

**LAKWOOD PLANNING BOARD
TECHNICAL REVIEW MEETING
MINUTES
MAY 2, 2006**

I. CERTIFICATION OF COMPLIANCE

Chairman Banas called the meeting to order at 6:00 P.M. with the Pledge of Allegiance and Mr. Kielt read the Certification of Compliance with the NJ Open Public Meetings Act:

“The time, date and location of this meeting was published in the Ocean County Observer and the Asbury Park Press and posted on the bulletin board in the office of the Township of Lakewood. Advance written Notice has been filed with the Township Clerk for purpose of public inspection and a copy of this Agenda has been mailed, faxed or delivered to at least two of the following newspapers: The Asbury Park Press, The Ocean County Observer, or The Tri-Town News at least 48 hours in advance. This meeting meets all the criteria of the Open Public Meetings Act.”

II. SWEARING IN OF PROFESSIONALS

Maxwell Peters, Stan Slachetka and John Jackson were sworn in.

ROLL CALL:

Mr. Herzl, Mr. Franklin, Mr. Miller, Mr. Banas, Mrs. Wise, Mr. Dolobowsky, Mr. Ackerman, Mr. Klein, Mr. Ganton, and Mr. Percal.

Mr. Banas asked if there were any changes to the agenda. Mr. Kielt replied that **SD #1535** would be carried to the May 30, 2006 meeting. The plans were not returned in time. Mr. Penzer stated that with regard to **SD #1366A** he was contacted by some neighbors with regard to objections to the project. They will be going to Rabbinical Court on May 24th. He asked if it could be carried to the May 30, 2006 meeting.

On motion by Mr. Miller and seconded by Mr. Herzl, SD #1535 would be carried to the May 30, 2006 meeting.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Miller, yes; Mr. Banas, yes; Mrs. Wise, yes; Mr. Dolobowsky, yes; Mr. Ackerman, yes; Mr. Klein, yes; and Mr. Ganton, yes.

Mr. Jackson stated that **SD #1535** was carried to the May 30, 2006 meeting. No further notice was required of the applicant.

On motion by Mr. Miller and seconded by Mr. Dolobowsky, SD #1366A would be carried to the May 30, 2006 meeting.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Miller, yes; Mr. Banas, yes; Mrs. Wise, yes; Mr. Dolobowsky, yes; Mr. Ackerman, yes; Mr. Klein, yes; and Mr. Ganton, yes.

Mr. Jackson stated that **SD #1366A** was carried to the May 30, 2006 meeting. No further notice was required of the applicant.

III. WAIVER REQUESTS

1. **SD #1843** (Variance requested)
APPLICANT: JOSEPH GUTTERMAN
Location: corner of Central Avenue and Columbus Avenue
Block 12.04 Lot 41
Preliminary & final site plan for proposed synagogue

Waiver request from checklist item:
B-2-topography within 200 feet of site
B-10-manmade features within 200 feet of site

Mr. Peters recommended that the board grant the requested a parcel waiver for B-2. The applicant should be required to show the topography to the far side of Columbus and the far side to Central Avenue. Also along the north and eastern side of the site, topography should be shown. He did not believe that B-1 should be granted, but felt that an aerial photograph would suffice.

On motion by Mr. Dolobowsky and seconded by Mr. Ackerman, the requested waivers were hereby granted as recommended by the engineer.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Miller, yes; Mr. Banas, yes; Mrs. Wise, yes; Mr. Dolobowsky, yes; Mr. Ackerman, yes; Mr. Klein, yes; and Mr. Ganton, yes.

IV. OLD BUSINESS

1. **SD #1486 A** (Variance requested)
APPLICANT: TOVIA HALPERN
Location: Woodland Drive, west of Hillridge Place
Block 12.05 lot 9
Extension of minor subdivision approval

Abraham Penzer, Esq., appearing on behalf of the applicant. He stated the area has a problem of soils. He felt they would be done with the engineering in three months. He asked for a three month extension. Mr. Peters nor Mr. Slachetka had any objections to granting the extension. Mr. Kielt stated that normally the board grants six month extension.

On motion by Mr. Miller and seconded by Mr. Herzl, the requested six month extension was hereby granted.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Miller, yes; Mr. Banas, yes; Mrs. Wise, yes; Mr. Dolobowsky, yes; Mr. Klein, yes; and Mr. Ganton, yes.

2. **SD #1490A** (Variance requested)

APPLICANT: **MORDECHAI ROZSANSKY**

Location: corner of East County Line road and Brook Road
Block 174 Lot 51

Extension of minor subdivision approval

Abraham Penzer, Esq., appearing on behalf of the applicant. He stated the extension is requested because of a County delay. Mr. Jackson stated the board could grant two extensions. Mr. Peters nor Mr. Slachetka had any objections to granting a one year extension.

On motion by Mr. Dolobowsky and seconded by Mr. Miller, an extension was granted for a one year period.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Miller, yes; Mr. Banas, yes; Mrs. Wise, yes; Mr. Dolobowsky, yes; Mr. Klein, yes; and Mr. Ganton, yes.

V. PLAN REVIEW ITEMS

1. SP #1836 (No variance requested)

APPLICANT: **LAKWOOD TOWNSHIP AIRPORT AUTHORITY**

Location: Lakewood Airport, Cedar Bridge Avenue
Block 1160 Lots 220, 242 & 246

Courtesy review of overall Master Plan of Lakewood Airport

Mr. Dolobowsky stated he is the Vice-Chairman of the Airport Authority and would be stepping down for this application.

Mr. Miller thought it was appropriate for him to step down also.

Mr. Peters stated the application is a conceptual plan so the comments would not pertain. The plans are not clear as to the extent of existing conditions. The plans should clarify what improvements are new to the site and what if any will be upgrades to existing improvements.

Mr. Slachetka stated the Airport Authority should provide an explanation of the proposed changes in the airport facilities and the proposed construction timetable. Land acquisition is proposed at the north and south areas of the airport site. Information concerning modifications in the existing "Airport Safety Zone" should be discussed.

Mr. Ornese stated the plans before the board are the federally approved master plan for the airport. The documents took approximately four years. This is a concept of the

aviational side of the airport. What you see may or may not change but it is a concept that the federal government require be in place before you can start the improvement. For the most part, this project was funded by the FAA, drafts were presented to the Township twice in 2005, and a public hearing was held. This plan is designed to give you a snapshot today of the proposed development of the airport for the next 20 years. A great deal of effort went into the projected increase usage of the airport within the time frames. Most of the funding for the projects will come from the FAA and/or NJDOT with a revenue contribution of a small percentage from the airport authority based on its revenue generation. None of the projects require variances. All the work will be internal. An environmental assessment was conducted. There are no environmental impacts to the areas. All the applicable agencies have given their approvals. One of the questions presented is what is immediately in the works. The transient apron on the print will be completely redone this year. Brush and stumping removal, repair the runway cracks and installation of real lights that aid navigation to the end of the runway. These will be completed within the next six to seven months. The grant process is on an annual basis and it depends on what the federal government puts into the transportation fund. They send projected plans seeking the grant funding as it comes down. They requested a grant from the state to complete the fencing around the airport. It would be the standard airport fencing. They expect that this will happen within the next year. The runway will not be extended. They were talking about keeping it the way it was. It was classified as a B-1 airport which means that the aircraft have a wing span of less than 149 feet. They were keeping the airport the way it is. It is a general aviation airport, but it is incorporated into the federal aviation network system.

Mr. Banas stated the professionals asked for a time line. He asked what would be done first and the balance of the items. Mr. Ornese stated they were actually seeking funding to put in up to 36 hangars. This would be first. There is a terminal building almost in the middle of the airport. The tie downs should be underway within a year. Funding would be a problem. If the funding was there, the engineers would start immediately on the hangars, tie downs and terminal building. They are working with the fueling companies for helicopters and the installation of heli-pads. Mr. Banas stated the plans include a lot of buildings and if they were anticipated. Mr. Ornese stated what he is referring to was a separate issue and separate approval process which has not been started yet.

Mr. Neiman stated there was an application recently that was determined not to be in the flight path. He asked if this would change the flight path. Mr. Ornese stated the flight path is the direction the planes take in and out of the airport. They have published arrival and departure patterns. That will not change.

Mr. Slachetka commented as to the flight path. Mr. Ornese stated the board could contact the airport and tour the facility if they wanted to.

On motion by Mrs. Wise and seconded by Mr. Klein, the board granted approval of the courtesy review. No further meeting appearance was necessary.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mrs. Wise, yes; Mr. Ackerman, yes; Mr. Klein, yes; Mr. Ganton, yes; and Mr. Percal, yes.

Mr. Banas called a brief recess. The meeting was reconvened.

Mr. Banas stated that he needed to know several things for the board. A meeting was scheduled for May 16th, which may conflict with a holiday. A roll call was conducted to see who could be present.

ROLL CALL: Mr. Herzl, no; Mr. Franklin, yes; Mr. Miller, no; Mr. Neiman, yes; Mr. Banas, yes; Mrs. Wise, yes; Mr. Dolobowsky, yes; Mr. Ackerman, yes; Mr. Klein, yes; Mr. Ganton, no; and Mr. Percal, no.

Mr. Banas stated the regular meeting will be on May 16th. There is a special meeting on May 23rd and the next technical meeting is May 30th with the regular meeting on June 13th. Mr. Kielt stated that all the applications tonight would be carried to the special meeting.

Mr. Penzer stated he is flying to Israel on Thursday and he will return in the early afternoon on May 16th in the event he is late.

Mr. Penzer stated the next three applications for NJ Hand are all related to one. He stated they could do it as one or separately. Mr. Banas stated that since they are three separate applications, they will treat them as individual applications. Mr. Jackson stated that the chairman could consolidate the matters.

2. SD #1537 (Variance requested)

APPLICANT: NJ HAND

Location: corner of Spruce Street & Sherman Avenue (south of Pine Street)
Block 834 Lot 1

Minor subdivision

Mr. Peters stated the applicant is seeking a minor subdivision approval for block 834 lot 1. The tract lies between Spruce Street on the north and Read Street on the south; and between Funston Avenue on the east and Sherman Avenue on the west. Spruce Street is an improved street while Funston Avenue, Read Street and Sherman Avenue are unimproved Township streets. The tract lies in a R40/20 cluster zone. The subdivision will consolidate existing lots 4551-4570 and lots 4601-4610 into one lot, proposed lot 4, which will contain 60,000 square feet and will front on Funston Avenue, Read Street and Sherman Avenue. The proposed lot will conform to the lot area and lot width requirements of the R40/20 cluster zone. The subdivision will also consolidate existing lots 4571-4585 into one lot, proposed lot 3, which will contain 30,489 square feet and will contain frontage on Spruce Street and Sherman Avenue. Proposed lot 3 will require a variance for lot width where 30,489 square feet is proposed and 40,000 square feet is required. A variance for lot width for proposed lot 3 is required. A 100 foot lot width along Spruce Street is proposed where 150 feet is required. Lot 4 will be made part of the overall Lakewood Commons Development. Lot 3 will remain Township property. The subdivision is subject to approval from the Ocean County Planning Board. There are some comments regarding the map filing law.

Mr. Slachetka stated the applicant must address the positive and negative criteria for each of the requested variances. The review comments are technical in nature.

Mr. Banas asked Mr. Slachetka to explain what a cluster zone is. Mr. Slachetka stated the zone provides for a clustering zone and allows smaller lot sizes. The base zoning is still R40 zoning.

Abraham Penzer, Esq., appearing on behalf of the applicant. He stated that the number of exhibits are due to the work of three individuals. One is John Franklin who helped locating where the garbage should be, Kevin Kielt who helped with the application process, and Mitch Dolobowsky who reviewed the plans and provided suggestions. He stated they agreed to all the items on the first application and the second application. The monument is already there and they did not want to provide the same. They were just giving the land back to the township.

Mr. Dolobowsky stated this application was just correcting an error.

On motion by Mrs. Wise and seconded by Mr. Herzl, the application would have public hearing on May 23, 2006.

On the advice of Mr. Jackson, Mr. Miller and Mr. Dolobowsky were not going to vote on these applications.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mrs. Wise, yes; Mr. Ackerman, yes; Mr. Klein, yes; Mr. Ganton, yes; and Mr. Percal, yes.

Mr. Jackson stated that the application would have public hearing on May 23, 2006 at 6:00 p.m. No further notice was required of the applicant.

3. SD #1538 (Variance requested)

APPLICANT: NJ HAND

Location: corner of Read Street & Funston Avenue (south of Pine Street)
Block 833 Lot 2

Minor subdivision

Mr. Peters stated variances will be required for proposed lot 3 for lot area where 10,000 square feet is proposed and 40,000 square feet is required and for lot width where 100 feet is proposed and 150 feet is required. The remaining comments are technical in nature.

Mr. Slachetka stated the applicant must address the positive and negative criteria for each of the requested variances. The remaining comments are technical in nature.

Abraham Penzer, Esq., appearing on behalf of the applicant. He stated that their comments were the same. The monuments were already in since they were Township property.

On motion by Mr. Herzl and seconded by Mrs. Wise, the application would have public hearing on May 23, 2006.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mrs. Wise, yes; Mr. Ackerman, yes; Mr. Klein, yes; Mr. Ganton, yes; and Mr. Percal, yes.

Mr. Jackson stated that the application would have public hearing on May 23, 2006 at 6:00 p.m. No further notice was required of the applicant.

- 4. SP #1838** (No variance requested)
APPLICANT: **NJ HAND "LAKEWOOD COMMONS"**
Location: Towers Street & Vine Street
Blocks 807-809, 813-815, 817-820 Lots all
Block 816 Lot 1
Block 831 Lots 3, 5
Block 832 Lot 3
Block 833 Lot 2
Block 834 Lot 1
Block 835 Lot 3
Block 836 Lot 3
Block 837 Lot 3

Mr. Peters stated the applicant is seeking preliminary approval of a major site plan for 446 affordable housing units on the above tract consisting of 50.5 acres, comprised of the several blocks listed. The applicant is seeking final approval of phase 1 consisting of approximately 8 acres which will contain 72 units. The proposed development will provide new roads, parking areas, stormwater management facilities and a community center. The development is located in a R40/20 cluster zone. The 50.5 acre tract is bounded by Vine Avenue, an unimproved Township street on the west; Wilson Avenue, an unimproved Township street on the east and/ Bellinger Street, an unimproved Township street on the south. The north property line bisects a number of existing blocks and runs between Vine Avenue and Wilson Avenue. The School for Children with Hidden Intelligence, currently under construction, is located south of the subject tract. Tower Street and Funston Avenue, both unimproved Township streets, separate the school property from the subject property. The existing tract is densely wooded. No variances will be required for this application. The applicant will be required to obtain all outside agency approvals. It is assumed that as part of the development the applicant will consolidate all of the lots in the various blocks needed for the development and that the applicant will request that the Committee vacate the existing interior streets to the limits shown on the plans, required for the development. Evidence that the streets have been vacated should be made a condition of final approval. It should be noted that general plans were provided for the entire development with detailed plans provided for the phase 1 portion of the development. Without detailed plans for the overall development it is difficult to provide a detailed review. We recommend preliminary and final approval be considered only for phase 1

of the project and the remainder of the project only be given the boards approval on a conceptual basis. The phase 1 portion of the development will include 72 units, onsite parking, a stormwater management basin and a recreation building. The application also includes the construction of a 833 feet of Tower Street from Vine Street east. Depending on the construction schedule it would be prudent to provide a temporary cul-de-sac or turn-around at the end of the Tower Street construction. The roadway layout and roadway widths conform to RSIS standards. Coles Way, which is the development's interior loop road is 30 feet in width, which is acceptable. All of the parking courts will have travelways of 24 feet which is also acceptable. The loop access drive from Coles Way to the recreation building will be 18 feet in width, which we will assume will be for one way traffic and shall be noted on the plan. Sidewalks will provided throughout the development. We recommend that sidewalk be provided along the east side of buildings 8 to 14 and along Tower Street. Handicap ramps have been provided as required. Off-street parkings spaces for this development is based on 2.5 parking spaces/unit for the 4 bedrooms units and 24 parking spaces/unit for the 3 bedroom units which translates to 179 parking spaces for the 72 units. Parking for buildings 60 to 65, 93 to 98, and 5 to 7 will about the phase 1 parking areas. When the future phases are constructed the available parking will not conform to RSIS standards. In addition, 15 parking spaces are provided on Tower Street which is not part of the development and is an off-site street. A detail for a typical pathway has been provided but is not evident on the plans. The applicant shall provide drawings for the basin to include the seasonal high ground water and pecculation tests. The remaining comments were technical in nature.

Mr. Slachetka stated the site is located in the R40/20 cluster zone which permits planned affordable residential development. There is a table with the required standards. The comments are substantial in nature and the board's discretion and courtesy may be for the applicant to address comments they have issue with.

Abraham Penzer, Esq., appearing on behalf of the applicant. If approved, they would be breaking ground hopefully in June. The need is overwhelming. The head of the team is Rabbi Lefkowitz. Ninety-eight percent of the comments they agreed to and can do. The entire area has no water or sewer. They were bringing in a pumping station to water and sewer almost the entire area for the other projects as well. With regard to the engineer's report, he needed the TWA as a condition of the permitting. They agreed to all of the items but they have a different parking calculation. They were not counting six parallel parking spaces that were not listed. They have more than enough parking. The engineers would work together regarding the parking. They were subject to the approval of New Jersey American Water Company so they would meet the requirement. They did not understanding the RSIS standards for poor subgrade conditions, which the engineers would work on. They had no problems with the items in E, F and G. With regard to the planner's report, they were public housing. They agreed that all the units would be for sale. It will be duplex, multifamily and townhouses. The parking would be worked out. They would obtain the street vacations and obtain a traffic study. They would like to keep the islands free of plantings. They would maintain the same. They would be using the Kettle Creek facility for outdoor active recreation facilities. There will only be one sign in the front. The construction schedule is one year. Everything else they agree to.

Mr. Banas stated he liked plantings on the islands. Mr. Penzer asked what he would like. Mr. Banas stated he like shrubs but he would leave it up to the planner. Mr. Banas asked if they were going to use the Kettle Creek facility for recreation. Mr. Penzer replied yes. Mr. Banas stated that was limited as to use. Mr. Penzer stated there is a playground, baseball fields, soccer fields, etc. It was quiet large. They would have small areas for benches and items like that.

Mr. Ackerman stated they were not proposing any playground area at all in phase one. Mr. Penzer stated there would be some benches. They did not know about the future phases because it depended on what CAFRA permitted. Mr. Ackerman asked about units five to seven which is in the middle of phase one. Mr. Penzer asked if it could be part of phase one. The engineer stated that in order to keep from going to CAFRA, they had to maintain 72 units. With the three units, it puts them at 75 units.

Mr. Banas felt that for the young kids they had to consider playgrounds immediately in that area. Mr. Penzer stated they would provide some tot lots.

On motion by Mr. Herzl and seconded by Mr. Ackerman, the application would have public hearing on May 23, 2006.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mrs. Wise, yes; Mr. Ackerman, yes; Mr. Klein, yes; Mr. Ganton, yes; and Mr. Percal, yes.

Mr. Jackson stated that the application would have public hearing on May 23, 2006 at 6:00 p.m. No further notice was required of the applicant.

5. SP #1837 (Variance requested)

APPLICANT: CONGREGATION NER YISROEL

Location: Ridge Avenue at corner of East Seventh Street
Block 223.01 Lot 71.04

Minor site plan - change of use site plan from a single family home to synagogue

Mr. Peters stated the applicant is seeking a minor site plan approval for use of a single family dwelling, which is presently under construction, to be used in conjunction with a 50-seat synagogue. The application indicates the subject property is located in the R-20 zone which should be revised to indicate R-12 zone. Both residential and house of worship uses are permitted in the R-12 district. A parish house may be permitted as part of a place of worship. However one of the uses must be determined to be an accessory use. Perimeter buffers must be provided in accordance with 905 additional regulations pertaining to places of worship. Parking is not required for main sanctuaries less than 800 square feet. The architectural plan indicates a sanctuary of 794 square feet. This should be documented on the site plan. Three off-street parking spaces have been provided for the residential use.

Mr. Slachetka stated a variance is required for lot width where 90 feet is required and 85 feet is provided. This is an existing condition. The applicant should address the positive

and negative criteria for the requested variance. The first two comments are technical corrections. The applicant should submit a copy of the Board of Adjustment resolution of approval granted in 2003 and a copy of the filed subdivision map. Any conditions of that approval should be addressed. The applicant has proposed three parking spaces that will exceed the required stall size. As noted by the applicant, the subject site is not required to provide parking in accordance with section 18-905.A. The UDO requires that proposed sanctuaries less than 800 square feet are exempt from parking standards. However, the subject site is subject to review of the RSIS standards for off-street parking for the single family dwelling unit. Single-family dwelling units with 5 bedrooms are required to provide three parking spaces. The floor plan indicates that the applicant proposes a seven bedroom single-family residential structure. We would suggest that the board consider requiring an additional parking space for a total of 4 parking spaces, one of which should be a handicap parking space consistent with UDO regulations. The application does not comply with the following provisions of section 18-905.B; a 20 foot wide landscaped buffer is required for properties that are surrounded by residential uses. None has been proposed. A landscaped buffer should be provided. Landscaping should be provided in the front, side, and rear of the proposed building to buffer the use from the adjacent residences. The applicant indicates that shade trees along Ridge Avenue and East Seventh Avenue will be installed as part of subdivision improvements. The applicant should address the proposed side and rear yard landscaping requirements. The applicant should provide testimony addressing section 18-905.D, namely, the proximity of the curb cut to the intersection consistent with safe traffic flow. Architectural plans have been submitted for review. It appears the applicant is proposing a ground floor sanctuary and two floors of residential space. Clarification should be provided concerning the synagogue entrance on the right side elevation.

Abraham Penzer, Esq., appearing on behalf of the applicant.

John Ernst, P.E., stated they had no issues with the engineer's report. They would address all the concerns. With regard to the planner's report, the lot width is 100 feet in width if you measure it from the lot lines. The lot frontage along River Avenue is 85 feet. There is a 15 foot radius return at the intersection. They did not believe that it was a required variance. The parking is adequate on the site that they were proposing. Testimony would be provided to support this. If it does not, there was enough room to provide a fourth parking space.

Mr. Miller stated he went to the area. The people in the area were driving to the nearest synagogue in the area. They would be able to walk to this synagogue. Mr. Banas wanted the extra space. Mr. Ernst stated they would provide the extra parking space.

Mr. Ernst stated they could provide the 20 foot landscape buffer in the rear yard and to the west. On the south side, there is only 10 feet so they would have to provide a buffer that falls within the 10 foot. Street trees would be provided and all the remaining comments can be addressed.

Mr. Neiman agreed that the extra space should be provided. Mr. Penzer stated it was already agreed to.

Mr. Ackerman asked what a parish house was. Mr. Peters stated it was a house of worship.

Mr. Dolobowsky asked what the rear yard setback was. Mr. Ernst stated there are two fronts and two sides. It was a corner lot with a 30 foot front setback to each street. There is a rear setback of 20 feet on the west side and a side setback of 10 feet on the south side.

On motion by Mr. Dolobowsky and seconded by Mr. Miller, the application would have public hearing on May 23, 2006.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Miller, yes; Mr. Neiman, yes; Mr. Banas, yes; Mrs. Wise, yes; Mr. Dolobowsky, yes; Mr. Ackerman, yes; and Mr. Klein, yes.

Mr. Jackson stated that the application would have public hearing on May 23, 2006 at 6:00 p.m. No further notice was required of the applicant.

Mr. Miller left the meeting

6. **SD #1534** (Variance requested)
APPLICANT: MTR VENTURES
Location: Ridge Avenue, East 7th Street & Highgrove Crescent,
east of New York Avenue
Block 223 Lots 4, 9.04, 84 & 85
Minor subdivision from 4 lots to 3

Mr. Peters stated the applicant is seeking a minor subdivision to consolidate 4 separate lots into 3 lots. The four lots front on three different streets, Ridge Avenue, Highgrove Crescent and East Seventh Street. No development is proposed at this time. Shade tree easements are being provided for Ridge Avenue and East Seventh Street. An easement exists for Highgrove Crescent. The applicant should provide the reason for the subdivision. It appears from the unusual shade of the parcels that a new lot may eventually be created and this may be the first phase. It should be noted that a future subdivision of these lots would be considered a major subdivision. The lot area nonconformity of lot 85 will be eliminated by the granting of this subdivision. The balance of the comments deal with the map filing law.

Mr. Slachetka stated the applicant should address the positive and negative criteria of each of the requested variances. The purpose of the subdivision should be discussed by the applicant. A sidewalk is proposed along the frontage of the subject parcel. Two street trees should be installed. Compliance with the map filing law is required.

Abraham Penzer, Esq., appearing on behalf of the applicant. He stated they agreed to everything in both reports.

Ray Carpenter, P.E., stated there might be some existing trees in the shade tree easement which would be showed on the plans. If they are within the easement he would like to keep them. Mr. Banas did not see anything problem with that, neither did Mr. Slachetka.

On motion by Mrs. Wise and seconded by Mr. Herzl, the application would have public hearing on June 13, 2006.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mrs. Wise, yes; Mr. Dolobowsky, yes; Mr. Ackerman, abstain; Mr. Klein, yes; Mr. Ganton, abstain; and Mr. Percal, yes.

Mr. Jackson stated that the application would have public hearing on June 13, 2006 at 6:00 p.m. No further notice was required of the applicant.

7. **SD #1464** (Variance requested)
APPLICANT: AARON PEKER
Location: Ridge Avenue, east of Brook Road
Block 189 Lot 24
Minor subdivision to create 2 lots

Mr. Peters stated the applicant is seeking a minor subdivision of block 19 lot 24. Two new lots are being proposed and would be known as 24.01 and 24.02. The property in question is located on Ridge Avenue and is in the R-12 zoning district. It appears that variances will be required for minimum lot width where 70 feet for each lot is proposed and 90 feet is required. Outside agency approvals will be required. A shade tree easement has been provided along Ridge Avenue. Curb and sidewalk have been provided along Ridge Avenue. The applicant has stated that all existing structures are to be removed. If removal of the structures will not be complete prior to subdivision, a bond shall be posted to insure prompt removal. The balance of the comments are regarding the map filing law.

Mr. Slachetka stated the applicant should address the positive and negative criteria for the requested variance for each lot. Compliance with the map filing law is required. A total of 2.5 off-street parking spaces are required for each of the proposed dwellings. The plat indicates that three off-street parking will be provided for each of the new lots, which complies with the off-street parking requirements of the RSIS standards. Driveway aprons for street access for new lot 24.02 are not shown on the plat and should be addressed. Street trees should be provided. The existing structures, which are proposed to be removed, should be addressed prior to submission of the map for signature, or a performance bond posted with the Township.

Sal Alfieri, Esq., appearing on behalf of the applicant. He stated that the applicant agrees with all the comments. The only issue is that the installation of one of the driveways would be subject to the location of the house. Mr. Slachetka stated he wanted a sense of the driveway location to the house.

Mr. Dolobowsky asked if the driveway would go roughly where the stone driveway is because there is a well in front. Mr. Banas and Mr. Carpenter agreed.

Mr. Percal asked if there were other lots in the area that were the same size. Mr. Carpenter stated it would be discussed at the public hearing.

On motion by Mr. Herzl and seconded by Mr. Dolobowsky, the application would have public hearing on June 13, 2006.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Banas, yes; Mrs. Wise, yes; Mr. Dolobowsky, yes; Mr. Ackerman, yes; Mr. Klein, yes; Mr. Ganton, yes; and Mr. Percal, yes.

Mr. Jackson stated that the application would have public hearing on June 13, 2006 at 6:00 p.m. No further notice was required of the applicant.

9. **SD #1536** (No variance requested)
APPLICANT: CHARLES CLARK
Location: East County Line Road, across from Ann Court
Block 186.05 Lot 31
Minor subdivision to create 2 lots

Mr. Peters stated the applicant is seeking a minor subdivision of block 186.05 lot 31. Proposed lot 31.01 contains an existing dwelling, proposed lot 31.02 is a flag lot and shows a proposed two story dwelling and driveway. The site is located on County Line road and the rear of the lot touches Carmel Court in the R-15 zoning district. No variances will be required. Outside agency approvals will be required. The applicant has provided a six foot wide shade tree easement and sidewalk along the property frontage. The plans shall be revised to indicate the proposed depressed curb and apron for lot 31.02 will include a new reinforced concrete sidewalk in the driveway area. The detail shall be revised to include the sidewalk. The proposed dwelling for lot 31.02 must be dimensioned. The table notes that the impervious area for this lot to be less than the maximum allowable of 25%. This must be demonstrated clearly by the plans. It appears the proposed house and 12 foot wide driveway will exceed the 25%. The backup space for the garage must also be dimensioned. The plan must also demonstrate where the third parking space will be located on lot 31.02. Buffering shall be provided along the property lines of the pole. Also a minimum 10 foot wide buffer shall be provided between the rear of lot 31.01 and the front of lot 31.02. Proposed grading must be shown for the driveway as the water runoff patterns may be affected by the new impervious area. The dimensions for the pole width and the distances from the edge of the drive to the property lines must be indicated. The remaining comments are technical in nature.

Mr. Slachetka stated the plans do not comply with the following requirements of the flag lot requirements: the setback for new lot 31.02 are shown incorrectly. The side setbacks are required to be equal to the rear setback of twenty feet. In addition, the setback to the property line adjacent to the front of the building must be equal to the required front setback of 30 feet, per section 805.G of the UDO. Architectural plans of the dwelling proposed to be constructed on new lot 31.02 must be submitted per 18-805.G6.c. A buffer is required along the property line between new lots 31.01 and 31.02. An area proximate to street frontage for solid waste collection must be provided. The following items must be addressed by the applicant or a waiver requested. The remaining comments were minor in nature.

Charles Surmonte, P.E., appearing on behalf of the applicant. Mr. Banas asked why they were asking for a flag lot and not an easement. He thought it would be easier to go to Carmel Court. Mr. Surmonte stated there is no frontage except where it intersects at the cul-de-sac.

Mr. Dolobowsky wanted a house on Carmel rather than have two driveways on County Line. Mr. Surmonte stated they were presenting a conforming plan. Lot 10 has some utilities near the corner which would have to be relocated. They would be at the mercy of the property owners in granting an easement.

Mr. Surmonte stated that in reviewing the reports, they agree to just about everything. They wanted to address the engineer's report relating to maximum lot coverage. He asked him to take a look at the definitions again. It should be called building coverage which permits 25%. He stated that Mr. Clark is not at the point as to what type of house he will be putting on the lot. They were not sure about the architectural drawings yet. Mr. Banas asked if there was a proposed square footage. Mr. Surmonte stated the revised envelope permits a house twice as large as what is existing. They were not requesting any variances. Mr. Banas was agreeable to this.

Mr. Dolobowsky stated he did not have a problem with not providing the architectural drawings. He stated they were not asking for variances, but the board was concerned with buffering all the way around the lot. Mr. Surmonte stated that if the house was used for Mr. Clark, it would front towards Carmel Court. The plans would be revised to show additional landscaping.

On motion by Mr. Klein and seconded by Mr. Herzl, the application would have public hearing on June 13, 2006.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, abstain; Mr. Banas, yes; Mrs. Wise, yes; Mr. Dolobowsky, yes; Mr. Ackerman, yes; Mr. Klein, yes; Mr. Ganton, abstain; and Mr. Percal, yes.

Mr. Jackson stated that the application would have public hearing on June 13, 2006 at 6:00 p.m. No further notice was required of the applicant.

11.SD #1539 (Variance requested)
APPLICANT: **REUVEN KANAREK**
Location: East Eighth Street, between Park Avenue & Nowlan Place
Block 230 Lot 9
Minor subdivision to create 2 lots

Mr. Peters stated that the property is located on East Eighth Street. There is a house currently on the property. The applicant is seeking a minor subdivision to divide one conforming lot into two nonconforming lots. Variances will be required for lot area where both lots propose 7,500 square feet and 10,000 square feet is required and lot width where 50 feet is proposed and 75 feet is required. The plans should be revised to include a six foot wide shade tree and utility easement. Sidewalks and curbs presently exist. Details

for curb cuts, aprons and reinforced sidewalk in the drive must be shown. The existing curb cut must be shown to be properly closed with new vertical curb. Proposed dwellings are not indicated. In order to comply with the side yard setbacks, houses of 50 feet maximum width will be allowed. The right of way width and pavement width for East Eighth Street must be indicated on the plan. The existing dwelling will be bisected by the proposed lot line. The house must be removed prior to signature of the final plat or a bond posted to ensure prompt removal after subdivision is achieved. The balance of the comments were technical in nature.

Mr. Slachetka stated the applicant should address the positive and negative criteria of each of the requested variances. The applicant names listed on the plat are not consistent with the applicant names listed on the application form. The applicant should clarify. A sidewalk is proposed along the frontage of the subject parcel. The balance of the comments were technical in nature.

Steven Pfeffer, Esq., appearing on behalf of the applicant. He stated both the reports were acceptable.

Mr. Dolobowsky stated the side setback shows 10 and 25 feet which would leave 25 feet for the house. Mr. Pfeffer stated his client would like a 35 foot width and he would redo the notice for the June 13th meeting.

Mr. Banas stated the existing building in the area had to be provided. Mr. Pfeffer would have the same at the public hearing.

On motion by Mr. Herzl and seconded by Mr. Ackerman, the application would have public hearing on June 13, 2006.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mrs. Wise, yes; Mr. Dolobowsky, yes; Mr. Ackerman, yes; Mr. Klein, yes; and Mr. Ganton, yes.

Mr. Jackson stated that the application would have public hearing on June 13, 2006 at 6:00 p.m. No further notice was required of the applicant.

VI. PUBLIC PORTION

None at this time.

Mr. Banas called for a brief recess. The meeting was reconvened.

William Hobday stated you have a conforming lot and an applicant comes in to apply for a subdivision to make two nonconforming lots. The town was not out of space. He did not see why the board would consider the same. Mr. Banas stated this meeting is to review the plans to see if they were in the proper condition to be carried to a public hearing. He further explained the process.

VII. APPROVAL OF MINUTES

On motion by Mr. Dolobowsky and seconded by Mrs. Wise, the minutes of March 7, 2006 were hereby approved.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Neiman, yes; Mr. Banas, yes; Mrs. Wise, yes; Mr. Dolobowsky, yes; Mr. Ackerman, yes; Mr. Klein, yes; and Mr. Ganton, yes.

VIII. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted,
Elaine Anderson
Planning Board Recording Secretary