard and the northerly side of South 31st Street. The County standard sight triangle at this intersection would severely limit the development of the subject property. The applicant requests the use of AASHTO standards for the sight triangles for an intersection with stop control on the minor road, as detailed on the submitted plan in lieu of County standards for sight triangle easements. Long Beach Boulevard is a four lane undivided road with a posted speed limit of 45 mph. The AASHTO sight triangle is an accepted and safe standard and is suggested as an alternative at this intersection.

On a motion by Mr. Ernst, seconded by Mr. Liberatore, with Mr. Tirella abstaining, the Board granted sight triangle waivers from County sight triangle standards and accepted AASHTO sight triangles in lieu of County standards since municipal sight triangles are provided, and granted the use of 15' curb radii in lieu of 25' curb radii at the intersections with the municipal streets; this minor subdivision was given final approval contingent upon the applicant to address the following items: (1) dimension County road pavement half width and full width, (2) revise the County road pavement detail to show the standard cross section for County roads to be 6" Dense-Graded Aggregate Base Course, 4" Hot Mix Asphalt 19M64 Base Course, and 2" Hot Mix Asphalt 12.5M64 Surface Course, (3) revise the plans to show all existing features within 200 feet of the site, including existing drainage features under the County road, (4) provide a three foot grassed strip between the proposed curb and proposed sidewalk in accordance with Table 600-8, and (5) revise the plans to show the landscape box around the utility pole to be removed. 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 7.03 & 7.06 Block 705 (TRT2262B) Nice, Kenton

This two-lot minor subdivision is for two single family dwellings with riparian lots to be located on Keats 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 Mr. Liberatore,

this minor subdivision was given final approval. The motion was unanimously carried.

TOMS RIVER: Lots 50 Block 694 (TRT3464) Wallash, Samantha

This two-lot minor subdivision is located at the intersection of two 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 Ms. McCrystal, seconded by Mr. Liberatore, with Mr. Tirella abstaining, 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

JACKSON: Lots 73 Block 4402 (JT1729) County Line Construction Company, Inc.

TOMS RIVER: Lots 6, 7, 8 & 9 Block 444.01 (TRT3128C) Hurton St 17, LLC

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CORRESPONDENCE:

BRICK: Block 379, Lot 4 (BRT740A14) Meadowbrook Realty, LP. This site plan received conditional approval on August 5, 2020. Condition #5 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 \$833.00. 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 \$833.00. The motion was unanimously carried.

JACKSON: Blocks 10401 / 11404, Lots 5.01, 52 & 60 (JT358J.02) EL at Jackson, LLC. This major subdivision received preliminary and final conditional approval on July 15, 2020. On a motion by Mr. Ernst, seconded by Ms. McCrystal, the minutes are hereby amended to reflect the applicant shall enter into a Developer's Agreement for condemnation of three parcels for the additional right-of-way necessary for the construction of the connector road signalized intersection. The motion was unanimously carried.

LACEY: Block 226 / 255 / 259 / 260 / 265, Lots 16.01, 16.02 / 11-20 / 15-20, 23, 24 / 11-19, 24, 25 / 1-4, 9-11, 14 (LT770A) Sadeghi, Frank. This major subdivision received preliminary and final conditional approval on May 19, 2021. A letter dated June 15, 2021 was read from Mathew Wilder of Morgan Engineering requesting waivers from providing a traffic report, drainage report and County roadway improvement plans due to the fact that the proposed development does not impact any County roads or drainage facilities. The nearest County road is Lakeside Drive South which is approximately one-half mile west of the subject property on the west side of Route 9. Runoff from the subject development is directed into tributaries of the Middle Branch which discharges to the Barnegat Bay. There are no County bridges, roads, culverts, etc. which will be impacted by the proposed development. On a motion by Mr. Ernst, seconded by Mr. Bilotta, with Mr. Tirella abstaining, the Board granted a waiver from submitting a full traffic report provided the applicant supply a trip generation statement for the project and granted a waiver from submitting a drainage report as the project does not impact County facilities. No County road improvement plans are required since the project does not front on a County road. The motion was unanimously carried.

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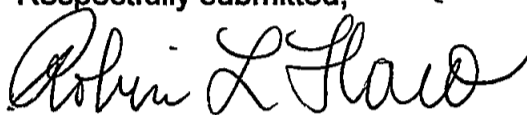
THE FOLLOWING PLANS HAVING BEEN GIVEN CONDITIONAL APPROVAL AT A PREVIOUS MEETING HAVE NOW MET THE CONTINGENCIES AND CAN BE SIGNED:				
MUNICIPALITY:	LOT:	BLOCK:	MEETING DATE:	CONTINGENCIES MET:
BERKELEY BT487C.01	1 / 1 / 1	615, 617, 838	06/02/21	06/30/21

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:
JACKSON JT1728	1	1600	05/19/21	06/28/21
JACKSON JT1718	65	5601	10/07/20	07/07/21

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There being no further business, on a motion by Mr. Tirella, 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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