

I. CERTIFICATION OF COMPLIANCE

Chairman Neiman 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 *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 the following newspapers: *The Asbury Park Press, and The Tri-Town News* at least 48 hours in advance. This meeting meets all the criteria of the Open Public Meetings Act.”

2. ROLL CALL

Mr. Herzl, Mrs. Koutsouris, Mr. Neiman, Mr. Akerman, Mr. Follman, Mr. Percal, Mr. Schmuckler

3. SWEARING IN OF PROFESSIONALS

Mr. Vogt was sworn in.

Mr. Kielt said there was one change in the agenda. Item #3 – SP 1927 Four Corners Partners LLC has been tabled again to the April 13, 2010 meeting.

4. PLAN REVIEW ITEMS

1. SP # 1928 (No Variance Requested)
Applicant: Wireless Edge Westchester Group LLC
Location: John Patrick Sports Complex
Block 1059 Lot 1
Courtesy Review of a site plan for wireless telecommunication facility on Lakewood Township property

Mr. Jan Wouters Esq. appeared on behalf of the Township of Lakewood, who owns the property. Mr. Wouters said there are plans to construct a telecommunication tower and said the township has entered into a lease agreement with the applicant. Mr. Wouters introduced Mr. John Arthur who is a principle with Wireless Edge.

**PLANNING BOARD MEETING
MARCH 2, 2010
MEETING**

**TOWNSHIP OF LAKEWOOD
PLAN REVIEW**

Mr. Arthur said the tower is 150 ft. in height and had an aerial photograph and is located off the existing parking lot. Mr. Arthur said to the east of the site is the existing ball fields and the west is the existing parking lot and access is off of Vine Street and it is approximately 600-650 ft. from the nearest residential neighborhood. He showed a detail of the site and said access is directly off the existing pavement and the utilities are coming off the existing telephone poles along the west side of the parking lot and they are abutting against the existing fence and they will continue the fence around the property by landscaping around that. Mr. Neiman asked the height of the fence and Mr. Arthur said it was 6 ft. to match the existing fence and it is chain link. Mr. Arthur showed the detail of the site and said it is a double swing gate and fence accessed off the parking lot and providing landscaping along 2 sides. To the north is an existing wooded area and to the east is the existing ball fields with the existing fence line and the site is designed to accommodate 6 wireless carriers plus the township's antennas. They are proposing to use low profile mounts for minimum visibility and painting the pole a dark brown and the antennas will be painted to match.

Mr. Neiman asked if they had other such poles in other townships and Mr. Arthur said they do have them in a number of townships and just finished one in Hamilton Township. Mr. Neiman asked if it was also this close to residential and Mr. Arthur said it might be closer- it is behind Hamilton's municipal building and that lot is surrounded by residences. Mr. Neiman asked for procedure-once it is granted here, there is no other approvals needed and Mr. Kielt said yes. Mr. Neiman said he would open this portion to the public after members' questions since there is no other action to be taken.

Mr. Akerman asked if there were any adverse affects from having the pole there and is it protected from kids getting in there and Mr. Arthur said they had a locked chain link fence and they could make it 8 ft. but they were trying to match the existing fence of 6 ft. Mr. Akerman asked what would happen if a kid did get in and Mr. Arthur said there is really nothing in there for a kid to get at- there will be locked equipment cabinets and the rest of the compound is weed barrier and stone surface and said they can't climb the pole because the provisions are about 12-15 ft. up so the technician needs an extension ladder. Mr. Akerman said he did not see the need for an 8 ft. fence, if they could scale a 6 ft. fence they could scale an 8 ft. fence.

Mr. Schmuckler suggested when they make the chain link fence they use the small chain links that you can climb over and Mr. Arthur agreed and said they did not propose slating but that is another thing they can do and Mr. Vogt said he would rather go smaller than slating because if someone gets in there who is not supposed to be you could not see them.

Mr. Neiman opened this to the public

Joyce Blay, NJ News & Views, 1594 Crimson Road, Toms River. Mrs. Blay asked if the township is going to earn any revenue from the construction of this tower and Mr. Wouters said yes, the township is entered into a 5 year lease agreement with the applicant and the copy of that lease is on file with the Township Clerk's office for viewing and said he does not have the numbers with him but the Township will be earning substantial annual revenue from the leasing of the property.

Seeing no one else, this portion was closed to the public

Motion was made by Mr. Akerman, seconded by Mr. Herzl, to recommend the approval of this project

ROLL CALL: Mr. Herzl; yes, Mrs. Koutsouris; yes, Mr. Neiman; yes, Mr. Akerman; yes, Mr. Follman; yes, Mr. Percal; yes, Mr. Schmuckler; yes

2. SD # 1586B (No Variance Requested)
Applicant: Thompson Grove Assoc.
Location: Drake Road-opposite Neiman Road
Block 251.01 Lots 32 & 88
Amended Preliminary & Final Major Subdivision for Phase I and Phase II

Mr. Vogt prepared a letter dated February 25, 2010 and is entered in its entirety. The applicant is seeking an amended preliminary and final major subdivision approval with associated variances for Block 251.01, Lots 32 and 88. The primary change for which amended preliminary and final major subdivision approval is sought is the proposed phasing of the project. The applicant initially received approval to subdivide the two (2) existing lots into twenty (20) lots. The existing houses on Lot 32 and Lot 88 were to remain, and seventeen (17) additional residential lots were proposed as well as one (1) common open space lot with a playground. Phase 1 is now proposed to consist of the creation of four (4) lots. Two (2) residential lots are proposed along the beginning section of Serenity Way, a future cul-de-sac, one (1) of which includes the existing house on old Lot 32. The third proposed residential lot includes the existing house located along the western frontage of Drake Road on old Lot 88. Finally, the remainder lot which will become Phase 2 of the project would be created. Existing Lot 88 contains three (3) existing dwellings, two (2) of which will be removed. The remaining residence will remain on its own subdivided lot. The balance of existing Lot 88 will become part of the remaining lot which will be developed as Phase 2 of the project. The applicant also proposes two (2) residential lots on existing Lot 32 with the balance becoming part of the remaining lot to be developed as Phase 2. One (1) of the proposed lots will contain a new single family dwelling and the other an existing single family dwelling. Phase 1 proposes a new septic system and potable well for the lot with the proposed dwelling. Septic systems and potable wells already exist for the two (2) dwellings to remain. Following the completion of Phase 2, all lots on the Serenity Way cul-de-sac are to be serviced by public water and sewer. The lot with the existing dwelling along the westerly Drake Road frontage will continue to be serviced by well and septic. The initial section of a future cul-de-sac to be known as Serenity Way will be created in Phase 1. Access to the proposed dwellings will be provided by a gravel access drive within the Phase 1 Serenity Way right-of-way. However, no road improvements or stormwater management improvements will be constructed within Serenity Way as part of Phase 1. These improvements, along with the construction of the wet pond, will be completed in Phase 2. The applicant has proposed a six foot (6') wide shade tree and utility easement along the frontages of all proposed lots. Proposed sight triangle easements will be dedicated to the Township of Lakewood at the intersection of Serenity Way and Drake Road. A Homeowners Association will be proposed for Phase 2 to maintain the future proposed open space lot. The subject property is located in the western portion of Lakewood Township and is in close proximity to the Crystal Lake Preserve and Ketchledge Farm which is being actively considered by the County of Ocean for farmland preservation. The tract is 21.26 acres in area and has frontage on two (2) segments of Drake Road. Lot 32 is primarily wooded while Lot 88 is less wooded and contains a pond. Land surrounding the tract is primarily undeveloped or low-density residential. Existing Lot 88 is 11.31 acres in size with approximately ten (10) acres located within the R-40 Zone District with the remainder located in the Crystal Lake Preserve Zone District. Existing Lot 32 is 9.80 acres in size and is located entirely within the R-40 Zone District. The residential portion of the subdivision is located within the R-40 Zone. The proposed open space area and proposed stormwater management facility for Phase 2 are located within the R-40 and CLP Zone Districts.

Finally, the original subdivision appears to have been approved including public water and sewer service for all of the proposed residential lots on the future cul-de-sac. Per our review of the amended application, it appears that private wells and septic systems are now proposed for the three (3) residential lots in proposed Phase I; although, the two (2) residential lots on the future cul-de-sac will be converted to public water and sewer service with the construction of Phase 2. The following comments in *(bold)* indicate the current submission's compliance with T&M Associates' previous engineering and planning review comments for the originally-approved application: Engineering Review Comments (T&M letter dated April 13, 2008) General-

The applicant is seeking Preliminary and Final Major Subdivision Approval for Block 251.01 Lots 32 & 88. The applicant proposes to subdivide the two (2) existing lots into twenty (20) new lots; nineteen (19) lots for single family use, one (1) lot for a stormwater management basin, and use by the Home Owners Association (HOA). Existing Lot 32 currently contains a single family dwelling that will remain. Existing Lot 88 contains two (2) existing two-story frames and one (1) one-story frame building. The one-story frame building is labeled as to be removed, one of the two-story buildings will remain on a new single family lot, and the other will remain for use by the HOA. The applicant proposes constructing seventeen (17) new single family dwellings, a cul-de-sac, and a stormwater management basin. The site is located on Drake Road, in the R-40 Zoning District with a small piece of the parcel containing the stormwater management basin located in the Crystal Lake Preserve Zone. *Phase 1 is proposed to consist of the creation of four (4) lots, three (3) residential lots and the remainder to be developed as Phase 2 of the project. Two (2) residential lots are proposed along the beginning section of Serenity Way, one (1) of which includes the existing house on old Lot 32. The other proposed residential lot which includes the existing house on old Lot 88, would also be created. Finally, the remainder lot which will become Phase 2 of the project would be created. The Final Plat for Phase 1 should only indicate that four (4) lots are being created, the two (2) proposed residential lots along the beginning section of Serenity Way, the proposed residential lot with the existing dwelling to remain from old Lot 88, and the remaining lot which will become Phase 2 of the project. The applicant is only proposing to improve the southern frontage of the property along Drake Road in Phase 1. A fourteen foot (14') gravel access drive would provide access to the two (2) residential lots along the beginning section of Serenity Way. These two (2) proposed lots would be serviced by individual subsurface septic systems and private wells. The proposed improvements associated with the amended application require testimony regarding further design revisions. It is our understanding the beginning section of Serenity Way is being created without any proposed improvements. Proposed storm sewer improvements will not be addressed until Phase 2. Furthermore, it is unclear as to the limits of improvements being proposed along the western frontage of the property along Drake Road. In many instances the plans incorrectly list Lot 33 which is not part of this subdivision.*

The applicant is requesting the following (new) variances: Minimum lot area for Lots 32.03 through 32.09, and 32.12 through 32.20: Twelve of the sixteen lots range from 15,000 square feet to 20,000 square feet. The other four lots are sized between 20,000 square feet to 33,642 square feet where 40,000 square feet is required. Minimum lot width for Lots 32.01, 32.03 through 32.08, 32.12 through 32.18: Lot widths range from 94 feet to 135 feet, where 150 feet is required. Minimum front yard setback for Lots 32.01 through 32.09 and 32.12 through 32.20: 26 feet is proposed for Lot 32.19 and 30 feet is proposed for the other lots where 50 feet is required. Minimum side yard setback (combined) for Lots 32.03 and 32.17: 37 feet combined side yard setbacks are proposed where 40 feet is required. *The following bulk variances were granted by the Board for the original application: Minimum Lot Area: 40,000 square feet is required, whereas new Lots 32.03 through 32.09 and 32.12 through 32.20 propose between 15,003 square feet to 33,642 square feet; the remaining lots propose areas over 40,000 square feet. The Zoning Schedule on the plans is not consistent with the lot areas shown on the plans and must be corrected. Minimum Lot Width: 150 feet is required, whereas new Lots 32.01, 32.03 through 32.08, 32.12 through 32.18 propose 90.00 feet*

to 135.44 feet. Minimum Front Yard Setback: 50 feet is required, whereas new Lot 32.19 proposes 26 feet and new Lots 32.01 through 32.09 and 32.12 through 32.20 propose 30 feet. Corrections are required to the Zoning Schedule on the plans. It should be noted that the plans indicate a proposed front yard of thirty feet (30') for new Lot 32.19 and a proposed rear yard of twenty-six feet (26'). A rear yard variance was not granted; clarification is required. Minimum Side Yard Setback (combined): 40 feet is required, whereas 37 feet is proposed for new Lots 32.03 and 32.17. Ocean County Planning Board, Ocean County Soil Conservation District, Letter of Interpretation from NJDEP, and NJDEP permits for Treatment Works Approval and Water Main Extension will be required. Evidence of the approvals shall be made a condition of final subdivision approval. Testimony shall be provided on the status of regulatory approvals. Amended approval must be obtained from the Ocean County Soil Conservation District, Ocean County Board of Health, and/or other agencies as necessary. The applicant shall submit a copy of the Wetlands Location Plan with the NJDEP approval stamp shown to the Planning Board to verify the wetland boundaries shown on the site plans. Stamped Wetlands Location Plans of Lots 32 and 88 approved by the NJDEP have been submitted. Freshwater wetlands with associated transition areas are shown on the project. An NJDEP Re-issuance Letter of Interpretation and Re-issuance Line Verification has been submitted. The proposed dwellings will be served with public sewer and water line. The Phase 1 proposal now indicates the two (2) proposed residential lots in the vicinity of the southerly frontage along Drake Road will be serviced by individual subsurface septic systems and private wells. Testimony shall confirm that the proposed Phase 1 properties will be converted to public sewer and water with the construction of Phase 2. Testimony must also be provided on the status of the existing septic and well facilities shown for the existing dwelling to remain in the vicinity of the western frontage along Drake Road. A temporary sanitary sewer easement for an existing septic system is proposed on the remainder lot for the existing house on old Lot 32 since the existing septic system is located on the proposed remainder lot. The applicant has provided six (6) foot shade tree and utility easements along the Drake Road frontage of Lots 32.01, 32.10, 32.11, and 32.20, and along proposed Serenity Way. Sight triangle easements at the entrance of the Serenity Way are also provided to be dedicated to the Township. The proposed easements must be correctly shown on the Phase 1 Final Plat. Lot 32.11 and the improvements proposed on the lot will be owned and maintained by a Home Owner Association (H.O.A). The H.O.A. Documents shall be provided to the Planning Board Engineer and Solicitor for review. The H.O.A. Documents will be provided for all common areas following the approval of Phase 2 of the project. It appears the common areas could include the proposed open space, proposed cul-de-sac, and proposed drainage easements. The Township will not take ownership of a roadway or drainage system which accepts storm water from drainage easements. At the technical review meeting, the Board determined four (4) parking spaces will be required for each residential lot. The applicant shows on the plans driveway layouts that can only accommodate two (2) cars. The applicant stated in their March 12, 2008 response letter that testimony will be provided to the Board regarding this issue. It appears two (2) car garages are proposed to satisfy the parking requirements for the proposed single family dwellings. The existing residential dwelling on old Lot 32 to remain has enough driveway space to accommodate four (4) off-street parking spaces. Testimony is required regarding off-street parking for the existing residential dwelling on old Lot 88 to remain. The existing driveway is located within a freshwater wetlands transition area. The applicant shows no off-street parking is proposed for the community building. In accordance with the Lakewood Township UDO, one (1) parking space is required for every four hundred (400) SF of floor area for a public building. The applicant stated in their March 12, 2008 response letter, testimony will be provided to the Board regarding this issue. We recommend the applicant provide at a minimum a paved area sufficient for drop off and turn around, as well as one paved handicapped accessible parking space. According to the original resolution, the proposed community building is being replaced with a proposed playground. Note number

nine (9) shown on the plans regarding restricting the access of thru lots to Serenity Way only, shall be added to the Final Plat. *Restricting the access of proposed Lot 32.01 to Serenity Way only, has been indicated on the Phase 1 Final Plat. Restricting the access of proposed Lots 32.16, 32.17, and 32.20 to Serenity Way only, must be indicated on the Phase 2 Final Plat. Access could eventually be obtained from Oxford Street and Vernon Street which are currently unimproved right-of-ways.* Plan Review- The applicant is proposing a 20' access easement from Lot 32.11 to Drake Road through Lot 32.10 to be dedicated to a Home Owner Association (H.O.A.). We recommend the applicant rearrange the lot lines so the access strip will be part of the Lot 32.11 to avoid the easement issue. The applicant stated in the March 12, 2008 response letter testimony will be provided to the Board regarding this issue. *The proposed access easement appears to be passing through a wetlands transition area. NJDEP approval will be required. However, since the proposed community building will be replaced with a proposed playground, we question the need for the access easement.*- Curbs and sidewalks are proposed along the southern Drake Road frontage of Lots 32.01 and 32.20 and along the proposed Serenity Way property frontage. The board should determine if curb and sidewalk will be required along the western Drake Road frontage along Lots 32.10 and 32.11. The applicant stated in the March 12, 2008 response letter, testimony will be provided to the Board regarding this issue. *The original resolution of approval requires the proper dedication and improvement to the western frontage of Drake Road across the proposed residential lot and remainder lot. Proposed sidewalk is also required. These proposed improvements would require NJDEP approval since it appears a freshwater wetlands transition area will be impacted at a minimum. The applicant should provide testimony regarding the possible elimination these improvements with the amended application.* The applicant has added a detail for the 4' wide walking path to the community building as requested. In the detail, the applicant shows a maximum of 4% cross slope which does not comply with the ADA standard. Since the path is the only access way to the building, its detail shall be revised to comply with all ADA standards. *The construction detail for the four foot (4') wide walking path has been removed since the community building is being replaced with a playground.* The applicant shows on the Grading Plan SB-7 started at a ground elevation of 94.1; however, the boring is shown on the plan between existing contour 76 and 77. In addition, the ground elevation for SB-17 is left blank. The applicant shall address these issues. *The Grading Plan has been revised to show an elevation of 76.4 for SB-7 and the ground elevation for SB-17 has been added.* The applicant called out on the Grading and Drainage plan a 4" proposed concrete fence around the proposed basin. The fence shall be called out on the Site Development Plan and its detail shall be added to a Construction Detail Plan. *The proposed fence has been corrected to a four foot (4') height as well as being added to the Site Development and Construction Detail Plans.* The applicant shows on a Construction Detail Sheet a concrete cradle detail; however no concrete cradle is called out on the plans. The applicant shall show on the plans location(s) of the concrete cradle(s) or remove the detail from the Construction Detail Sheet. *It is presumed the Concrete Cradle Detail may be used for proposed sanitary sewer and potable water construction should field conditions warrant. The detail should remain on the plans.* A means of restricting public vehicle access to the basin access road shall be provided. We recommend the installation of a removable bollard in the middle of the access road, or a chain across the roadway from bollards on either side of the roadway. *A fence and gate has been added to restrict public vehicular access to the basin access road. This has been detailed on the Site Development and Construction Detail Plans. The concrete piers for the proposed gate must be dimensioned, extend to a minimum depth of three feet (3'), and be poured with Class "B" concrete.* The Serenity Way profile shall be revised to show the vertical curve and curve information at stations 0+70, 7+00, and 9+50. *The proposed grading for the Serenity Way road profile should start at the gutter line of Drake Road and the first ten foot (10') long vertical curve shall be eliminated since it is noncompliant. The vertical curve information must still be shown at stations 7+00 and 9+50. The horizontal curve*

information must still be added. Stormwater Report-In the outlet input data section of the stormwater management report, the applicant shows a culvert outlet structure. It is our understanding that the culvert structure is meant to model the 132 foot RCP pipe downstream of the outlet control structure; however, PondPack will recognize that the culvert is part of the flow control devices, such as the 3.5 foot weir, 4 inch, and 8 inch orifices. As a result, the outlet structure will let out less flow than what PondPack has indicated. The applicant shall also be aware of the fact that runoff flow rates will be controlled by the orifices and weir prior to entering the inlet box. After entering, the flow rates will be controlled by the culvert. The applicant shall revise the PondPack to address the above issues. *A revised Stormwater Management Report has been submitted. The 100 Year flood elevation in the pond is increasing from elevation 69.98 to 70.68. Therefore, the size of the wet pond needs to be increased.* The applicant shall revise the Grading and Drainage Plan to show an invert elevation of 67.5 for the 30" RCP pipe downstream of the outlet control structure. *A minor invert correction is required to the downstream piping. The in invert at proposed MH-1 shall be 67.14.* Construction Details- Adding a note to the handicapped ramp detail to state that detectable warning surface is to be installed is insufficient. The applicant shall include a detail of the detectable warning surface next to the ramp detail. *The details have been revised in accordance with the latest NJDOT Standards.* A detail for the construction of the basin access road shall be provided. *The detail has been added. However, the dimensions and elevations on the emergency spillway detail require correction.* The stop sign detail shall be revised to include the notation that the face of the sign will have prismatic sheeting. *The detail still requires correction.* The street sign detail shall be revised to include the following requirements. The sign shall utilize 3M Hi Intensity Prismatic Reflective sheeting or equal, the sheeting shall be white # 3930 Hi Intensity Prismatic as the background and blue transparent # 1175 as an overlay. The font shall be Swiss land narrow bold. All street name signs shall be nine inches wide. *The detail has been revised; the footing should be extended to a depth of three feet (3').* Environmental Impact Statement- The EIS states that two (2) existing dwellings will remain at the site. As requested, the locations of the potable wells, septic systems, and above ground tanks are shown on the plans. *Statements of fact, no further action is required.* Since the potable wells will remain, the well water must be sampled in accordance with the Private Well Testing Act as promulgated by the New Jersey Department of Environmental Protection (NJDEP). Results of the testing should be provided to the Township and the Planning Board engineer. *It appears two (2) potable wells will remain and one (1) potable well constructed if an amended approval is granted for Phase 1. Therefore, sampling and testing is required. It is clear that ultimately public water will be provided to the future cul-de-sac portion of the project. Testimony should be provided regarding the extent of well abandonment during the Phase 2 portion of the project.* It appears the septic system at Block 251.01, Lot 32 will be impacted by the development. The applicant should agree to add a note to the plan regarding the need to properly decommission the system. Proper documentation indicating that the system has been decommissioned should be provided to the Township and the Planning Board engineer. *It appears two (2) septic systems will remain and one (1) septic system will be proposed for the Phase 1 portion of the project should amended subdivision approval be granted. An easement on the remainder lot is proposed to allow the existing septic system associated with existing Lot 32 to remain. It is clear that public sewer will be provided to the future cul-de-sac portion of the project. Testimony should be provided regarding the extent of septic system decommissioning during the Phase 2 portion of the project.* A third septic system was located near the one-story frame building at Block 251.01, Lot 88. The applicant should indicate whether this system will remain. If the system will not remain, the applicant should agree to add a note to the plan regarding the need to properly decommission the system. Proper documentation indicating that the system has been decommissioned should be provided to the Township and the Planning Board engineer. *A note stating the septic system will be removed has been added to the plans.* The applicant should

**PLANNING BOARD MEETING
MARCH 2, 2010
MEETING**

**TOWNSHIP OF LAKEWOOD
PLAN REVIEW**

indicate whether the two-story frame building at Block 251.01, Lot 88 is serviced by an individual septic system and potable well. *The individual septic system and potable well will be abandoned since the building will be removed and not be used for a community building.* With regard to onsite ecology, TEC's review indicates that the State-threatened barred owl and northern pine snake are mapped by New Jersey's Landscape Project (Version 2.0). The EIS states that the site does not contain suitable habitat for barred owl or northern pine snake and that the proposed project will not disturb threatened/endangered species habitat. We concur with EIS findings that it is unlikely that barred owl inhabit the site. The applicant shall add notes to the plan requiring the Township Engineer be notified should the northern pine snake be encountered at the site. *Since the site does not contain suitable habitat for threatened/endangered species, no further action is necessary.* The appropriate number of surface soil samples was collected from Block 251.01, Lot 88 and tested for arsenic, lead, and organic pesticides. Analytical results showed that lead was detected in all samples, while arsenic and the organic pesticides were not detected in the samples. Although lead was detected in the samples, it was found to be below the respective and most restrictive soil cleanup criteria. We agree with the consultant's findings that no further assessment of historic agricultural soils is warranted for Lot 88. *Statements of fact, no further action is required.* Based on the 1930 aerial photograph for the site, it appears Block 251.01; Lot 32 may have been used in agriculture. However, no soil samples were collected to determine whether these soils may be impacted by past agricultural application of arsenic, lead, or organic pesticides. The applicant should indicate whether sampling of this lot would be necessary. *Testimony must be provided.* The applicant has indicated that fill soils will be imported to the site for the proposed development. A note has been added to the plan stating that the source of fill will be documented and/or documentation that the soil is analytically tested at a frequency approved by the Township engineer. The applicant must provide proper documentation regarding the source of the soils and the analytical testing prior to importation to the site. *Statements of fact, documentation will be required prior to construction.* An operation and maintenance plan should be provided for the stormwater management system, including the basin. We recommend that the Applicant provide the name of the party responsible for inspection and maintenance of these facilities and provide the information on the engineering drawings. *An operation and maintenance plan manual has been provided. The manual must be revised to be site specific. It is in variance to the plan with respect to recharge, basin maintenance, and landscaping of the basin slopes.* A copy of the Letter of Interpretation (LOI) for each lot has been provided by the applicant. Each LOI is valid and the transition areas range in width from 0 to 50 feet. It appears the proposed basin may encroach in to the transition area at the northeast corner of Block 251.01, Lot 88. The applicant should agree that disturbance to the transition areas will not occur or obtain the necessary transition area waiver from the NJDEP. The applicant should indicate whether the proposed development will encroach into the transition area of Block 251.01, Lot 46. If this area is within 50 feet of Block 251.01, Lot 88, the transition area must be shown. *The transition areas shown on the plans are based on the approved Wetland Maps. The mapping is inconclusive as to whether the transition area of adjoining Lot 46 will encroach onto Lot 88 of the project site. Testimony should be provided that the proposed wet pond will not encroach into the transition area.* Reference to the approved Letters of Interpretation must be listed on the appropriate engineering drawings in the 20 sheet set. A copy of the approved LOI plans stamped by the NJDEP must be provided. *Copies of the Wetland Plans and approval letters indicate two (2) NJDEP file numbers, one (1) for each original lot submitted. The references of the approvals shall indicate the correct file number for the respective wetlands lines.* **Planning Review Comments (T&M letter dated April 10, 2008) Zoning (see previous engineering comments) Review Comments- Subdivision Plat.** The applicant should revise its bulk schedule to take into account the corner lots and existing lot conditions. The bulk schedule also should be revised to reflect the conditions proposed in the building envelope. There are some places where there are

inconsistencies that need to be revised accordingly. The lot numbers must be updated with the Township Tax Assessor. Comment should be provided concerning the building area within the zoning envelope of new Lot 32.19. A rear yard setback variance is also requested for this lot. *The above comments are no longer applicable since new Subdivision Plats have been prepared for the two phases.* Split Zone. Consideration should be given to eliminating the split zone lot condition of the tract. The Planning Board may wish to recommend to the Township Committee that this condition be removed. *Statements of fact, no further action is required.* Proposed Improvements. Walkway. The applicant has proposed a four-foot wide walkway path in between proposed Lots 32.09 and 32.12 to access the open space lot (proposed Lot 32.11). The walkway will access the two-story frame structure (see comment below, Community Building) and terminate at this location. The walkway will be maintained by a future Homeowners Association. *The Community Building is being replaced with a playground. The walkway detail has been removed from the Construction Detail Plans.* Open Space. The applicant indicates that proposed Lot 32.11 will not be subdivided as a residential lot. The site is encumbered by a tributary of the Metedeconk called the Watering Place Branch and the hydraulic connected wetlands on the northern edge of the property. Watering Place Branch is a designated Category One Waterway which requires a 300-foot buffer area. The open space tract will be dedicated to a Homeowners Association. The applicant should provide testimony on how the proposed open space complies with Section 18-808. *Statements of fact, no further action is required.* Community Building. The applicant shows on the subdivision plat two structures on proposed Lot 32.11. The plat shows that the one-story frame building will be demolished and the existing two-story frame building will remain. Access to the structure is an access easement across new Lot 32.10. The appropriateness of this access should be addressed. *The Community Building is being replaced with a playground.* Shade Tree & Utility Easement. The applicant has proposed a six (6) foot wide shade tree and utility easement along both sides of Serenity Way to be dedicated to the Township. *Statement of fact, no further action is required.* Sidewalks/Curb. The applicant is required to provide sidewalks and curbing along Serenity Way in accordance with RSIS. Sidewalks have been proposed along Serenity Way. The applicant should indicate whether sidewalks will be provided on proposed Lot 32.10. *The original resolution of approval requires curb and sidewalk in front of proposed Lots 32.10 and 32.11. The applicant's engineer indicates that curb and sidewalk will not be provided in front of proposed Lots 32.10 and 32.11 and that testimony will be provided.* Agricultural Use. As requested, the applicant has submitted a report prepared by Trident Environmental Consultants dated March 4, 2008. The report indicates that soil sampling was performed at three locations within an area on proposed Lot 32.10, the open space lot. The analyses did not detect any pesticides, and the consultant did not recommend any further action. *Statements of fact, no further action is required.* Landscaping. - The applicant proposes to retain existing vegetation to screen the residential lots from Drake Road and along the rear of the subdivision. We note that providing an additional landscape barrier for the lots that are adjacent to Ketchledge Farm may be desired by the landowners that purchase these homes, as this farm will most likely remain active in perpetuity if approved as part of the County's Farmland Preservation Program. *A thirty foot (30') buffer has been provided adjacent Ketchledge Farm and a fifty foot (50') buffer along Drake Road. Supplemental plantings should be provided. The proposed sight triangle easements at the intersection of Serenity Way and Drake Road have been added to the Landscape Plan for proper grading and planting of trees.* The applicant must also comply with the requirements for tree protection and removal on the site. *Statement of fact, no further action is required.* Parking. The applicant should provide testimony regarding compliance with NJRSIS for the plan. *The residential parking has satisfactorily been addressed.* Homeowner Association. Documents must be filed for the common open space. *The documents must also include all the other common elements of the proposed subdivision. The applicant's engineer indicates that Homeowners Association documents will be filed for the common open space and elements of the proposed subdivision*

during Phase II of the development. The Tree Protection Management Plan should be reviewed by the Shade Tree and Environmental Commissions. *The Shade Tree and Environmental Commission reviews should be provided to the Board.* Compliance with the Map Filing Law is required. *The Final Plats for the two (2) phases will be reviewed for compliance should amended subdivision approval be granted.* Public water and sewer services will be provided by the NJ American Water Company. *Individual subsurface septic systems and private wells will be provided for the three (3) proposed residential lots in Phase 1. While public water and sewer services will eventually be provided for the residential lots on the proposed cul-de-sac, it is not clear whether the one (1) existing residential dwelling along the western Drake Road frontage of Phase 1 will be converted to public water and sewer. Testimony must be provided.* Performance guarantees should be posted for any required improvements in accordance with Ordinance provisions. *Performance guarantees will be phased should amended subdivision approval be granted. The Board may consider delaying the improvements to the site's southern frontage along Drake Road since future proposed public water and sewer will disturb any new construction. Since it appears future proposed public water and sewer will not be constructed along the site's western frontage with Drake Road, improvements along this frontage should be included in Phase 1.* The required outside agency approvals include, but are not limited to: Ocean County Planning Board; Soil Conservation District; Sewer and water utilities, prior to construction permits; and, all other required approvals. *Evidence of approvals must be provided.* Final Proposed Phases Plat Review (RVV review comments) Phase 1 - The Phase 1 Map should only consist of four (4) proposed lots, the three (3) residential lots, and the remaining area lot. Any dedications associated with the project must also be included on the Map. The correct proposed shade tree and utility easements must be shown. Because of the project phasing, new lot numbering approved by the Tax Assessor must be provided. The correct wetlands transition areas with appropriate metes and bounds information must be added to the Map. The Schedule of Bulk Requirements requires correction and should properly list the variances previously approved. Proposed Lot 32.10 shows variances requested which are not required. The correct proposed side and rear yards need to be shown for proposed Lot 32.10. The Legend requires correction. A right-of-way dedication along the westerly property frontage of Drake Road has not been addressed. The General Note stating water and sewer service to be provided by New Jersey American Water Company is not true for Phase 1 of the project. The surveyor's signature block references the wrong land survey. The date in the secretary's signature block needs to be revised. The variable width access easement to the homeowners association may no longer be required since the community building is being replaced with a playground. Phase 2 - The Phase 2 Final Plat will be reviewed for compliance once the Phase 1 Final Plat is corrected and if the amended subdivision is granted. Resolution of Approval Comments (SD #1586A)- The original resolution of approval was memorialized on May 20, 2008. Conditions 1 through 11 are general conditions not requiring any plan revisions but must be complied with prior to construction. *Fact.* Condition 12 requires that playground equipment shall be manufactured and installed with ASTM Standard F1487-Standard Consumer Safety Performance Specifications for Playground Equipment for Public Use, ASTM F1292-99, and Standard Specification for Impact Attenuation Under and Around Playground Equipment, CPSC Guidelines (Consumer Product Safety Commission) and manufacturer's recommendations. All equipment shall bear an IPEMA certification logo. All play equipment must be installed over an impact-absorbing surface. A CPSI (Certified Playground Safety Inspector) shall certify that the equipment is installed properly prior to project release by the Township. *The applicant had agreed to remove the two-story structure on the open space lot which was originally going to be the community building and construct a playground. The proposed playground has not been provided with the amended subdivision request.* Conditions 13 and 14 refer to the T&M Associates engineering and planning reviews which the applicant has agreed to comply with. The status of compliance has been discussed in this latest review.

Fact. Condition 15 requires the applicant to meet with the board professionals to clear up any inconsistencies with the maps in question. ***Clarification is required with respect to the proposed Phase 1 improvements, especially with respect to grading along Drake Road.*** Condition 16 requires the dwelling on the north side of the tract which was proposed for the Community Building of the Homeowners Association to be razed and in its place, a children's playground be constructed in accordance with the standards mentioned in Condition 12. ***The dwelling has been shown to be removed, but the children's playground has not been proposed.*** Condition 17 requires the applicant shall install sidewalks along the entire Drake Road frontage. ***Proposed sidewalk must be added on the Drake Road frontage portion of the project with the existing residential building and open space unless a waiver is granted by the Board with the amended subdivision.*** Condition 18 requires the applicant shall provide for the realignment of the Drake Road roadway to allow for a 50 foot contiguous width. ***The realignment and the proper roadway dedications are required. No additional variances will be necessary as a result of this requirement.***

Mr. Ray Shea Esq. appeared on behalf of the applicant with Mr. Flannery as engineer for the applicant. Mr. Flannery said phase 1 is to 2 existing houses can be on their own lot and there is a new lot created in front of the existing house along Drake Road. All the lots are over 40,000 sf and the 2 have existing wells and septic and the new lot that will be in phase 1 will also be constructed on septic. There is public water in the roads and the northwesterly lot is already hooked up to public water and will stay that way. When phase II is done all the ones on the new cul de sac (Serenity Way) the septic will be abandoned and public water and sewer will be provided.

Mr. Flannery wanted to clarify a couple of points in the review letter and said one of them is improvements to Drake Road-they had discussed at the initial approval without the phases that along the westerly part of Drake Road where the open space will be is that they will provide sufficient right of way to widen it but it is not their intention to do any improvements there and to leave it in its natural condition. The other entrance will have curb and sidewalk and a new cul de sac and all the improvements. Mr. Neiman asked Mr. Vogt if there were any variances because on the report on page 5 there are variances and Mr. Flannery said those were the variances that were previously granted. All they are doing here is adding a phase line which is the red line shown on the plans so they can get moving with the first 3 lots while the sewer issues are resolved. Mr. Vogt said they are using the prior review and expanding on it.

Mr. Flannery said another issue which is more of a resolution compliance issue is when the initial approval was granted they had proposed one of the existing buildings to remain and be a clubhouse and during the process that was changed to where both of those buildings will be eliminated in phase II and in its place a playground will be put in. There was an easement across the existing home to get back there and as a playground that easement is no longer needed because the access will be from the cul de sac. A lot of the remaining comments in the report are for resolution compliance and they will address that when they resubmit.

Mr. Schmuckler asked if they were in the sewer zone and Mr. Flannery said the smart growth plan recommends this for public sewer and it should be and he is confident that public sewer will serve this area but the question is if it will be in 6 months or 2 years. There is a sewer line on James Street and the sewer service line is the south side of James Street.

Motion was made by Mr. Schmuckler, seconded by Mrs. Koutsouris, to advance to the meeting of April 27, 2010

**PLANNING BOARD MEETING
MARCH 2, 2010
MEETING**

**TOWNSHIP OF LAKEWOOD
PLAN REVIEW**

ROLL CALL: Mr. Herzl; yes, Mrs. Koutsouris; yes, Mr. Neiman; yes, Mr. Akerman; yes, Mr. Follman; yes, Mr. Percal; yes, Mr. Schmuckler; yes

3. **SP # 1927 (Variance Requested)**
Applicant: Four Corners Partners LLC
Location: northeast corner of East County Line and Squankum Roads
Block 169 Lot 34
Preliminary & Final Site Plan for proposed catering kitchen

Tabled to April 13, 2010

4. **SD # 1715 (Variance Requested)**
Applicant: Sara Newman
Location: Myrtle Avenue, south of South Lake Drive
Block 75.01 Lot 4
Minor Subdivision to create 2 lots

Mr. Akerman recused himself from this application because he is within 200 ft.

Mr. Vogt prepared a letter dated February 25, 2010 and is entered in its entirety. The applicant seeks minor subdivision approval to subdivide an existing 150' X 150' lot totaling 22,500 square feet (0.516 acres) in area known as Lot 4 in Block 75.01 into two (2) new residential lots, designated as proposed Lots 4.01 and 4.02 on the subdivision plan. The site contains an existing two-story dwelling which will remain on proposed Lot 4.02. Proposed Lot 4.01 will become a new residential building lot. Public water and sewer is available. The site is situated in the central portion of the Township on the east side of Myrtle Place across from intersecting roads Lakeview Drive and Valley Drive, south of South Lake Drive and Lake Carasaljo. Proposed Lots 4.01 and 4.02 will be equal 75' X 150' lots of 11,250 square feet each in area. Curb exists along the street frontage, but sidewalk does not. Sidewalk is proposed across the frontages of the proposed lots. A sidewalk easement is proposed on portions of the proposed properties to save large existing trees just behind the existing curb. The lots are situated within the R-12 Single Family Residential Zone. Variances are required to create this subdivision. We have the following comments and recommendations: Zoning- The parcels are located in the R-12 Single-Family Residential Zone District. Single-family detached dwellings are a permitted use in the zone. Per review of the Subdivision Map and the zone requirements, the following variances are required: Minimum Lot Area (proposed Lots 4.01 and 4.02, 11,250 SF and 11,250 SF respectively, 12,000 SF required) – proposed conditions. Minimum Lot Width (proposed Lots 4.01 and 4.02, 75 feet and 75 feet respectively, 90 feet required) – proposed conditions. A variance should be requested (and granted) for an existing non-conforming front yard setback on the existing dwelling. The existing front yard setback is 28.64' where thirty feet (30') is required. This existing non-conformity would continue on proposed Lot 4.02. The applicant must address the positive and negative criteria in support of the requested variances. At the discretion of the Planning Board, supporting documents may be required at the time of Public Hearing, including but not limited to aerials and/or tax maps of the project area and surroundings to identify the existing character of the area. Review Comments- The applicant is proposing a sidewalk easement to the Township of Lakewood to save existing shade trees behind the curb on Myrtle Place. A detail of the proposed easement is required for clarity with proposed bearings, distances, and areas indicated on a per lot basis. The NJ R.S.I.S. requires 2.5 off-street parking spaces for unspecified number of bedroom single-family dwellings. The Schedule of Bulk Requirements indicates that three (3) off-street parking spaces will be provided for each unit. The existing driveway on proposed Lot 4.02 must be dimensioned to

confirm that the driveway is large enough to accommodate three (3) spaces. Testimony should be provided regarding the number of bedrooms in the existing dwelling to remain in order to determine whether additional off-street parking is required. Testimony should be provided as to whether a basement is proposed for the proposed dwelling on proposed Lot 4.01. If a basement is proposed, we recommend a minimum of four (4) spaces be provided. Parking shall be provided to the satisfaction of the Board. The Minor Subdivision Map has been prepared on the outbound and topographic survey completed by Charles Surmonte, P.E. & P.L.S., on 1-14-10. The project bench mark is the existing monument at the southwest property corner of the tract. Proposed lot and block numbers must be approved by the tax assessor's office. General Note 8 notes the architectural dimensions of the proposed structure on proposed Lot 4.01 is not known at this time. A building box of 40' x 55' will provide less than twenty percent (20%) lot coverage, easily within the allowable coverage of twenty-five percent (25%). The proposed building box on proposed Lot 4.01 must be correctly shown for grading purposes. A legend is required on the Minor Subdivision Plan. Proposed dimensions, finished floor elevation, and setbacks must be added for the proposed two-story dwelling on proposed Lot 4.01. Proposed setback lines shall be added to new Lot 4.02. Existing setbacks shall be provided to the existing shed on proposed Lot 4.02 to confirm setback conformance for an accessory building. This information should also be added to the Zoning Schedule. No shade tree and utility easement or shade trees are proposed along the property's frontage. The project intends to retain the larger existing trees behind the existing curb. Landscaping should be provided to the satisfaction of the Board. The Plan indicates a number of mature trees exist on the site. Some of these trees are unsalvageable if proposed Lot 4.01 is developed as proposed, but many of these trees appear salvageable. The proposed grading should be tightened to better limit the area of disturbance. Compensatory plantings should be provided in accordance with the Township Code (if applicable). Additionally, protective measures around mature trees to remain (e.g., snow fencing or tree wells at drip lines) should be provided. If this subdivision is approved, the final plot plan for proposed Lot 4.01 submitted for Township review should include tree protective measures to save mature vegetation where practicable. Due to no construction of the new dwelling on proposed Lot 4.01 at this time, the Board may wish to require the cost of the improvements to be bonded or placed in escrow to avoid replacing them in the future. Compliance with the Map Filing Law is required. A cross shall be proposed to be cut in the future sidewalk at the front corner of proposed Lots 4.01 and 4.02. Some minor corrections to the construction details are required and the following construction details must be provided: Concrete curb. Pavement restoration. Outside agency approvals for this project may include, but are not limited to the following: Ocean County Planning Board; Ocean County Soil Conservation District (if necessary); New Jersey American Water (water & sewer); and all other required outside agency approvals. A revised submission should be provided addressing the above-referenced comments, including a point-by-point summary letter of revisions.

Mr. John Doyle Esq. appeared on behalf of the applicant. Mr. Doyle said they would meet all the comments in the engineer's report. They acknowledge if a basement is constructed they will have to put on 4 spaces. With respect to the variances and the nature of the subdivision, Mr. Doyle said these are lots on Myrtle near South Lake and there is an existing house which is 28.64 ft. off the street, and the 2 lots will have 11,250 sf rather than the 12,000 sf required. Mr. Doyle said there will be testimony at the public hearing for the variances. Mr. Neiman asked Mr. Doyle to show the amount of lots in the neighborhood that will match this subdivision on a plan and Mr. Doyle said they would provide a color coded map.

Motion was made by Mr. Percal, seconded by Mr. Herzl, to advance to the meeting of April 27, 2010

ROLL CALL: Mr. Herzl; yes, Mrs. Koutsouris; yes, Mr. Neiman; yes, Mr. Follman; yes, Mr. Percal; yes, Mr. Schmuckler; yes

5. SD # 1716 (Variance Requested)
Applicant: Dewey Avenue LLC
Location: Dewey Avenue, south of 4th Street
Block 246 Lots 18, 53-55
Preliminary & Final Major Subdivision – 8 lots

Mr. Vogt prepared a letter dated February 25, 2010 and is entered in its entirety. The owner/ applicant is Dewey Avenue, LLC, of 147 Liberty Drive, Lakewood, New Jersey 08701. The applicant is seeking a Preliminary and Final Major Subdivision approval with variances. The applicant proposes to remove three (3) existing dwellings from the site. The proposed subdivision would permit the construction of three (3) duplex units and a single family dwelling. The existing four (4) lots known as Lots 18, 53 - 55 in Block 246 are proposed to be subdivided into six (6) zero lot line lots shown as proposed Lots 53.01-53.06 and one (1) single-family lot shown as proposed Lot 53.07 on the Major Subdivision Plan. Four (4) off-street parking spaces are proposed for each zero lot line lot. Three (3) off-street parking spaces are proposed for the single-family lot. The off-street parking spaces for all proposed lots are located along the frontage of the property perpendicular to Dewey Avenue. Dewey Avenue has a forty foot (40') right-of-way width with a half right-of-way width of twenty feet (20') across the frontage of the property. A five foot (5') wide road widening easement to the Township of Lakewood is proposed. Existing Lot 18 is a narrow lot with double frontage located between existing Lots 53 and 54 having frontage on Dewey Avenue and between existing Lots 17 and 19 having frontage on Sampson Avenue. A varied width right-of-way is indicated for Sampson Avenue. No road widening dedication or road widening easement is proposed for the portion of existing Lot 18 fronting Sampson Avenue. The portion of existing Lot 18 located between existing Lots 17 and 19 is proposed to become part of proposed Lot 53.04. The tract totals 40,454 square feet or 0.93 acres in area. The site consists of four (4) existing properties, Lots 18, 53 - 55 in Block 246. Associated site improvements are proposed for the major subdivision plan. These improvements include proposed sewer, water, and utility connections; and off-street parking in driveways with depressed curb and aprons. The property is located in the northern portion of the Township on the easterly side of Dewey Avenue. The property also has some very minor frontage on the westerly side of Sampson Avenue since existing Lot 18 spans the entire width of the Block. There is existing curbing and sidewalk along the property frontages. Dewey Avenue has an existing paving width of approximately twenty-four feet (24'), while the existing pavement width of Sampson Avenue is not shown. The site is situated within a predominantly residential area. We have the following comments and recommendations: Zoning- The site is situated within the R-7.5, Single-Family Residential Zone District. Per Section 18-902 G. 1. a. & b., of the UDO, "Single-Family Detached Housing" is listed as a permitted use, and "Two Family and Duplex Housing, with a minimum lot size of 10,000 square feet" is listed as a permitted use. Zero lot line subdivisions for duplexes are permitted in the R-7.5 Zone. According to our review of the Major Subdivision Plan and the zone requirements, the following variances are required for the zero lot line portion of the subdivision approval requested: Minimum Side Yard – Proposed side yards for proposed Lots 53.01 - 53.06 are zero feet and five feet (0'/5') respectively. The minimum required side yards for zero lot line duplex housing are zero feet and seven feet (0'/7') respectively. The proposed aggregate side yards for the proposed duplex housing units are ten feet (10') rather than fifteen feet (15'). The applicant must address the positive and negative criteria in support of the requested variances. Review Comments - General/Layout/Parking- There is an existing bend in Dewey Avenue in front of proposed Lot

53.07, the proposed single-family lot. The existing right-of-way has an angle point rather than a curve at the location of this existing bend. A radial dedication should be proposed across the front section of proposed Lot 53.07 consistent with the existing bend in the road. A slight adjustment to the corner of the proposed single-family dwelling may be required to keep the front yard setback conforming. Otherwise, no variances would be created from the potential road dedication. The portion of existing Lot 18 between existing Lots 17 and 19 fronting Sampson Avenue has no practical use for the proposed subdivision. The sliver of land contains large oaks and cedar trees which should remain. This effectively negates any potential secondary access to proposed Lot 53.04 from Sampson Avenue. At a minimum, dedication of right-of-way along Sampson Avenue should be required, along with a shade tree and utility easement. The proposed lot line perpendicular to Dewey Avenue between proposed Lots 53.06 and 53.07 should be extended. The requested minimum side yard of five feet (5') is technically being violated from the proposed skewed portion of the side lot line beyond the angle point. An existing garage encroaches onto proposed Lot 53.01 of the site. A 5.3' Easement per Deed Book 3271, Page 110 is shown on the plans in connection with the garage encroachment. Testimony regarding the encroachment should be provided, as well as the actual limits of the easement.

Off-street parking: No architectural plans have been provided for either the proposed duplex units or the proposed single-family unit. No information has been provided regarding the proposed number of bedrooms for any of the units. The Improvement Plan indicates that basements are proposed for all units. The zero lot line ordinances require parking for each duplex unit as if each unit was a single-family dwelling. The applicant is proposing four (4) off-street parking spaces for each proposed duplex unit and three (3) off-street parking spaces for the proposed single-family unit. According to RSIS, three (3) off-street parking spaces are required when the number of bedrooms is not specified. Testimony must be presented regarding compliance with the RSIS standards. The applicant should also provide testimony regarding basements since no architectural plans have been submitted and each unit will have a basement. The proposed off-street parking consists of a minimum of 9' X 18' parking spaces. The proposed parking configuration for proposed Lots 53.01 – 53.06, the duplex lots, consists of two (2) double stacked rows of spaces perpendicular to the road. The proposed parking configuration for proposed Lot 53.07, the single-family lot, consists of a row of three (3) spaces perpendicular to the road. Construction details are required for the proposed driveways with the off-street parking. Furthermore, no pedestrian access to the dwelling units is shown and should be added. The plans only note that all existing dwellings on the property will be removed. Other existing improvements and their status need to be addressed. The Subdivision Map references a Land Survey dated 11/1/09. A current Outbound and Topographic Survey shall be submitted. Each unit shall have an area designated for the storage of trash and recycling containers. This matter is not addressed on the Improvement Plans. Testimony shall be provided by the applicant's professionals on disposal of trash and recyclables. Proposed building dimensions to the hundredth of a foot are required on the plans to confirm setback compliance. As a result of the amount of site disturbance involved with this project, such as removal of existing improvements, new driveways, utility connections, and the restoration of Dewey Avenue, additional site improvements are required. We recommend new curb and sidewalk be installed along the entire property frontage since virtually none of the existing curb and sidewalk will remain. Also, roadway improvement plans should be prepared because of the numerous underground utility connections required. Per Subsection 18-911 F (2 (a-g)) of the zero lot line ordinance, a written agreement signed by the owner of the property is required, including provisions to address items associated with the use, maintenance, and repair of common areas and facilities associated with the overall property. Said agreement must be filed as part of this application to obtain the zero lot line subdivision approval from Lakewood Township. Architectural- No architectural plans are provided. The project proposes to conform to the allowable maximum height of thirty-five feet (35'). The project intends to conform to the

maximum allowable building coverage of thirty percent (30%). We calculate the proposed building coverage of Duplex 2 to be twenty-four percent (24%), proposed Lot 53.04 to be twenty-one percent (21%), and proposed Lot 53.07 to be twenty-one percent (21%). We have confirmed the other proposed coverage calculations. The Improvement Plans are not detailed enough to evaluate proposed access to the units and proposed grading around the buildings. If available, we recommend that color renderings be provided for the Board's review at the time of Public Hearing. We recommend that location of air conditioning equipment be addressed. Said equipment should be adequately screened. We note that no decks or patios are proposed on the Improvement Plans. First floor and basement access appears to be proposed on the fronts of the duplex units. No access is shown for the proposed single-family unit. Full size architectural plans are recommended to accompany any resubmission. Grading - Review of the proposed grading indicates a reasonable design. Proposed grading is directing runoff to the adjacent property to the south. Since dry wells are being proposed for the proposed duplex roof drainage; we recommend the proposed clean outs at the terminal ends of the systems be replaced with yard drains. This can eliminate any impacts of runoff being directed off-site. Soil borings must be provided to determine whether a two foot (2') separation from the seasonal high water table is maintained to the proposed basement elevations. Stormwater Management-Recharge trenches are proposed in the rear yards for the proposed duplex units to address the proposed increase in impervious coverage for the site. Calculations are required for the proposed stormwater management measures. The details proposed for the pipe sizes and stone trenches are in conflict and require clarification. Proposed elevations, inverts, pipe sizes, and slopes must be added to the roof drain conveyance piping and recharge systems. No soil borings, estimation of seasonal high water table, or permeability testing has been completed on this project. This work is required in order to properly review the recharge systems. Landscaping- Eight (8) October Glory Maples are proposed along the property frontage and four (4) White Pines are proposed in the rear yards where there is an absence of existing trees. The overall landscape design is subject to review and approval by the Board. A six foot (6') wide shade tree and utility easement is proposed along the frontage of Dewey Avenue, but not Sampson Avenue. The proposed easement shall be added along the Sampson Avenue frontage. Lighting- Testimony shall be provided on the adequacy of street lighting. No lighting information has been provided. Utilities- Potable water and sanitary sewer service will be provided by New Jersey American Water Company. The project is within the franchise area of New Jersey American Water Company. Utility mark outs observed in the field indicate existing water on the far side of Dewey Avenue. Existing gas was observed on the near side of Dewey Avenue in the location shown on the plans for the existing water main. Testimony should be provided regarding other proposed utilities. Additional underground connections will be required if gas is proposed. Furthermore, additional road disturbance will occur with connections to the water main on the far side of the road. This is justification for complete restoration of the street along the length of the project frontage. The proposed single-family dwelling for proposed Lot 53.07 is shown to be connected to a proposed sanitary sewer system to be constructed by others. The construction of this single-family dwelling could be delayed with respect to the construction of the duplex units. The timing of final road restoration may also be impacted. Environmental - Site Description - Per review of the subdivision plans, aerial photography, and a site inspection of the property, the site is residentially developed. Appreciable vegetation is being retained where possible. Environmental Impact Statement- An Environmental Impact Statement (EIS) report was not prepared and submitted for the project, nor does one appear necessary given the nature of the project. Our office performed a limited natural resources search of the property and surroundings using NJ Department of Environmental Protection (NJDEP) Geographic Information Mapping (GIS) system data, including review of aerial photography and various environmental constraints data assembled and published by the NJDEP. The following data layers were reviewed to evaluate potential

environmental issues associated with development of this property: Known contaminated sites (including deed notices of contaminated areas); Wood Turtle and Urban Peregrine habitat areas; and NJDEP Landscape Project areas, including known forested wetlands, emergent wetlands, forest, and grassland habitat areas. Based on our observations of this site and per NJDEP mapping, the southern portion of the property and adjacent lands should be investigated for freshwater wetlands. Future development in this area of the site may be subject to NJDEP Freshwater wetlands regulations. Tree Management - A Tree Management Plan has been submitted. The proposed plantings meet the tree inches required to be replaced. The applicant must comply with the requirements for tree protection and removal as applicable for this site. Construction Details- Limited construction details are provided on Sheet 2 of the plans. All proposed construction details must be prepared to comply with applicable Township or NJDOT standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific. Performance guarantees should be posted for any required improvements in accordance with Ordinance provisions. Final Plat (Major Subdivision)- The Map shows monuments have been set on virtually every existing original property corner and the front corners of all proposed lots being created. These monuments were not observed in the field and would conflict with the existing sidewalk. The notes proposed on the Map must conform to Section 18-604B.3., of the UDO. Proposed setback lines must be added to the Map. General Note #9 shall be corrected to "seven (7) new lots". Dimensions and areas of the easements on the individual proposed lots must be indicated. The zoning schedule requires a few corrections with respect to the building coverage. A footnote for an existing non-conformance is indicated, but there is no listing of any existing non-conformance matters. Proposed lot numbers must be assigned by the Tax Assessor and the plat signed by the Tax Assessor. Compliance with the Map Filing Law is required. Regulatory Agency Approvals Outside agency approvals for this project may include, but are not limited to the following: Ocean County Planning Board; Ocean County Soil Conservation District; New Jersey American Water Company (Water and Sewer Service); NJDEP (Land Use); and all other required outside agency approvals. A revised submission should be provided addressing the above-referenced comments, including a point-by-point summary letter of revisions.

Mr. Abraham Penzer Esq. appeared on behalf of the applicant and said they can address every issue but Mr. Kielt informed him that there is an objector that made an allegation that part of the property may be a finger on the wetlands. Mr. Lines was present to address it and Mr. Neiman asked if there was an LOI on this application and Mr. Lines said not on this lot but they have a wetlands delineation for the property next door and Mr. Penzer said they are out of it and they feel comfortable. Mr. Kielt stated he had extensive conversations about this and said what this gentleman is asking is –his property is 300 ft. away and next to his property there was a builder that went and filled in wetlands and that affected his property and flooded his property. DEP came and they ordered the builder to put the property back into its natural state but the builder went bankrupt. This gentleman is concerned that anything upstream of him will affect the problem he has now and he also asked a question about the wetlands. Mr. Penzer said they will meet with the gentleman and satisfy him- there is no sense in wasting the board's time. Mr. Kielt said he was supposed to appear tonight and he was present.

Mr. Neiman told Mr. Kristbergs that normally they do not allow public comment at this meeting but they have his letter and after the meeting he should sit with the applicant and told the application to be prepared at the public hearing to discuss this. Mr. Penzer said he is instructing Glenn Lines Eli Schwab to sit down and discuss the issues. Mr. Lines said he is clear that they do not encroach on the wetlands, it is on the piece next door to them. Mr. Penzer said Mr. Vogt raised an issue about freshwater wetlands and Mr. Vogt said the corner of the property looked like it was low lying- it could have been wetlands, and there is a process that

most people follow where they flag wetlands based on soils, wetlands and local hydrology and he has spoken with the applicant's engineer and they do not have an LOI but the area has been assessed by someone is qualified and used the 3 parameter approach to flag wetlands and Mr. Lines said they have delineated wetlands and they are not on the applicant's property.

Mr. Penzer said everything else can be addressed in the report and taken care of.

Mr. Jan Kristbergs, executor of the estate of his mother at 331 Ocean Avenue, said the issue for his family and the neighbors is that it is wetlands, it is designated as wetlands and he has a map with him and he doesn't know who is right or wrong but he is very concerned with the water and stormwater run off that is in the higher elevation and it all goes down to the bottom of Dewey Avenue and feeds a storm drain system that extends all the way across on a diagonal from that corner of Dewey Avenue to Lot 39 which is the bone of contention- there is an unrecognized easement, but he has a letter from Mr. Franklin recognizing it, and there is a storm drain that was damaged and covered up by the developer. He raised numerous objections from the actions taken in 2004 and received a letter in 2008 about a resolution from the EPA but the problem is the water is permanently shut off- they have created a bayou and it is expanding and extending which he has photos showing the changes and even the trees are dying. He is trying to do the right thing and he does not begrudge the applicant to build but he knows that with increased density increases stormwater runoff which will increase it dramatically and all the properties surrounding that base are long properties and they are probably ripe for division as well so if he doesn't object here and Mr. Neiman said normally at this meeting they don't have the public objecting. Mr. Neiman said he wanted Mr. Vogt to hear this so when we further look at this site and when we come back for the public hearing we should make sure that everything is addressed and Mr. Penzer said the applicant will pay the increased escrow and asked for a meeting to be set up with Mr. Vogt, Mr. Lines and Mr. Kristbergs and let Mr. Vogt assess. Mr. Penzer said he feels confident that his client is not in the wetlands. Mr. Neiman said that is fine- he wants to make sure it is addressed before the public hearing.

Mr. Neiman asked about sidewalks and Mr. Lines said they are proposing sidewalks.

Mr. Schmuckler asked if they were going to have a basement in the single family dwelling because they would need 4 parking spaces and Mr. Penzer said they have room and Mr. Schmuckler said they only show 3 spaces and Mr. Penzer said they can put in 4 spaces

Motion was made by Mr. Schmuckler, seconded by Mrs. Koutsouris, to advance to the meeting of April 27, 2010

ROLL CALL: Mr. Herzl; yes, Mrs. Koutsouris; yes, Mr. Neiman; yes, Mr. Akerman; yes, Mr. Follman; yes, Mr. Percal; yes, Mr. Schmuckler; yes

5. PUBLIC HEARING ITEM

1. SP # 1910B (Variance Requested)
Applicant: Oorah Inc.
Location: 1805 Swarthmore Avenue- east of New Hampshire Avenue
Block 1609 Lots 2, 4
Preliminary & Final Site Plan for office, warehouse and school

Mr. Vogt prepared a letter dated February 25, 2010 and is entered in its entirety. The applicant is seeking Preliminary and Final Major Site Plan approval with Variances. The applicant proposes the expansion of existing developed sites to include Office, Warehouse, and School uses with site improvements within the Lakewood Industrial Park. The existing properties located along the northeast side of Swarthmore Avenue consist of Lots 2 & 4 in Block 1609. Lot 2 contains approximately 6.7 acres and Lot 4 about 3.4 acres. Each lot has a one-story masonry building with associated parking lot and site improvements on it. The applicant is proposing to replace the existing building on Lot 2 with a 160' X 506' three-story mixed use building consisting of warehouse, office, and school uses. The revised plans present more accurate proposed square footages of the various uses. The warehouse use proposes 48,573.3 square feet slightly more than the previous 48,490 square feet of floor area with two-story height. The office use proposes 32,386.7 square feet of first floor area and 31,998.9 square feet of second floor area for a total of 64,385.6 square feet. This is less than the previous 32,470 square feet of floor area on both the first floor and second floor for a total of 64,940 square feet. The school use proposes 80,265.9 square feet of area, slightly less than the previous 80,960 square feet which encompasses the entire third floor. The applicant is also proposing an addition to the existing building on Lot 4. An addition of 147'-7" is proposed to the rear of the existing 152'-5" X 135'-6" one-story structure. The proposed addition will be three-stories and also cover the existing one-story part of the structure making for a proposed 135.5' X 300' three-story building. This proposed mixed use building will also consist of warehouse, office, and school uses. The revised plans more accurately depict proposed square footages of the various uses. The warehouse use now proposes a combination of 5,420.4 square feet of existing one-story area and 20,042.7 square feet of new two-story area for a total of 25,463.1 square feet. This is slightly less than the previous warehouse use calculations which proposed a combination of 5,419 square feet of existing area and 20,088 square feet of new area for a total floor area of 25,507 square feet, most of it being two-stories in height. The office use will continue to contain 15,456.3 square feet of existing floor area on the first floor, plus 19,741.1 square feet proposed on the second floor for a total of 35,197.4 square feet. This is also slightly less than the previous office use calculations which contained 15,458 square feet of existing floor area on the first floor, plus 20,088 square feet proposed for the second floor, for a total floor area of 35,546 square feet. The school use proposes 40,419.4 square feet which is slightly higher than the previous school use proposed of 40,399 square feet which is still the entire third floor. The proposal will consolidate the existing lots into an overall project under single ownership. Circulation and off-street parking will be provided throughout the site. Off-street parking on the revised plans for passenger vehicles proposes a total of four hundred seventy-five (475) spaces, three (3) less than the original four hundred seventy-eight (478) spaces proposed, which includes thirty (30) "land banked" spaces. Of the four hundred seventy-five (475) spaces proposed, fourteen (14) will be handicap spaces with six (6) being van accessible. Bus drop off areas are proposed for the schools in each building. Truck loading areas are proposed for the warehouse uses in each building. Access to the proposed development will be provided by three (3) proposed driveways from Swarthmore Avenue. However, the easternmost proposed driveway will only be a one-way in with a bus drop off immediately in front of the easterly building. The proposed tract consists of roughly 10.11 acres in area, and is largely developed. Some wooded areas exist on the site, particularly along the western and northern property boundaries. The property is generally flat with the front third sloping towards Swarthmore Avenue and the rear two thirds sloping towards the north. Freshwater wetlands and state open waters exist off-site within three hundred feet (300') of the tract. A Letter of Interpretation – Presence/Absence Determination confirms that freshwater wetlands and wetland transition areas are located off-site north of the property associated with the South Branch of the Metedeconk River. However, a three hundred foot (300') Riparian Buffer intersects the northwest

corner of the site and is indicated on the Site Plan. The site fronts the northeast side of Swarthmore Avenue. The roadway is improved with municipally supplied water and sewer services available in the roadway. Surrounding lands are all improved with large commercial and industrial land uses. The site is located in the M-1 Industrial Zone. Warehouses, quasi-public and private educational facilities, and office buildings are all permitted uses in the zone. *We have the following comments and recommendations per testimony provided at the 02/02/10 Planning Board Workshop Hearing and comments from our initial review letter dated January 26, 2010.* **Waivers** -The following waivers have been requested from the Land Development Checklist: Topography and man made features within two hundred feet (200') of the site boundaries. Profiles.- **Tree Management Plan**- We support the requested waiver for partial topography. The applicant's engineer has requested that the providing of Profiles and a Tree Management Plan be deferred to a later time as opposed to being waived altogether. We support these requests. The applicant shall provide supporting testimony on the requested waivers as required. *A Tree Management Plan has been submitted. Testimony must be provided on the remaining requested waivers and action taken by the Board.* **Zoning**- The site is situated within the M-1, Industrial Zone. Warehouses are a "permitted use" per Section 18-903M.1.c., of the UDO. Quasi-public and private educational facilities are a "permitted use" per Section 18-903M.1.m., of the UDO. Office buildings are a "permitted use" per Section 18-903M.1.o., of the UDO. Confirming testimony should be provided by the applicant's professionals regarding the proposed uses. *Testimony shall be provided.* According to the UDO, the minimum front yard setback may be reduced from one hundred feet (100') to fifty feet (50') with approval of the Lakewood Industrial Commission. As shown on the survey, the existing building which will be added onto has an existing front yard setback of 56.7'. A front entrance with a stairwell is being proposed with the addition to the existing building. As a result, a variance for a front yard setback of 46.3' is being requested. The building being replaced proposes a front yard setback of eighty feet (80'). Testimony shall be provided regarding the variance request and status of the Industrial Commission approval. *On January 29, 2010, the Lakewood Industrial Commission issued a memorandum to the Lakewood Planning Board citing no objection to the front yard setback variance requested. Testimony shall be provided regarding the variance request.* As shown on the survey, the existing building which will be added onto has an existing side yard setback of 29.8', where thirty feet (30') is required, this necessitates a variance. Brick pilasters are being proposed with the addition to the existing building. As a result, the side yard variance required will be 28.5'. Testimony shall be provided regarding the variance request. *On January 29, 2010, the Lakewood Industrial Commission issued a memorandum to the Lakewood Planning Board citing no objection to the side yard variance requested. Testimony shall be provided regarding the variance requested. The plans shall be corrected to indicate the variance being requested is a proposed condition, not an existing condition.* Per review of the site plans and application, the following design waivers appear to be required: Providing parking facilities closer than twenty feet (20') from the street line (Subsection 18-807.C.6.). The nearest proposed parking facility to the street line appears to about ten feet (10'). Curb is not provided throughout the parking lots in order to allow runoff to drain through overland swales and improve water quality. No sidewalk has been proposed along Swarthmore Avenue. This is consistent with other site plans in the Industrial Park. Any and all other design waivers deemed necessary by the Board. *The Board shall take action on the above listed design waivers. The revised submission proposes three (3) identical tenant signs. No Zoning information is provided for the signs except for the fact they will be setback fifteen feet (15') from the right-of-way as required. Variances are required for the following: The number of signs; three (3) proposed, one (1) allowed. The sign area; 74.7 SF proposed, thirty-five square feet (35 SF) allowed. The sign height; nine feet – one inch (9'-1") proposed, six feet (6') allowed. Subject to the Board granting a variance for the number of signs, the sign proposed within the detention basin shall be relocated. The revised submission proposes five (5) identical building signs. Proposed building*

signs are located on three (3) sides of the proposed new building and on two (2) sides of the existing building with the proposed addition. No Zoning information has been provided for the proposed building signage. Testimony is required with regard to the compliance of the proposed building signage. A variance will be required for the number of building signs proposed. Testimony should be provided on any and all other variances deemed necessary by the Board. Review Comments- Site Plan/Circulation/Parking The off-street parking requirements for the site are based on the following: One (1) space devoted for every one thousand square feet (1,000 SF) of warehouse. One (1) space for each three hundred square feet (300 SF) of gross floor area for offices. One (1) space for each classroom, tutor room, library, meeting room, and office. Our review of the proposed project indicates seventy-four (74) spaces are required for warehouse use (73,997 SF), three hundred thirty-five (335) spaces for office use (100,486 SF), and twenty-two (22) spaces for school use. A total of four hundred thirty-one (431) off-street parking spaces are required and four hundred seventy-eight (478) spaces which include thirty (30) "land banked" spaces are proposed. The requirements shall be corrected on the Cover Sheet. *The revised plans indicate seventy-four (74) spaces are required for warehouse use (74,036.4 SF), three hundred thirty-two (332) spaces for office use (99,583.0 SF), and twenty-seven (27) spaces for school use. A total of four hundred thirty-three (433) off-street parking spaces are required and four hundred seventy-five (475) spaces which include thirty (30) "land banked" spaces are proposed. The following provided values must be corrected in the M-1 Zoning Table: Side Yards should be 28.5'/74.5'. The Rear Yard appears to be about ninety-five feet (95'). The proposed side yards have been revised to 28.5'/74.5'. However, the proposed overhang on the west side of the proposed new building is closer than the forty-six foot (46') dimension shown at the building corner. Therefore, an aggregate side yard variance is being created. The side yard setback variances requested must be listed as proposed. The proposed rear yard has been listed as 95.7'. This distance shall be added to the Dimension Plan. A Land Summary has been provided on the Cover Sheet for CAFRA purposes. Clarification of this Summary is necessary. The Land Summary has been clarified. The final data within the summary is subject to NJDEP-CAFRA approval. Vehicular Circulation Plans are required to confirm accessibility for buses, trucks, delivery, emergency, and trash pickup vehicles that will need to access the site. Further coordination is required between the Site Plans and Architectural Plans, especially with respect to loading areas and truck circulation. A General Note states that the site is designed to circulate a WB-40 vehicle. The applicant's engineer indicates a circulation plan will be provided as a condition of approval. This is satisfactory. A 10' X 20' refuse area is proposed adjacent the truck delivery behind the new proposed building. A 10' X 24' refuse area is proposed in the northeast corner of the site behind the proposed addition to the existing building on the easterly side of the site. Testimony is required regarding the adequacy of the enclosures. The refuse areas are enclosed, screening has been provided for the 10' X 24' area, but no screening has been provided for the 10' X 20' area. The waste receptacle areas should be designed in accordance with Section 18-809.E. of the UDO. The planting of arborvitae on the proposed island adjacent the proposed 10' X 20' refuse area would provide some screening. A detention basin is proposed in the southeast corner of the site along the Swarthmore Avenue frontage. The proposed basin has the configuration of a long, narrow trench. The basin will not be fenced and has no vehicular access. Design revisions to the basin appear necessary. Two (2) underground "Stormtrap" Systems are also proposed below the parking lots to be constructed behind the proposed new building. The proposed detention basin has been redesigned with a proposed modular masonry retaining wall and a flatter bottom. A vehicular access ramp has been added, but is too steep. We will review design options with the applicant's engineer. No sight triangles associated with the proposed vehicular site access points have been indicated. Proposed sight triangles have been added on the Dimension Plan. Clarification of the proposed sight triangles depicted is required. The proposed sight triangle of the western most access point encroaches onto*

adjoining Lot 1. Site plan revisions are necessary unless an easement is provided from the adjoining property owner. Swarthmore Avenue is improved with utilities, curbing, and pavement. Curbing needs to be replaced with depressed curbing at the proposed driveway access points. Curbing also needs to be proposed where existing driveways are being eliminated. Depressed curb has been added at proposed driveways and curbing proposed where existing driveways will be eliminated. Proposed grades shall be added along the longer sections of proposed curb (in excess of 50'). Proposed handicapped spaces and aisles shall be dimensioned. Information on the number of required and proposed handicapped spaces must be provided. Handicap spaces and aisles have been dimensioned and the number of required and proposed handicap spaces had been added to the Zoning Schedule on the Cover Sheet. There are existing twenty foot (20') wide drainage easements on both proposed side property lines. The locations and sizes of existing pipes in these easements must be shown since existing drainage structures on and off site are indicated on the Survey. The ownership of these easements must be added to the plans. The project is proposing improvements which encroach upon these easements. The proposed westerly site access point may also encroach upon the corner of the adjoining property. Site Plan layout revisions should be considered. The existing twenty foot (20') wide drainage easements owned by the Township on both sides of the property must be shown on all pertinent plan sheets. The applicant's engineer indicates additional survey work is being performed for the existing on and off site drainage. The applicant's engineer will also be discussing the encroachment of proposed improvements upon these easements with the Public Works Director. We have no objection to this item being resolved during compliance if approval is granted. An existing tree preservation area is indicated in the northwest corner of the proposed project. The portion of the tree preservation area within the existing drainage easement can not be counted and must be removed. The drainage easement area has been removed from the proposed tree preservation area. Survey information associated with the proposed tree preservation area is shown on the Landscape & Tree Protection Plan. The Land Summary lists the proposed tree preservation area as 0.42 acres. Survey information must be provided for the three hundred foot (300') riparian buffer shown in the northwest corner of the proposed project. The line is indicated without any survey data and requires approval by NJDEP as part of the CAFRA application. Proposed building overhangs must be added to the Site Plans. Proposed building overhangs have been added to the Site Plans. Testimony must be provided as to how the overhangs impact the proposed setbacks. A combined side yard setback variance may be required because of the proposed overhang on the west side of the new proposed building. The following information should be added and clarified on the Site Plans: A Legend must be provided. Existing improvements must be shown. More dimensions should be provided for the layout. A better selection of symbols and line weights chosen (it is difficult to determine proposed curb from proposed edge of pavement). Some of the above requested information has been added. Adding proposed circulation sidewalk is recommended at the northwest corner of the proposed new building. As discussed at the February 2, 2010 workshop hearing, a partial waiver is being sought based on the proposed uses. Architectural- Conceptual architectural floor plans and elevations of the two (2) three-story buildings were submitted for review. Per review of the submitted plans, the proposed new building will have an average height of forty feet four inches (40'-4") and the building with the proposed addition will have an average height of forty feet (40'), far less than the sixty-five foot (65') allowable height. Both structures will contain first floor warehouse, first and second floor office space, and third floor schools. Revised architectural plans have been submitted indicating the average height of both buildings to be forty-one feet (41'). The west elevation of the existing building with the proposed addition does not show the proposed stairway addition on the south side. An area for proposed building signage is indicated on the building with the proposed addition. No signage is shown on the proposed new building. Revised architectural plans indicate proposed building signage on three (3) sides of the

proposed new building and on two (2) sides of the existing building with the proposed addition. The rear elevation of the proposed new building has a different loading and delivery layout than the floor plans and site plans. The revised architectural plans show the proposed loading and delivery area to be smaller than the site plan. Coordination of the drawings is required. Corrections are required to the square footages of the proposed floor areas. However, the changes appear minor enough to have minimal (if any) impact on the off-street parking requirements. The site plans have been revised to match the proposed floor areas indicated on the architectural plans. Testimony shall be provided by the architect confirming the proposed floor areas. Testimony should be provided on the status of the existing warehouse area of the building with the proposed addition since the loading dock is being removed. Testimony should be provided on the status of the existing one-story warehouse area since it will no longer be accessible by a loading area. The applicant's professionals should provide testimony regarding the facades and treatments of the proposed new building, as well as the building with the proposed addition. We recommend that renderings be provided for the Board's review and use prior to the public hearing, at a minimum. Testimony and renderings should be provided. Testimony should be provided as to whether any roof-mounted HVAC equipment is proposed. If so, said equipment should be adequately screened. A General Note has been added to the Site Plans that proposed HVAC equipment shall be roof mounted. Proposed Roof Plans should be included in the architectural drawing sets. Testimony should be provided on proposed screening. More detailed architectural plans should be provided. Revised architectural plans are required which should include Roof Plans with roof leaders and HVAC equipment. Grading-Detailed Grading, Drainage, & Utility information is provided on Sheet 3. Virtually the entire site will be developed except for a tree save area in the northwest corner of the site. A storm sewer collection system is proposed to collect runoff throughout the site. Statements of fact. The applicant should confirm whether fill will be imported to the site. It appears fill is to be imported, we recommend that the applicant perform analytical testing, in accordance with N.J.A.C. 7:26E-6.4(b)2.iii through iv, N.J.A.C. 7:26E-6.4(b)3, (d) and (e), on the fill at a frequency suitable to demonstrate that contaminants are not present within the fill soil at concentrations above the relevant NJDEP Soil Cleanup Criteria. Testimony shall be provided regarding the importation of fill. The appropriate testing notes shall be added if fill is required. A detention basin is proposed on the southeasterly portion of the proposed project site. The basin will be approximately five feet (5') deep and is shaped like a long trench. We recommend the basin be redesigned to have a flat sand bottom for infiltration, and have walls constructed to maximize volume. A means of access must be provided. The detention basin has been redesigned to have a relatively flat bottom with a modular block retaining wall perimeter to maximize volume. Additional design revisions are required, particularly with respect to access. We can review various options with the applicant's engineer. The proposed grading will be reviewed in detail after recommended site plan changes have been submitted. Compliance with a detailed grading review may be made a condition of approval. Foot bridges are proposed to cross the proposed grassed swales designed between parking areas. Additional proposed foot bridges are required to provide pedestrian access throughout the parking areas. An additional proposed footbridge has been added to cross the vegetative swale to the west of the existing building with the proposed addition. Proposed parking spaces have been eliminated in the last rows of the parking fields. This appears unnecessary since there are no additional proposed rows to provide access to. Stormwater Management- A proposed stormwater management system has been designed utilizing a combination of vegetated swales, inlets, and perforated high density polyethylene pipe to convey stormwater runoff into a proposed detention basin and two (2) proposed "Stormtrap" Systems. The proposed detention basin is located on the southeasterly portion of the site and the "Stormtrap" Systems below the proposed parking areas to the rear of the proposed new building. Based on the revised plans, the proposed peak discharges for the site should be the totals from the detention basin, Stormtrap #2, and bypass areas. A two foot

(2') vertical separation between the proposed bottom of the stormwater management system and the seasonal high water table has not been provided in all instances. The permeability test results are extremely varied, which can be expected since the soils are a mix from Hydrologic Soil Groups "A" and "D". A detailed review of the Stormwater Management will be conducted after receipt of review comments from NJDEP since an Individual CAFRA Permit is required for the project. *CAFRA is the lead agency on this project with respect to Stormwater Management.* The limits of the existing on-site drainage improvements to be abandoned must be clarified on the plans. *The capping and abandonment of the existing fifteen inch reinforced concrete pipe (15" RCP) and removal of the existing upstream terminal inlet shall be indicated on the plans.* We recommend providing full size Drainage Area Maps for ease of review. *Full size drainage area maps have been provided with the revised Stormwater Management Report.* There appears to be a proposed storm sewer pipe conflict between the outlet pipe from proposed "Stormtrap" #1 and an inlet pipe to proposed "Stormtrap" #2. Storm sewer and utility profiles are required. *The outlet pipe from proposed Stormtrap #1 connects to the proposed Stormtrap #2 to eliminate the proposed storm sewer pipe conflict. This requires the proposed Stormtraps to be routed in series. The requirement for providing storm sewer and utility profiles may be made a condition of approval.* Proposed storm sewer outfalls into the detention basin are shown to be flared end sections designed with rip rap aprons. However, the proposed rip rap aprons will not fit into the trench shaped detention basin bottom since they are required to be flat. *The redesign of the detention basin with a relatively flat bottom partially addresses the above. We can review additional design options with the applicant's engineer.* A proposed bubbler basin outlets from the detention basin into a proposed swale east of the building with the proposed addition. Grading is proposed that encroaches into an existing drainage easement not shown on the plans. A revision to this proposed design is recommended. *The applicant's engineer intends to review this issue with the Public Works Director, and finalize based on NJDEP-CAFRA review. This is satisfactory.* A more comprehensive design to include pipe sizes, slopes, and cleanouts is required for the proposed underground roof leader piping. *Only a schematic of the proposed system has been provided.* A table of contents is needed to organize the Stormwater Management Report. *A table of contents has been provided.* A Stormwater Maintenance Manual has not been provided in accordance with NJ Stormwater Rule (NJAC 7:8) and Township Standards. Testimony should be provided to confirm that the applicant will own and maintain the proposed stormwater management system. *The Manual must be submitted and testimony provided on the ownership and maintenance of the proposed stormwater management system. A back plate may be used rather than converting an existing Type B Inlet at the western most access driveway to a Type E Inlet.* Landscaping A comprehensive Landscape Plan has been provided on Sheet 6. *Statement of fact.* The overall landscape design is subject to review and approval by the Board. *The Board should provide recommendations to the applicant, if any.* The applicant has not provided a six foot (6') wide shade tree and utility easement along the property frontage, and sight triangle easements for the proposed site access driveways. *A six foot (6') wide shade tree and utility easement, as well as sight triangle easements, have been provided on the Landscape & Tree Protection Plan. Some proposed shade trees conflict with the sight triangle easements and should be eliminated.* Five (5) Pin Oaks are proposed within the right-of-way in front of the proposed detention basin. We recommend the proposed trees be moved out of the right-of-way. *The proposed Pin Oaks have been removed.* Trees are proposed within the designed vegetated swales. We recommend these trees be relocated onto proposed parking islands since there is a surplus to the number of proposed parking spaces. *Testimony should be provided on the potential proposed tree relocation.* The designated tree save area has open areas void of trees. We recommend plantings in these areas so they may be counted towards the values required by CAFRA. *Testimony should be provided on supplementing the voids in the forest preservation area.* Lighting - A detailed lighting design is provided on Sheet 7 along with a point to point

diagram. Fifteen (15) wall mounted, nineteen (19) single pole mounted, sixteen (16) double pole mounted, and one (1) triple mounted pole fixtures are proposed. *Statements of fact.* Four (4) single pole mounted fixtures are proposed along the westerly property line. These fixtures are proposed within an existing drainage easement and will conflict with an existing forty-eight inch (48") storm sewer pipe which is not shown. Revisions are required. *The applicant's engineer has indicated that the plan will be revised.* The overall lighting design is subject to review and approval by the Board. *The Board should provide the applicant with their recommendations, if any.* The pole mounted fixtures are listed as twenty-five feet (25') in height, yet the detail only shows a mounting height of sixteen feet (16'). *The detail has been revised to the twenty-five foot (25') pole height.* Proposed light poles are located within the designed vegetated grass swales. These conflicts must be resolved. *Revisions are still required.* The lighting notes shall be corrected and lighting shall conform to the requirements of the Township of Lakewood. *Only a typographical error stills needs to be corrected in Lighting Note #4.* The concrete for the Light Pole Footing Detail shall be 4,500 psi. *The concrete has been specified to be 4,500 psi.* Utilities- Public water and sewer services will be provided by the Lakewood Township Municipal Utilities Authority. General Note #5 shall be corrected. Proposed utility connections are shown for each building. Separate fire service lines are proposed for each building. *The second sentence in General Note #5 shall be eliminated since new utility connections are proposed.* Electric service is available from Jersey Central Power & Light. Gas service is available from New Jersey Natural Gas Company. Existing electric and gas facilities are indicated on the plans. Proposed gas service is shown for each building. *Statements of fact.* The final design must be in full conformance with the Fire Commissioners' recommendations for this project. *The Fire Commissioner's recommendations shall be forwarded to the Planning Board when available.* Signage- No free-standing site identification sign has been provided on the site plans. The architectural plans indicate a location for building signage on the existing building with the proposed addition. However, no zoning information has been provided. Testimony is required. *Three (3) identical tenant signs have been proposed. No zoning information has been provided for the tenant signs, but a proposed sign detail has been provided. Sign variances are required and testimony in support of the variances must be provided. Revised architectural plans have been submitted. Proposed building signage is indicated on three (3) sides of the proposed new building and on two (2) sides of the existing building with the proposed addition. No zoning information has been provided for the building signage. Building signage variances are required and testimony in support of the variances must be provided.* All signage proposed that is not reviewed and approved as part of this site plan application, if any, shall comply with the Township Ordinance. *Statement of fact.* Traffic- A traffic report has been provided for review. The traffic report concludes that redevelopment of the site can operate compatibly with future traffic conditions in the area according to the author. *Statements of fact.* A minor traffic signal timing adjustment to the signalized intersection of New Hampshire Avenue/Swarthmore Avenue will permit this intersection to continue to operate within acceptable traffic engineering parameters for the build year. *Statement of fact.* Other non-signalized intersections along Swarthmore Avenue including the site driveways will operate within acceptable traffic engineering parameters as well. *Statement of fact.* Traffic testimony shall be provided at the forthcoming Public Hearing. Testimony shall be provided to address whether changes to the existing levels of services will occur from this project. *Traffic testimony shall be provided at the Public Hearing.* Environmental- Site Description- Per review of the site plans, aerial photography, and a site inspection of the property, the tract consists of developed properties fronting on the north side of Swarthmore Avenue in the Lakewood Industrial Campus. The site is rectangular in shape with nearly a thousand feet (1,000') of road frontage. Lot 2 contains a former plastics factory and parking area, while Lot 4 has operational businesses with parking area. The vegetation on site consists of forested pine/oak uplands in the west and north parts of the site. No freshwater wetlands or state open waters exist on-site, but are within three hundred

feet (300') of the site. A riparian buffer intersects the northwest corner of the site. A county sewerage easement which must be added to the survey plan is located directly north of the land for the project. *A revised survey is required.* CAFRA Compliance Statement- The applicant has submitted a CAFRA Individual Permit Compliance Statement. The document has been prepared by Trident Environmental Consultants and complies with Section 18-820 of the UDO. The report is a result of an Environmental Assessment and Inventory conducted on the site. To assess the site for environmental concerns, natural resources search of the property and surroundings was completed using NJ Department of Environmental Protection (NJDEP) Geographic Information Mapping (GIS) system data, including review of aerial photography and various environmental constraints data assembled and published by the NJDEP. The following highlights some of the documents and field inventories which were reviewed to evaluate potential environmental issues associated with development of this property: The New Jersey State Development and Redevelopment Plan. The site lies within the CAFRA Lakewood Mainland Coastal Regional Center. NJDEP I-map and site investigation for wetlands and wetland buffers. A Presence/Absence Letter of Interpretation was obtained for the project site verifying the absence of freshwater wetlands, waters, or transition areas on the property. The Natural Heritage Program for any threatened and endangered species. Northern Pine Snake, Bald Eagle, and Great Blue Heron habitat areas were evaluated. NJDEP Landscape Project Areas. The author of the CAFRA Compliance Statement concludes the proposed project will have a minimal adverse impact on the natural environment due to the proper planning and implementation of the proposed project. The majority of the site is developed in its current state and the proposed development will conform to the surrounding land use. Our office agrees with the author's findings. *Statements of fact.* Tree Management Plan- The Existing Conditions Plan identifies five (5) tree plot areas. However, a Tree Protection Management Plan has not been provided and must be submitted (or waiver sought). *A Tree Protection Plan has been added to the Landscape Plan. The required diameter inches of trees to be planted are not being met.* Phase I/AOC's- If existing, a Phase I study should be provided to address potential areas of environmental concern (AOC's), if any within the site. *Testimony should be provided regarding the status of any Phase I studies.* Construction Details- Construction details are provided on Sheets 8 and 9 of the plans. *Statement of fact.* All proposed construction details must comply with applicable Township or NJDOT standards unless specific relief is requested in the current application (and justification for relief). Details shall be site specific, and use a minimum of Class B concrete @ 4,500 psi. *Construction details will be reviewed during compliance if approval is received.* Construction details will be reviewed in depth after recommended plan revisions are submitted. *Construction details will be reviewed in depth after further plan revisions are submitted.* Performance guarantees should be posted for any required improvements in accordance with Ordinance provisions. *Statement of fact.* Outside agency approvals for this project may include, but are not limited to the following: Lakewood Industrial Commission; Lakewood Township Municipal Utilities Authority (water and sewer); Ocean County Planning Board; Ocean County Soil Conservation District; NJDEP CAFRA Individual Permit; and all other required outside agency approvals. *The Lakewood Industrial Commission issued a memorandum dated January 29, 2010, citing no objection to the project and the requested front yard and side yard setback variances. Evidence of all other outside agencies approvals must be submitted when they are obtained.*

Mr. Abe Penzer Esq. appeared on behalf of the applicant. He said they came for a conceptual, came for the tech meeting and are now here for approval. They have been to the Industrial Commission and said this is the wave of the future-they need schools and when the schools are in the industrial park, the town loses ratables and this proposal is for a mixed use so that that township does not lose the ratable and they find places for schools. He said the board had asked where the playground was located and said all the area in green (pointed to a display) is

the playground area and township land and said that is why this site is the most unique site to have this. They have more than enough acreage to service the school.

Mr. Neiman said reading the engineer's report, it seems that there is an existing building and this is an addition to an existing building and Mr. Penzer said there are 2 different building. Mr. Penzer said on Block 1609 there is 2 lots (lot 2 and lot 4) on one lot is an existing building (Oorah headquarters) which is being expanded and on the other lot there is an existing building which is being demolished and a new building built. He marked exhibit A which depicts the coloring of the greenery and the building. They will be building approximately 300,000 sf on both sides. The first floor is split and each floor is approximately 80,000 sf and the first floor is 32,000 sf of office and cuts off to warehouse which is 2 stories high (48,000 sf) on the next 2 floor and the 3rd floor will be all schools.

Mr. Walter Hopkin is the engineer for the project and Mr. Larry Schreiber is the architect and they also have a traffic expert available. Mr. Penzer asked if the existing building which has 15,000 office and 5,400 warehouse and said they are proposing to make it a 20,000 sf warehouse and 20,000 sf office and the third floor 40,000 sf school and said if you look at the building on the right hand side (pointed to the exhibit) there is a bump out which caused the variance to make sure there is a separation of where the children go out. Mr. Penzer said there is only 3 issues that they need to deal with. Mr. Vogt asked about signs and Mr. Penzer said there is no speed limit posted on Swarthmore Avenue and said under the town's ordinance, the square footage of the sign depends on how fast you go so they say they go 50 mph and Mr. Vogt said 35 mph and Mr. Penzer said every sign on Swarthmore is more than 75 sf and nobody asked for a variance which means the facts are the speed limit is not 35 mph but if they feel they need a variance then they are asking for one but it is his legal opinion that they do not. Mr. Vogt asked if they looked at the other signs in the area and Mr. Penzer said yes and said what he measured out was between 85-100 sf and Mr. Vogt said what they are asking for is consistent with the park and Mr. Penzer said yes. Mr. Neiman asked what the speed limit is for the rest of the park and Mr. Penzer said it varies from 35-40 but it is not consistent. Mr. Kiert said he met with Traffic & Safety to try to determine that so that is how they came up with 35 mph and they were surprised that nowhere in the township ordinance did they specify a speed limit so 35 came from Traffic & Safety. There are other roads that are 25 mph and other speed limits but Swarthmore is the main road. Mr. Vogt recommended treating it like a variance and Mr. Neiman agreed and asked if there were any sight issues with granting this variance and Mr. Vogt said no. Mr. Hopkin said the ordinance is based solely on speed limit and not on the size of the building or the size of the lot which is unusual. Mr. Penzer said they are asking for a variance for the sign.

Mr. Penzer said the other issue is the question of a variance that Mr. Vogt has that if you have an overhang of a building on top, it that considered encroaching. Mr. Penzer said 4 building inspectors back (Mr. Reynolds), after the second story they did not look at the overhang. Mr. Vogt said that is why he mentioned the setback variance, because of the overhang. Mr. Neiman said to him that is minor and if they can grant it and Mr. Penzer said the overhang is 9 inches. Mr. Neiman wanted to focus on bus drop off and after they are dropped off they are going through an industrial site, to a third floor, through office and warehouse space etc., hours of operation.

Mr. Hopkin said both buildings have separate entrances and separate bus travel routes. When building B (existing building) is being added to, the bus drop off will be in the front, it is a one way and Mr. Neiman asked if there was an entrance there to go in and Mr. Hopkin said there will be a stairwell added onto the existing building which is creating the variance and that stairwell helps separate the uses so the students can go right up to the third floor. Mr. Neiman asked him

to show him where the playground is and how they are going to get to the playground and Mr. Hopkin said the playground is in the rear along the side and the entire rear lot is acres and acres (130 acres) and there are no threatened and endangered species but there is an eagle migratory and in the deed it says it was deeded to Lakewood for recreational purposes and they want to further deed restrict it that nobody can use it and they are in negotiations with the Township Committee. Mr. Penzer said they have 15,000 sf of play area on that side besides the back lot. Mr. Hopkin said there is at least 4 acres in the rear that is outside of any wetlands.

Mr. Schmuckler asked how wide the strip along the right side was and Mr. Hopkin said 30 ft. Mr. Schmuckler asked who owned the dirt path in the back and Mr. Hopkin said it is part of the Township's land but there is a cleared path they were hoping to use to join the 2 areas and 2 schools. Mr. Schmuckler asked if they owned the land or if the Township did and Mr. Penzer said the township did. Mr. Penzer said it is recreational so they can use it and Mr. Schmuckler asked who else is using the path and Mr. Penzer said no one, it is in the back and Mr. Schmuckler said he should go out to see it. Mr. Schmuckler asked if they were putting in slides and swings on their property for the kids because it is not on the plan and Mr. Penzer said he would rather see if the township will let them put it on their property and they are discussing it. Mr. Schmuckler asked if they were going to gate off the playground area from the truck area and Mr. Penzer said yes. Mr. Schmuckler asked what type of gate and Mr. Penzer said they could either go chain link or whatever the board feels- they want to keep it as natural as possible but they want to keep it separate. Mr. Schmuckler suggested a small chain link so the kids can't climb and Mr. Penzer said yes.

As far as the other building (B), Mr. Hopkin said it has a separate entrance and the bus drop off area is along the western side of the building separate from any other access and they have asked for relief of joining the sidewalks so they can separate the uses. There is a stairwell to go up to the 3rd floor and the recreational area is located in the back. Mr. Neiman asked if there will be cooking facilities in the schools and Mr. Penzer said he did not know and Mr. Neiman said he did not see garbage disposal and Mr. Penzer said the didn't put any and Mr. Hopkin said they have refuse areas and pointed to them on the map. Mr. Penzer said they spoke to Mr. Franklin about it.

Mr. Schmuckler asked how many access stairways was there to the 3rd floor and Mr. Hopkin said he would have the architect answer and Mr. Schreiber said the existing building (A) there are 3 staircases for access, one in the front, one on the side facing building A and one in the rear to go out to the recreation area. In building (B) exits and entrances, one on the left side of the building and one on each side of the building for emergency egress. Mr. Schmuckler asked if he was comfortable with the amount of exits in case of fire and Mr. Schreiber said yes, this is built to code. Mr. Schmuckler asked what frame the buildings were made of and Mr. Schreiber said steel frame. BOCA requires separation by use so the fire rating for the 3rd floor is much higher and there are sprinklers. Mr. Neiman asked if there were elevators and Mr. Schreiber said yes, each use has it own separate entrances, stairs and elevators.

Mr. Akerman asked what preventative measures were taken to make sure the kids don't go to the commercial or industrial part of the building and Mr. Hopkin said from a site standpoint it is a separate entrance and the circulation of the trucks and buses are separate. The playgrounds will be fenced and Mr. Penzer said Oorah seems to have control, so they watch the children and it seems they will eventually be all school. Mr. Akerman said it would be nice if they could use some of the roof area for a playground – they have 3 acres up there (2 on one and 1 on the other). Mr. Hopkin said it has been discussed.

Michael Mandell, facility manager for Oorah said they did discuss putting the playground on the roof but they did not want to bring it up at this point, with the building the way it is and the size of the building, it would take it over the edge. The way it is being built, it would allow for it and if the board would entertain the possibility of looking into it they would and Mr. Penzer said if they do, Mr. Vogt would call the shot to protect the kids with whatever height fence was needed.

Mr. Neiman opened the microphone to the public

Gerry Ballwanz, Governors Road, Lakewood was sworn in. She said she is concerned about the reference to the township owned land and asked if the intent is to keep the public out of that area and just have the children be able to access it- it wasn't clear what they were negotiating with the township. She thought there was supposed to be a greenways bike path or trail around the different waterways around town and it seems they are going to restrict this and it would conflict with that plan. Mr. Penzer said they are not looking to restrict the outside, all they are doing is using it during the school hours. Mrs. Ballwanz asked how the school will use the property, will it be as walking trails and Mr. Penzer said he did not know yet but on the left hand side it is pretty cleared and it lends itself to ball playing, there area 130 acres and they are only using 4 acres and Mrs. Ballwanz asked if the 4 acres is part of the township owned land and Mr. Penzer said yes and Mrs. Ballwanz said they would be putting a playground there and Mr. Penzer said if the township wanted to they can, if not the applicant would volunteer to put it in. Mrs. Ballwanz said if the school puts it in, only the schoolchildren could use it and Mr. Penzer said no, when they are there they will be using it but when they are not, it is open to the public. Mrs. Ballwanz asked how many children and Mr. Penzer said it is impossible to know. Mr. Neiman said in a building this size, between 800-1000 students. Mrs. Ballwanz asked what happens in the future when the warehouse goes and then some other kind of use comes in, this would impact the number of parking spaces. Mr. Penzer said this is a 2 story warehouse, it is not that easy to change and they are deliberately making a configuration that is not that easily lent to another use, they are limited to what they can do with the warehouse. Her concern is if the school will not only be on the 3rd floor but in the future it becomes part of the 1st & 2nd floor that will affect the whole project and asked if they could deed restrict and Mr. Neiman said the school requires the least amount of parking than office, which requires the most, so there could never be more than office space. Mrs. Ballwanz asked if this was the property across from the post office and was told yes, and the one building will be demolished.

Seeing no one else, this portion was closed to the public

Motion was made by Mr. Schmuckler, seconded by Mr. Herzl, to approve with both playgrounds fenced in and everything else talked about.

ROLL CALL: Mr. Herzl; yes, Mrs. Koutsouris; yes, Mr. Neiman; yes, Mr. Akerman; yes, Mr. Follman; yes, Mr. Percal; yes, Mr. Schmuckler; yes

5. CORRESPONDENCE

Georgian Court University

Mr. Kielt said someone is here on their behalf and the purpose is they are putting ground mounted solar panels on the campus of the university-no where near the outbound of the

property and the zoning officer suggested they come here for the blessing of this board that no site plan is required.

Matthew Stanger, president of Blue Sky Power, and he is the project developer for a solar project at GCU. They will be putting in on site generation and tying into the metering for 2 separate buildings- the wellness center and the arts and science center. They are putting in part rooftop on the wellness center and part on the ground. Michael McKenna from CMX is present to answer any technical questions. Mr. Neiman asked if any trees will be removed and Mr. Stanger said there will be trees that he shaded that were already planned to come down for expansion of the parking area so no other ones are being removed. After discussion with Mr. Kielt and Mrs. Siegel about submitting a formal site plan it was decided that they didn't think it was necessary but the get the boards opinion and Mr. Neiman asked if the panels would be seen from the public sector and Mr. Stanger said he submitted plans that show they are pretty much in the center of the campus, far away from any property boundaries and he does not think they will be visible from anywhere outside the university.

Mr. Schmuckler asked how high off the ground are these and Mr. Stanger said they are from 20 inches to 6 ft. and they will be on medal posts. Mr. Percal asked how much current usage will be taken over by these panels and Mr. Stanger said this is less than a 400 kilowatt system so probably a 10 % if not less than the total usage of the university. Mr. Akerman asked if there were going to be any structures going up and Mr. Stanger said there are panels; that is why he is here.

Motion was made by Mr. Akerman, seconded by Mr. Herzl, to not require a site plan and no formal application is required

ROLL CALL: Mr. Herzl; yes, Mrs. Koutsouris; yes, Mr. Neiman; yes, Mr. Akerman; yes, Mr. Follman; yes, Mr. Percal; yes, Mr. Schmuckler; yes

Mr. Kielt will do a letter to the zoning officer advising her of the board's decision.

6. PUBLIC PORTION

Gerry Ballwanz said in view of the snowstorm and the people who are complaining about the snow removal and where do you put the snow when there is such high density complexes being approved by both the planning and zoning boards and Mr. Neiman said that is one of the reasons they have been asking for 4 off site parking for every housing structure-they want to keep as many cars off the street as possible.

7. APPROVAL OF MINUTES

- Minutes from February 16, 2010 Planning Board Meeting

Motion was made by Mr. Akerman, seconded by Mr. Follman, to approve

ROLL CALL: Mr. Herzl; abstain, Mrs. Koutsouris; yes, Mr. Neiman; yes, Mr. Akerman; yes, Mr. Follman; yes, Mr. Percal; abstain, Mr. Schmuckler; yes

8. APPROVAL OF BILLS

Motion was made by Mr. Akerman, seconded by Mr. Follman, to approve

ROLL CALL: Mr. Herzl; yes, Mrs. Koutsouris; yes, Mr. Neiman; yes, Mr. Akerman; yes, Mr. Follman; yes, Mr. Percal; yes, Mr. Schmuckler; yes

9. ADJOURNMENT

The meeting was hereby adjourned. All were in favor.

submitted
Johnson
Board Recording Secretary

Respectfully

Chris
Planning