

CERTIFICATION OF COMPLIANCE

Kevin Kielt called the meeting to order at 6:00 P.M. with the Pledge of Allegiance and 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 Trim Town News at least 48 hours in advance. This meeting meets all the criteria of the Open Public Meetings Act.”

II. REORGANIZATION

Oath of Office

Mr. Cunliffe was appointed as a Class 1 member, the Class II member was Mr. Franklin, the Mayor’s designee was Mr. Dolobowsky, the Class III member was Mr. Miller and the Class IV member was Mr. Ackerman. Mr. Cunliffe stated these members were appointed by the Township Committee on January 2, 2005. Mr. Jackson swore in the new members.

Election of Officers for the Calendar Year of 2005

On motion by Mr. Cunliffe and seconded by Mr. Franklin, Mr. Banas was nominated as Chairman..

ROLL CALL: Mr. Hcrzl, yes; Mr. Franklin, yes; Mr, Long, yes; Mr. Miller, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Ackerman, yes; and. Mr. Cunliffe, yes.

Present were:. Mr. Herz], Mr. Franklin, Mr. Long, Mr. Miller, Mr. Neiman, Mr. Banas, Mr. Ackerman, Mr. Cunliffe.

Also present were Attorney John Jackson, Engineer Maxwell Peters and Planner Stanley Slachetka.

On motion by Mr. Cunliffe and seconded by Mr. Miller, Mr. Neiman was nominated as Vice-Chairman.

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ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Long, yes; Mr. Miller, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Ackerman, yes; and Mr. Cunliffe, yes.

On motion by Mr. Cunliffe and seconded by Mr. Miller, Mr. Melt was nominated as Secretary.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Long, yes; Mr. Miller, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Cunliffe, yes; and Mr. Ackerman, yes.

On motion by Mr. Cunliffe and seconded by Mr. Miller, Mrs. Anderson was nominated as Recording Secretary.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Long, yes; Mr. Miller, yes; Mr. Neiman, yes; Mr. Balms, yes; Mr. Cunliffe, yes; and Mr. Ackerman, yes.

C. Selection of Consultants and Other Personnel

On motion by Mr. Cunliffe and seconded by Mr. Miller, Mr. Jackson was nominated as Planning Board Attorney.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Long, yes; Mr. Miller, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Cunliffe, yes; and Mr. Ackerman, yes.

On motion by Mr. Cunliffe and seconded by Mr. Miller, Stanley Slachetka of T & M Associates was nominated as Planner.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Long, yes; Mr. Miller, yes; Mr. Neiman, yes; Mr. Balm, yes; Mr. Cunliffe, yes; and Mr. Ackerman, yes.

On motion by Mr. Cunliffe and seconded by Mr. Miller, Max Peters of T & M Associates was nominated as Engineer.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Long, yes; Mr. Miller, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Cunliffe, yes; and Mr. Ackerman, yes.

Mr. Banas asked if there were any changes to the agenda, Mr. Kielt noted that item 2, SP #1797 New Jersey American Water Company, would not be heard. The attorney requested that the item be tabled to the February 1, 2005 meeting. Notice was not given and it is required. They will be providing notice for that meeting.

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On motion by Mr. Herzl and seconded by Mr. Neiman, SP #1797 would be moved to the February 1, 2005 meeting.

ROLL CALL: Mr. Herzl, yes; Mt Franklin, yes; Mr. Long, yes; Mr. Miller, yes; Mr. Neiman, yes; Mr. Bangs, yes; Mr. Cunliffe, yes; and Mr. Ackerman, yes.

Mr. Jackson stated that SP# 1797 would be heard on February 1, 2005 at 6:00 p.m. No further notice would be required,

III. WAIVER REQUESTS

- 1. SP #1802** (No variance requested)
Applicant: American Classic Realty
Location: Route 88 (Ocean Avenue) between Chambers Bridge Road & Cedar Bridge Avenue
Block 569 Lots 35, 36 & 37

Change of use site plan from carpet sales to proposed used automobile sales (no construction proposed)

Waiver request from checklist item:

- #15-signature blocks
- #16-names of owners within 200 feet
- #18-zoning tabulation
- #19-acreage of subject parcel
- #21-topography of site and within 200 feet of site
- #22-contours
- #24-flood plains, etc.
- #25-water courses, streams, etc.
- #26-wooded areas
- #27-location of trees 10 inches in diameter and over
- #29-man made features and within 200 feet of site
- #34-conventional septic system, test pits, etc.
- #42-natural resource inventory
- #43-landscaping plan
- #44-soil erosion plan
- #45-drainage calculations
- #47-nearest street intersection with existing public utilities
- #48-shade tree easement

John Paul Doyle, Esq., appearing on behalf of the applicant. He stated that this is an existing site and structure. There are no changes proposed to the site or the structure. The business that was there is permitted. The new use is permitted. They were withdrawing waiver request items 15,

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16, 16, and 19. Because of the factors, he suggested that the items dealing with flood plains, water courses, wooded areas, trees, manmade features, septic systems, landscaping, soil erosion, shade tree, and the nearest street intersection are not applicable given this site. They are not technical waivers. They would be things that would not be shown. They were only asking for items 21, 22 and 42 which they did not fee were applicable.

Mr. Cunliffe asked what they were requesting a waiver from. Mr. Doyle stated they were withdrawing the request for items 15, 16, 18, and 19.

Mr. Peters took no exceptions from granting items 22, 25, 26, 34, 44, and 45. The remaining items should be included on the plans. Mr. Doyle felt that items 21 will go with item 22. Mr. Peters agreed and took no exception from granting item 21.

Mr. Neiman asked if there was a current septic system on the site, Mr. Doyle replied there was. Mr. Neiman asked if the septic system should be shown on the plans. Mr. Peters stated that if there is no change to the septic or any change of use that would increase the flow, he did not have to see it. Mr. Neiman felt it should still be on the plans.

Mr. Cunliffe agreed that the septic should be shown on the plans. Mr. Doyle stated the fixtures have a rated capacity which was not changing. Mr. Peters disagreed. Mr. Banns stated they were discussing what they wanted on the plans and what would be waived. Mr. Peters would like the septic system shown.

Mr. Franklin asked about parking and the flood plain. Mr. Peters stated that the flood plain was not an item he recommended be waived. He wanted items 24, 27, 29, 34, 42, 43, 47, and 48. Mr. Doyle stated they would show those items.

Mr. Banas stated that when the plans are complete, the applicant would appear at a technical meeting and if items were missing, it would be discussed then.

Mr. Doyle stated that they would provide the items requested..

On motion by Mr. Neiman and seconded by Mr. Herzl, items 15, 16, 18,19, 24, 27, 29, 34, 42, 43, 47, and 48 would be on the site plan.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Long, yes; Mr. Miller, yes; Mr. Neiman, yes; Mr. Banns, yes; Mr. Cunliffe, yes; and Mr. Ackerman, yes.

IV. PLAN REVIEW ITEMS

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Applicant:DM. Smith Assoc. LLC

Location: Airport Road, between Cedar Bridge Avenue & Exist 89 Access Road
Block 1.160.01 Lot. 263

Preliminary and final site plan for proposed addition to existing office building

Larry Rothstein, Esq., of Giordano, Halleran, & Cicsla appearing on behalf of the applicant.

Mr. Peters stated the applicant is seeking preliminary and final site plan approval for four building additions to an existing office building on Airport Road and Cedar Bridge Avenue in the PS zone. A variance is required for the minimum lot size of 3 acres where 2.92 acres is proposed. The applicant should indicate the concrete driveway to be removed next to the 670 square foot addition and. extend the concrete sidewalk to the concrete patio. The applicant should provide details for the trash enclosure. The applicant should provide a copy of the wetlands permit as indicated on the plans. The applicant should indicate the wetlands buffer throughout the site. The board should determine whether the applicant should provide pavement within the entire parking area. The applicant should provide testimony regarding the encroachment into the wetlands buffer by the parking lot.

There were no additional comments from the planner.

Mr. Rothstein called Mr. Cappola to explain the project. Mr. Cappola stated he reviewed the professional report. He stated the lot was 3 acres but the County took some property which they are still in litigation over. They were not removing the concrete driveway. It is utilized. They were not proposing a trash enclosure. They have a dumpster on a concrete pad. The rest of the items would be provided. All of the site improvements are existing. They were not building anything. The depressed curb is existing. All the curbing and sidewalk is existing. The existing parking lot would be repaved. The parking lot was built prior to any wetlands legislation. They were in the location since 1971 and the parking lot was built in the early 1980s.

Mr. Neiman asked if the parking lot was encroaching the wetlands buffer. Mr. Cappola replied that it is on the buffer but it was built prior to the legislation.

Mr. Bangs noted that the planner's comments would be forthcoming. Mr. Peters stated he would like to see a copy of the wetlands permit. Mr. Cappola would supply the same,

On motion by Mr. Neiman and seconded by Mr. Miller, the application would have public hearing on January 18, 2005.

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Long, yes; Mr. Miller, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Cunliffe, yes; and Mr. Ackerman, yes.

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Mr. Jackson stated that the application would have public hearing on January 18, 2005 at 6:00 p.m. No further notice was required of the applicant.

3. **SD#1373A** (No variance requested)
Applicant: Cedar Bridge Development Urban Renewal Corp.
Location: Pine Street, west of New Hampshire Avenue
Block 961 Lot 2 Final Major Subdivision

Mr. Peters stated the applicant is seeking final major subdivision approval for the subdivision of one existing lot into three parcels plus roadways as approved under the preliminary subdivision along Pine Street, Cedar Bridge Avenue and New Hampshire within the RM-J zone. No variances are indicated on the plans. The applicant should indicate all casement dedications. The applicant should indicate the metes and bounds for the infiltration basin easement shown on sheet 1. The applicant should label, sight triangles at the streets. The applicant should provide all signatures required on the plans prior to T & M signing the subdivision.

There were no planner's report at this time,

Ray Shea, Esq., appearing on behalf of the applicant. He stated they received the comments and agree to all the comments.

On motion by Mr. Miller and seconded by Mr. Neiman, the application would have public hearing on January 18, 2005.

Mr. Cunliffe asked if he should not participate in the vote since he sat on the Committee with regard to the redevelopment: Mr. Jackson did not feel it would be a conflict. Mr. Shea did not have an objection with the Mayor participating. Mr. Jackson would get a more definitive answer for the next meeting,

ROLL CALL: Mr. Herzl, yes; Mr. Franklin, yes; Mr. Long, yes; Mr. Miller, yes; Mr. Neiman, yes; Mr. Balsas, yes; Mr. Cunliffe, yes; and Mr. Ackerman, yes.

Mr. Jackson stated that the application would have public hearing on January 18, 2005 at 6:00 p.m. No further notice was required of the applicant,

Mr. Banas asked Mr. Shea if they could put some trees at the beginning and end of Lafayette Street. He felt it looked like a highway. Mr. Kielt stated that it was this project. Mr. Mueller stated they were obligated to reforest the area pursuant to an agreement with the Township. They were waiting for the spring.

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- 4. SP #1801** (Variance requested)
Applicant: Yeshivat Keter Torah
Location: Apollo Road, west of Squankum Road
Block 104 Lots 57 & G0 Preliminary & Final
site plan for proposed school

Mr. Peters stated the applicant is seeking preliminary and final site plan approval for the construction of a 2-story elementary school building, gym building, dormitory and high school building along Appolo Road, extension within the R-32 zone. The applicant indicates a variance is required for proposed entrance sign's setback. The applicant has provided sufficient parking for the proposed elementary school of 34 spaces. Additional parking will be required for the proposed high school, gym and dormitory buildings. The applicant should indicate a variance is needed for the maximum lot coverage. The applicant should provide concrete sidewalk along the front of the property, gymnasium building, dormitory building and high school building. The applicant should provide board on board fence along the property edges. The applicant should provide the location of trash enclosures. The stormwater management report should indicate a 704- year stormwater elevation. The balance of the comments were minor in nature.

There was no planner's report at this time.

Ray Shea, Esq., appearing on behalf of the applicant. They were asking for preliminary approval for all of the buildings shown. The only building that is ready for preliminary and final approval is the school itself. They were asking to phase in the balance of the buildings. Mr. Banal asked Mr. Peters if he reviewed the plans in that light. Mr. Peters replied he reviewed the plans as if the entire project was for preliminary and final approval. Mr. Shea stated there were a lot of minor issues that needed to be addressed. Mr. Peters stated the plans should be revised to indicate a phasing schedule.

Mr. Neiman asked which building would be receiving final approval. Mr. Banas stated the two story building.

Mr. Peters stated the lot coverage variance should be addressed, .Ma r. Shea stated that it would be addressed.

Mr. Neiman stated it looks like the corner of the building was encroaching the wetlands buffer. The engineer stated that it was. Mr. Cunliffe asked about the LOI. Mr. Shea stated that the WI delineates the extent of the wetlands. There is an application pending now. Any approval would be conditioned upon the approval from the State. If the approval is not received, the application has to be amended and resubmitted to the Planning Board.

Mr. Neiman felt this was a beautiful plan.

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On motion by Mr. Miller and seconded by Mr. Cunliffe, the application would have public hearing on January 18, 2005.

ROLL CALL: Mr. Herzl yes; Mr. Franklin, yes; Mr. Long, yes; Mr. Miller, yes; Mr. Neiman, yes; Mr. Banas, yes; Mr. Cunliffe, yes; and Mr. Ackerman, yes.

Mr. Jackson stated that the application would have public hearing on January 18, 2005 at 6:00 p.m. No further notice was required of the applicant

IV. PUBLIC PORTION

None at this time.

ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

Respectfully submitted,

Elaine Anderson
Planning Board Recording Secretary

