

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

Regular meeting, Wednesday, February 1, 2023, 6:00pm, Engineering Conference Room, Third Floor, 129 Hooper Avenue, Toms River, New Jersey.

Chairman Tirella read the Open Public Meetings Act statement of compliance.

Chairman Tirella presiding. Attending: Joe Bilotta, Dennis Liberatore, Elaine McCrystal, Joe Marra, Alan Avery, Debra Beyman, Laura Benson, Esq., John Ernst, Mark Jehnke, Barbara Jo Crea, Commissioner, and Veronica Tompkins

The first order of business was the swearing in of Debra Beyman, Alternate on the Ocean County Planning Board by Laura Benson. Congratulations to Ms. Beyman.

On a motion by Mr. Bilotta, seconded by Mr. Avery, the minutes of the meeting of January 18, 2023 were moved for approval. The motion was unanimously carried.

SUBDIVISION AND SITE PLAN REVIEW

BRICK: Lot 38 Block 640 (BRT2036) Cal-Seb Properties, LLC

This site plan is for interior and minor exterior renovations of an existing 2,606 s.f. building to accommodate commercial use and one residential apartment on the first floor and two residential apartments on the second floor with 12 existing parking spaces located at the intersection of Mantoloking Road (CR528) and South Dock Road. Ocean County requires the applicant to address the following conditions: (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 40' 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) submit a sight right easement form and metes and bounds description for 30'x100' sight triangle easement at the intersection in accordance with County standards to Ocean County, (3) dimension the County road pavement half width and full width, (4) revise the plans to show the existing roadway easement on Lots 38 and 42 shown on County plan entitled "Right-of-way and Easement Acquisition for Mantoloking Road, Phases IV & V, Brick Township" dated 3/90 File # 06-005-414, (5) dimension the County right-of-way half width in front of the adjoining Lot 36, and (6) submit a traffic report (waiver requested). Approval recommended upon fulfillment of the above contingencies and the Boards decision on the waiver.

A letter was read dated January 10, 2023 Jeffrey J. Carr, from Lindstrom, Diessner & Carr, P.C. requesting a waiver of providing a traffic report. A trip generation statement was provided. The project is proposing to convert the existing first floor office to include a smaller office and a residential unit. No site construction is proposed. On a motion by Mr. Ernst, seconded by Ms. McCrystal, the Board granted the waiver from providing a full traffic report as the applicant provided a trip generation statement that was accepted. This application 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 40' 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) submit a sight right easement form and metes and bounds description for 30'x100' sight triangle easement at the intersection in accordance with County standards to Ocean County, (3) dimension the County road pavement half width and full width, (4) revise the plans to show the existing roadway easement on Lots 38 and 42 shown on County plan entitled "Right-of-way and Easement Acquisition for Mantoloking Road, Phases IV & V, Brick Township" dated 3/90 File # 06-005-414, and (5) dimension the County right-of-way half width in front of the adjoining Lot 36. 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.

EAGLESWOOD: Lots 278, 279 & 283 Block 4 (ET171) Stafford Oakmont, LLC

This site plan is for an 11,000 s.f., a 6000 s.f., and a 6,000 s.f. commercial retail and hardware store with 46 proposed parking spaces to be located on Route 9 (Main Street) and Dinner Point Road. The plans show the proposed improvements to be located outside of the NJDOT desired typical section of Route 9. There will be no impacts to County facilities. On a motion by Ms. McCrystal, seconded by Mr. Marra, this minor subdivision was given final approval. The motion was unanimously carried.

JACKSON: Lot 1 Block 3001 (JT1675E) Cardinale & Jackson Crossing #2

This site plan is for Adventure Crossing - Phase 4, which will include a 134 room hotel, a wave pool, a 70,000 s.f. indoor waterpark and 493 parking spaces to be located off of Monmouth Road (CR537). Phase 4 will provide internal vehicular connection between Phases 1 and 3. 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 conditions: (1) address the conditions of approval for Phase 1 and Phase 3, including any changes to the approved uses, (2) provide supplemental plan sheet "Map of Survey," (3) address the following traffic comments: a) trip generation and distribution data in the Phase 4 report does not match data in the overall traffic report. It appears the overall report includes analysis of signalized intersections along the corridor, including Route 537/Pine Drive, Route 537/U-turn jughandles, Route 537/I-195 west bound off-ramp, Route 537/CR 526/571, Pine Drive extension/internal road 'A' intersections; however, review of the overall report was discontinued due to inconsistencies with proposed uses and traffic data depicted in the individual phase reports, revise accordingly; b) revise the report to include an analysis of the Route 537/Jackson Outlet intersection, (4) submit a copy of the NJDEP Letter of Interpretation for the wetland delineation as indicated on the plans and submit a copy of the NJDEP Wetland permit for the construction within the wetland area / buffer area as shown on the plans, 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. The motion was unanimously carried.

JACKSON: Lot 1 Block 7310 (JT1746) 2111 Discovery Way, LLC

This site plan is for a 6,000 s.f. office building with 30 parking spaces to be located at the intersection of West County Line Road and Brewers Bridge Road. 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 conditions: (1) since the existing right-of-way half width is less than 50' 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 sight right easement form and metes and bounds description for sight triangle easements at the jug handle intersection in accordance with County standards to Ocean County, (3) address the following traffic comments: a) provide passenger vehicle turning templates; demonstrate entering and exiting vehicles will not conflict and will not encroach into left lane of west bound County Line Road, b) depict and label all existing and proposed signs, c) stop bar should not cross the pedestrian path, (4) capture and detain stormwater runoff onsite and provide a drainage design to be reviewed and approved by the Ocean County Engineer (drainage memo dated 2/1/2023), (5) due to the proximity to the County's signalized intersection, revise the proposed access drive to Brewers Bridge Road to be "right in right out only," (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. 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. Construction shall not commence until all conditions have been met. The motion was unanimously carried.

LAKEWOOD: Lot 74.02 Block 524.27 (LAT2046B) 1626 Massachusetts Avenue, LLC

This two-lot minor subdivision is located on Massachusetts Avenue. An all-boys high school is proposed on new Lot 74.03 under site plan application LAT2046C. The plans indicate that the County road right-of-way is 42' from centerline. On a motion by Mr. Bilotta, seconded by Ms. McCrystal, this minor subdivision was given final approval upon the applicant to address the following items: (1) revise the plat to show existing corner monumentation on the opposite side of the County road right-of-way; (2) revise the plat to show the edge of pavement and provide

dimensions for the pavement half width and full width, (3) revise the plat to include three corner coordinates in accordance with the Recordation Act, and (4) revise the plat to show a sight easement at the proposed access point to future lot 74.03 and submit a sight right easement form and metes and bounds description for sight triangle easements at the proposed access in accordance with County standards to Ocean County. 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. Construction shall not commence until all conditions have been met. The motion was unanimously carried.

LAKEWOOD: Lot 74.02 Block 524.27 (LAT2046C) 1626 Massachusetts Avenue, LLC

This site plan is for a three-story 10,426 s.f. all boys high school with 42 proposed parking spaces to be located on Massachusetts Ave. The school will be located on proposed Lot 74.03 created by way of LAT2046B minor subdivision application. On a motion by Ms. McCrystal, seconded by Mr. Marra the plan was given final approval contingent upon the applicant to address the following conditions: (1) revise the site plan to show existing corner monumentation, the fence, and the tree line on the opposite side of the County road right-of-way, (2) submit a sight right easement form and metes and bounds description for a sight triangle easement at the access to proposed Lot 74.03 in accordance with County standards to Ocean County, (3) address the following traffic comments: a) provide for a three lane section at entrance, 12' left turn lane, two -11' thru lanes and 7' shoulders, b) revise design vehicle to school bus, revise circulation plan to accommodate the three lane section, demonstrate entering and exiting right turn vehicles will not conflict, c) provide ITE trip generation criteria for comparison with operational data provided by the applicant, d) provide total building area on plans and report, e) discuss the need for 78 parking spaces where only 30 are required, f) note school start and end times on the site plans, and g) label curb return radii and sight distance on Roadway Plan & Profile, (4) design the proposed access points to the County road in accordance with Section 606 and Table 600-4 for an urban commercial driveway, (5) provide a drainage design to be reviewed and approved by the Ocean County Engineer (drainage memo dated 2/1/2023), (6) relocate the County "B" inlet so that it's located within the curb line and outside of the access drive wheel path, (7) since the design proposes discharging stormwater into the County drainage system in Massachusetts Avenue, revise the plans to identify the outfall from the County drainage system, (8) revise the County road profile to show the full extent of the line of sight to the south from the proposed access drive, and (9) if the detention basin is located within the clear zone and warrants guiderail, guiderail is to be located outside of the County right-of-way. 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. Construction shall not commence until all conditions have been met. The motion was unanimously carried.

LAKEWOOD: Lots 35 & 30.01 Block 855.03 (LAT2213) Akiva Mayer

This two-lot minor subdivision is for a lot line adjustment on a local road. 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. Avery, seconded by Ms. McCrystal, this minor subdivision was given final approval. The motion was unanimously carried.

LAKEWOOD: Lot 16 Block 1087 (LAT396D.01) Chestnut 70 Realty LLC

This site plan is for a three-story 29,640 s.f. total commercial building with 170 existing parking spaces to be located on Chestnut Street and Route 70. Ocean County requires the applicant to address the following conditions of approval: (1) dimension the existing right-of-way half width, pavement half width, and pavement full width of the County road, (2) revise the plans to show access drive modifications to provide cross access via a common driveway for Lots 15 & 16 that is aligned properly with Stamford Hill Road on the opposite side of the County road, (3) provide a cross access easement to Lot 15, (4) address the following traffic comments: a) depict County roadway striping on circulation plan, and b) demonstrate entering and exiting vehicles do not conflict and do not encroach into opposing lane; (5) provide a drainage design to be reviewed and approved by the Ocean County Engineer (drainage memo dated 2/1/2023), (6) submit a copy of the CAFRA permit or a Jurisdictional Determination letter from the NJDEP (waiver requested), (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 requests.

A letter dated January 25, 2023 was read from Glen Lines of NewLines Engineering & Survey requesting a waiver from providing a CAFRA Jurisdictional Determination letter from the NJDEP. The project does not require a CAFRA permit per 7:7-2.2 (a)4. A development located in the CAFRA area beyond 500' 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, would trigger a CAFRA report.

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 preliminary and final approval contingent upon the applicant to address the following items: (1) dimension the existing right-of-way half width, pavement half width and pavement full width of the County road, (2) revise the plans to show access drive modifications to provide cross access via a common driveway for Lots 15 & 16 that is aligned properly with Stamford Hill Road on the opposite side of the County road, (3) provide a cross access easement to Lot 15, (4) address the following traffic comments: a) depict County roadway striping on circulation plan, and b) demonstrate entering and exiting vehicles do not conflict and do not encroach into opposing lane; (5) provide a drainage design to be reviewed and approved by the Ocean County Engineer (drainage memo dated 2/1/2023), (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: Lot 1 Block 1602 (LAT594R.04) 525 Oberlin Avenue

This site plan is for a proposed 36,489 s.f. building addition to an existing warehouse/day care with 107 parking spaces within the Lakewood Industrial Park on Oberlin Avenue. Ocean County requires the applicant to address the following conditions of approval: (1) provide signed and sealed digital plans, (2) submit a copy of the NJDEP Letter of Interpretation for the wetland delineation as indicated on the plans, (3) submit a copy of the CAFRA permit or a Jurisdictional Determination letter from the NJDEP (waiver requested), (4) provide a drainage design to be reviewed and approved by the Ocean County Engineer (drainage memo dated 2/1/2023), 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 January 19, 2023 was read from Glenn Lines of NewLines Engineering & Survey requesting a waiver from providing a CAFRA permit as this site would fall under the CAFRA class. N.J.A.C. 7:7-2, 2(a) 4 a development located in the CAFRA area beyond 500' 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, would trigger a CAFRA report.

On a motion by Mr. Ernst, seconded by Ms. McCrystal 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 preliminary and final approval contingent upon the applicant to address the following items: (1) provide signed and sealed digital plans, (2) submit a copy of the NJDEP Letter of Interpretation for the wetland delineation as indicated on the plans, (3) provide a drainage design to be reviewed and approved by the Ocean County Engineer (drainage memo dated 2/1/2023), 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.

SURF CITY: Lot 21 Block 32 (SCB121) Santoloci, Jeffrey

This site plan is for the demolition of a vacant building and the construction of a 1,188 s.f. three-story mixed-use building with first floor commercial retail, and second and third floor residential apartments with four parking spaces. Ocean County requires the applicant to address the following items: (1) submit a traffic report (waiver requested), (2) submit County road improvement plans (waiver requested), (3) submit a copy of the CAFRA Permit or a Jurisdictional Determination letter from the NJDEP (waiver requested), (4) 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 (waiver requested), (5) design the proposed access point to the County road in accordance with the Site Plan and Subdivision Resolution (waiver requested), (6) reconstruct the existing intersection curb radius in accordance with Section 610:E. (waiver requested), (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 waivers.

A letter was read dated January 9, 2023 from James Brzozowski from Horn, Tyson & Yoder, Inc. requesting several waivers. A waiver is requested from providing a traffic report. The property is a trapezoidal shape, 3,981 s.f. lot located on the northeast side of the intersection of Long Beach Boulevard and 10th Street. 10th Street is at the northerly end of the railroad cutout portion of Long Beach Boulevard. The applicant is requesting a waiver from submitting County Road Improvement Plans. The property is currently developed and curbs and a sidewalk exist along the Long Beach Boulevard frontage. The applicant proposes to install raised curbs across one of the two existing driveway openings and utilize the other driveway to access the property. The applicant is requesting a waiver from the requirement to provide a CAFRA Jurisdictional Determination. This project does not require a NJDEP CAFRA permit, per NJAC 7:7-2.2(a)3 as the site located greater than 150' from the landward limit of a beach or dune and proposes less than 50 parking spaces or equivalent area and less than 25 residential units. The applicant requests a waiver from County Standard for sight triangle easements, 610:D at the intersection of the proposed driveway and Long Beach Boulevard, the intersection of 10th Street and Long Beach Boulevard, and at the intersection of the existing driveway that is to remain and Long Beach Boulevard. The County standard sight triangle at these intersections would severely limit the development of the site. The applicant requests a waiver to permit the AASHTO standard for sight triangles for an intersection with stop control on the minor road, as detailed on the submitted plan, be substituted for the County Standard for sight triangle easements. The applicant requests a waiver from County standard for driveway dimensions, 610:C at the intersection of the existing driveway an Long Beach Boulevard. The setback from the corner of 10th Street to the existing driveway is required to be 10'. The applicant is proposing to utilize the existing driveway that is located 3' from the 10th Street corner. The southerly property line to the existing driveway is 6.3', where the County standard requires 10' minimum. The existing width of the driveway is 21.3', where 24' minimum is required for a 2 way commercial driveway. The applicant requests a waiver from the County Standard 610:E requiring a 25' radius at the intersection of the easterly side of Long Beach Boulevard and the northerly side of 10th Street. A curb radius of 12' currently exists at this intersection. An existing utility pole prevents the radius from being increased to 25'. The largest vehicle that can be accommodated by the 1' radius is the AASHTO design vehicle SU (30' single unit truck) and the AASHTO design vehicle MH (30' mobile home). Increasing the curb radius at this intersection would require the relocation of the existing utility pole.

On a motion by Mr. Ernst, seconded by Mr. Bilotta the Board granted a waiver from providing a traffic report due to the project having minimal impact to County roadways. The Board granted a waiver from providing County road improvement plans as no widening is required and the applicant is closing up one of the driveways. Board acknowledges and accepts the applicant's professional's interpretation that the project does not exceed the CAFRA threshold. Grant waiver from providing County sight triangle easements and accept AASHTO sight triangle. Grant driveway waiver as applicant is reducing the number of driveways on a County road. Grant waiver from curb radius and allow existing curb radius to remain. Condition #7 required the payment of an off-tract drainage improvement fee to be determined by the Ocean County Engineer. Condition #8 required the payment of an off-tract traffic improvement fee in an amount to be determined by the County Engineer. The County Engineer as determined the off-tract drainage improvement fee to be zero and the off-tract traffic improvement fee to be \$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.

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

This site plan is for an existing 504 s.f. commercial building to be used for auto rental and sales with four parking spaces to be located at the intersection of Hooper Avenue and Moore Road. 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 conditions of approval: (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' 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) 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, (3) submit a traffic report, (4) submit a drainage report, (5) add the following standard notes for projects located on County roads: a) 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, b) 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, and (6) 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 waivers requested. 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 15 Block 393.03 (TRT3502) James Conroy

This two-lot minor subdivision is for two single family residences to be located on North Bay Avenue. 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: (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' 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) dimension the County road pavement half width and full width, and (3) if the Township requires curb and sidewalk, the curb shall be set at the County's Master plan width at 20' from the centerline. 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. 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 16 & 18 Block 12201 (JT1744) Bennetts Mills Realty, LLC
LAKEWOOD: Lot 1 Block 500 (LAT2200A) Divvone Equity Group LLC

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CORRESPONDENCE:

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JACKSON: Lots 61 & 74, Block 5601 (JT606B) Megan Associates, c/o Adam Pfeffer. This site received condition approval on December 7, 2022. Condition #13 required the payment of an off-tract drainage improvement fee in an amount to be determined by the County Engineer. Condition #14 required the payment of an off-tract traffic improvement fee to be determined by the County Engineer. On a motion by Mr. Ernst, seconded by Mr. Bilotta 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 \$38,333.00. The motion was unanimously carried.

LAKEWOOD: Lot 7 Block 483 (LAT2203) Blanche Holdings, LLC. This major subdivision received conditional approval on October 19, 2022. Condition #4 required the payment of an off-tract traffic improvement fee to be determined by the County Engineer. On a motion by Mr. Ernst, seconded by Mr. Bilotta the County Engineer has determined the off-tract traffic improvement fee to be \$3,100.00. The motion was unanimously carried.

OCEAN GATE: Lots 1.01 & 1.02, Block 7 (OGB49) Staglinano, Dennis. This minor subdivision was given final approval on April 6, 2022. A letter from January 17, 2023 was read from Ray Carpenter of R.C. Associates requesting a waiver to deviate from the standard Ocean County