

JACKSON TOWNSHIP PLANNING BOARD MEETING

Monday, April 4th, 2022

The April 4, 2022 meeting of the Jackson Township Planning Board was called to order at 7:30 p.m. by Board Chairman Robert Hudak with a salute to the flag by all present. Attorney Sean Gertner read the Open Public Meetings Act Statement noting that adequate notice has been provided and advertised in the manner prescribed by law.

Roll Call:

Tim Dolan	Robert Hudak, Board Chairman
Dr. Michele Campbell	Martin Flemming, Councilman
Jeffrey Riker	Joseph Riccardi, Mayor's Designee
Mordechai Burnstein	Len Haring, Board Vice Chairman
Tsvi Herman –Alt #1	Mr. Canderozzi-Alt # 2
	Mr. Wall-Municipal Representative

Also Present: Sean Gertner, Planning Board Attorney, Ernie Peters, Board Planner, Doug Klee, Board Engineer, Anthony Jacob, Township I.T. Representative, and Irina Darrar, Planning Board Recording Secretary, Laura Morrison Planning Board Secretary.

Payment of Recording Secretary, Irina Darrar for March 21th, 2022 meeting. Motioned by Riker/Dolan Yes: Mr. Wall, Mr. Flemming, Dr. Campbell, Mr. Burnstein, Mr. Riccardi, Mr. Haring, and Mr. Hudak.

Motion to approve regular meeting minutes from February 28th and March 7th, 2022. Motioned by Riker/Burnstein: Yes: Mr. Dolan, Dr. Campbell, Mr. Flemming, Mr. Riccardi, Mr. Haring, Mr. Wall, Mr. Hudak.

No Engineering/Planning matters were discussed.

Legal matters for discussion:

Resolution # 2022-07

Resolution of the planning board of the Township of Jackson, County of Ocean, State of New Jersey granted a one-year time extension and Administratively permitted proposed new lot 9.23 to be developed by the zone to Rutherford Estates, Block 11701 lot 9, 25, 26 & 33

Motion by Riker/Haring Yes: Mr. Dolan, Dr. Campbell, Mr. Bornstein, Mr. Wall, Mr. Flemming, Mr. Riccardi, Mr. Hudak

Resolution # 2022-08

Resolution of the Planning Board of the Township of Jackson, County of Ocean, State of New Jersey granting preliminary and final major site plan approval with variance relief for two-story office building for Jackson project, LLC, Block 7309, lots 12 & 13.

Motion by Campbell/Burnstein Yes: **Mr. Dolan, Mr. Riker, Mr. Wall, Mr. Flemming, Mr. Riccardi, Mr. Haring, Mr. Hudak**

Resolution # 2022-09

Resolution of the Planning Board of the Township of Jackson, County of Ocean, State of New Jersey granting preliminary and final major site plan approval with variance and design waivers for a one-story clubhouse, tot lot, in-ground pool, pool decks, patio areas, multipurpose fiend and two pickleball courts for J21SSE, LLC, Block 4101, Lot 20.02

Motion by Flemming/Campbell Yes: **Mr. Dolan, Dr. Campbell, Mr. Riccardi, Mr. Haring, Mr. Riker, Mr. Wall, Mr. Hudak.**

Motion by Campbell/ Burnstein Yes: **Mr. Dolan, Mr. Flemming, Mr. Riccardi, Mr. Haring, Mr. Riker, Mr. Wall, Mr. Hudak**

Application Block 20601, Lot 10 and 11 Denton Pines LLC

Mr. Klee stated that a time extension for a preliminary final major site plan in subdivision Resolution 2019-15 memorialized on 01/01/2019 granted conditional use and preliminary site plan and subdivision approval, so it has established 34 single-family residential building lots, one lot for the existing dwelling, one for stormwater Management lot, and a multi-family lot for eight apartment units based on the provision of the Municipal Land Use Law. The general term and conditions would be protected until July 1, 2021. The original application sought a one-year extension that would bring it to July 1, 2022. I'll leave this to the applicant, but it seems maybe 2023 might be a better way to go.

Mr. Peters stated that in 2019 when the application was approved it was located in the RG2 Zone. The property is still located in RG2 Zone. No changes were made.

Mr. Borden was sworn in. President of professional design services, Lakewood New Jersey, Licensed professional planner in New Jersey. He stated that the property was approved in RG2 Zone. It remains in the same Zone since the approval in 2019.No changes were made to the project. The reason for the extension is still finalizing the issue with the utility permits, particularly the sewer. This property along the Whitesville Road corridor is part of a coordination of the Jackson MUA with various projects on how to provide sewer service and where to locate pump stations and how to tie them together. One change was made, when approved there was a pump station, now no longer a pump station with the project. MUA through some master planning of its own came up with a better location for a Regional pump station that is not located in Denton Pines. Those planning delays at the MUA are the cause why we respectfully ask for a second one-year extension.

Public Comments: Motioned by Riker/Campbell Yes: **Mr. Dolan, Mr. Wall, Mr. Flemming, Mr. Riccardi, Mr. Haring, Mr. Burnstein Mr. Hudak**

Time extension approved. Motion by Flemming/Campbell Yes **Mr. Dolan, Dr. Campbell, Mr. Riccardi, Mr. Haring, Mr. Riker, Mr. Wall, Mr. Hudak.**

Application: Block 11901, Lot 40. Lees Village, LLC

Mr. Klee stated that it is an application for the preliminary final major site plan. Mr. Klee's notes for the applicant indicate that there are three private schools for profit, for girls.

Donna Jennings commented from the law firm of Lens Goldman and Spitzer, that applicant never indicated if it was a girl's or boy's school. It is at two Elementary schools and a high school. Elementary school 400 and 400, high school 255 a total. Enrollment of 1055. Ms. Jennings said that it is not correct Elementary schools are 600 and 600 and 255 high schools. Ms. Jennings stated that Ian Borden was in the room and will clarify the information.

Ian Borden was sworn in. President of Professional design services, graduate of Rutgers University, and licensed professional planner in New Jersey. He stated that site plans indicate that two Elementary schools are 600 and a high school 255.

Mr. Klee said that the amount is important because of the parking capacity. Back in November, when the applicant testified, they provided revised plans. The most notable issues are the emergency fire lane behind the school and some internal modifications to the internal circulation aisles. What was once a two-way 30 feet wide driveway, now is a one-way still 30 feet. 30 were divided into 15 and 15, one more bus and one more school drop-off. Testified from the traffic controller is needed for design waiver since one way is usually 18 feet wide and has 15 and 15 in this case. Clarification on solid waste is needed, there is no loading zone, which is required. Also maintenance of the facility and the security.

Mr. Peter's stated that the original hearing was on November 15, 2021. Revised plans were submitted dated March 29, 2022. We need to hear the changes that were made. Since there are 3 separate schools, we need to tie together who is responsible for them. Would it be Township code enforcement or the landlord?

Ian Borden stated that exhibit # 5A shows direct emergency secured vehicle access. We added 20 a feet fire lane that runs separately to Leesville road and wraps around. The main loop road design was in the original design, but they were two-way, it was confusing, and now it is one-way. This is a lane for bus drop-off 30 feet wide. A separate parent drop-off lane was created with no parking on it, 18 feet wide which does meet the requirements of the Ordinance. A Crosswalk was added, and no changes to the size of the school were made. Stormwater management was updated. Plans were submitted to the Bureau of fire prevention as well and received approval dated 1/27/2022. The fire bureau approved circulation and rear access emergency. The Boundary Survey has been updated as well as a statement of operations. Important is that starting and finishing times are different between the two local public schools. As far as the maintenance they will be individually maintained by the schools.

However, the main driveway, landscaping, and sidewalk along Leesville Road along Spine drive will be the responsibility of the underline property owner.

Mr. Riccardi asked if there were separate parking lots, and who will do the snow removal.

Mr. Borden stated it will be a property owner.

Mr. Flemming needed a clarification: If each school would be taken care of by the school and the main driveway by the owner it will be 4 different entities to take care of road upkeep.

Mr. Borden changed his previous statement and clarified that it will be just one person, the property owner's responsibility for snow removal, and traffic control. There will be typical, 3 teachers per class K through 1. 2-12 two teachers. Principal and two Vice Principals. Nurses and EMTs will be present. Lunch will be delivered to the school. One lunch delivery per day. It will be delivered at the portion of the bus drop-off lane. Buses don't remain at school. The kitchen will accept delivery, but no cooking. There is a refuse area that has a compactor for trash and recycling. The recreational area will be supervised by the school staff. The gym will not be used for competitive sports. No shower in the school is proposed. The outdoor recreational area is intended to be a play area. Regarding security, doors are locked all the time and video cameras are available. We will provide EVI-ready parking spaces at all three schools.

Dr. Campbell mentioned that she was looking at the plans and far-right each parking lot looks like has an available number of spaces, which would be perfect for the faculty parking lot, if you put EVI in that area it will be your teacher and staff using it, instead of putting them in the general parking area.

Mr. Borden agreed. Regarding lighting, there is a recommendation for increasing light in a particular area the most notable main drive close to Leesville road. Lighting will comply as a condition of any approvals.

Mr. Flemming stated Grad 11-12 are ending at 9: 30 at night 60-70 kids will be getting on buses between 9: 30 and 10ght?

Mr. Borden confirmed that was the time that he was given.

Mr. Hudak Expressed his concern about school bus noise in the Residential area.

Mr. Jennings said that we have a State noise code that does not regulate roads.

Mr. Riccardi stated that the lawyer mentioned that the statement of operations shows Sunday through Thursday.

Mr. Borden said that statement does not identify how many days they operate, client will answer the question.

Mr. Peters needs more clarification regarding the recreation area.

Mr. Borden said the recreation is adequate for each of the schools as per his client; he would like to know what that means. In regards to hours of operations, Mr. Peters wants to know if the teacher will be there 13-14 hours a day or if it will be two shifts for the teachers. Mr. Peters did not expect Mr. Borden to answer the questions, but he just wanted to bring it up.

John Rea was sworn in. Professional Engineer and Principal with McDonough and Rea Associates. 1431 Lakewood Road, Manasquan NJ. Licensed engineer with a specialty in traffic engineering.

Ms. Jennings said that Mr. Rea testified at the last hearing and two issues came up, one with respect to NJDOT counts, that one of the members of the public had brought up, and if you can go over the counts again including the exhibits.

Mr. Rea stated that at the last meeting one of the residents indicated some NJDOT traffic counts that were found on the NJDOT Website along E. Veterans Highway right in front of Municipal Bldg. The resident asserted that the counts were inconsistent with the counts that Mr. Rea used in the traffic study. Mr. Rea compared NJDOT traffic counts and his counts, not only are they accurate but also his is higher. The title of A-6 is traffic volume comparison CR 528 NJDOT and MRA which is McDonough and Rea Associates counts. Mr. Rea stated that he took NJDOT counts that Ms. Adam testified to at the last meeting in November. Also, the counts that his firm used for the traffic study were manual turning movement counts that were conducted at E. Veterans Highway and Don Connor Blvd, as well as Leesville from 8 AM to 9 AM which is a critical peak hour for the busses for the school. The DOT count's total is 777 two-way traffic movements on E. Veterans highway.

Mr. Hudak said that the testimony of the counts is not consistent with school operational hours.

Mr. Rea said that he was expecting this because he looked at that as well, but he has an explanation. He said when the original statement of operation was given to him, school hours were different, but he still does not think this is an issue now that the school hours are different. Mr. Rea said his counts are 38 vehicles higher during the morning peak hours and 17 vehicles higher during the afternoon peak hours, perhaps inconsequential but certainly consistent with the NJDOT counts. Traffic study still looks at the worst-case scenario assuming that our peak hours coincide with eight to nine traffic counts. Counts from 7-8 o'clock are lower than 8-9 o'clock counts. At the intersection of Don Connor and E. Veterans Highway between 7-8 in the morning, there were 949 vehicles going through the intersection, between 8-9 there were 1063 vehicles. Mr. Rea recommended some significant improvements that need to be made at the intersection of E. Veterans highway and Don Connor, specifically the southbound left-turn arrow and a northbound right turn lane.

Mr. Hudak asked if the recommendation that was presented had a visual presentation.

Mr. Rea said just the narrative part is presented. Those improvements need to be designed in accordance with the Ocean County engineering standards. The application was made to the county, they are aware that we are proposing the improvements. Mr. Rea went over the exhibits, he stated that the applicant has gone to a one-way circulation system. Previously we had a two-way circulation system. There is a 30 foot drive valve for the buses to discharge and pick up kids. Buses will be 2 feet from the curb buses are 8 feet wide. In regards to deliveries, school buses will be there until about 8:30 AM, they leave and come back in the afternoon, high school will be different, students are going to get out later in the evening, but for two elementary schools buses will come back about 3:30 in the afternoon. There will be enough time to bring office supplies and food. It is a sufficient window for deliveries.

Dr. Campbell stated that the study was done from September through June, and the school will **run throughout through summer as well, which will interfere with the summer traffic.**

Mr. Rea said he will leave the client to answer that question.

Mr. Peters expressed concern about two-way in and out by the dumpster at one of the buildings. He said it is like a hairpin turn there.

Mr. Rea said that they will take a look at the turning radius and will lay templates and will make sure the turning is safe for buses, emergency vehicles, or any vehicles. Mr. Rea also commented on Leesville Rd and what impact the school might have on that intersection. A traffic study was published in 2021, we looked at that intersection in detail, and we projected traffic volumes to a 2031 design year. As everyone knows that is a four-way stop intersection, and that intersection will operate at the B level of service for the morning and afternoon peak hours. Mr. Rea is confident that any traffic impact from this school can be absorbed with a B level of service during the morning and afternoon peak hours.

Mr. Gertner asked about recommended improvements. Mr. Rea said that it is the Southbound-turn arrow and the northbound right turn lane. As a result of the traffic that we will generate, we are recommending a separate Southbound left turn Lane on Leesville Rd for traffic entering the driveway, a Northbound right turn, designed according to Ocean County engineering standards, cannot tell how long that left turn lanes will be, it will be determined by Ocean County design standards.

Mr. Mordechai Eichorn was sworn in. as a managing member of LLC. He stated that that school is a 12-month year, they do run through July and August. The only difference is boys' high school, it has 3 weeks off somewhere between the end of August and September 10th. It could be a boy's or girls' school if it is girls it will go through the year. The difference is the afternoon schedule, which will have additional recreational programs, and morning religious studies.

Dr. Campell asked what recreation is since there are no lockers rooms and no pool which limits the opportunity for physical activities.

Mr. Eichorn said basketball courts will be available, depending on if boys school or girls. He said no school wants to have a locker room, it comes with challenges.

DR. Campbell asked regarding science lab rooms since she did not see them on the plans.

Mr. Eichorn said he is not an expert in this field, he thinks any of the buildings would like to have it, and they can convert one of the rooms.

Mr. Eichorn said that this lease and rent will be for profit.

Dr. Campbell stated that she cannot ask an academic question to Mr. Eichorn, since he looks like is more operational, looks like she needs to speak with the Principal or Superintendent to get information on what academically is going on in those buildings.

Mr. Eichorn's agreed but said that it will be very comparable to all the schools that he has dealt with.

Dr. Campbell stated that she is still unsure about safety, access, and egress, coming in and out of buildings, but she does not think Mr. Eichorn can answer for it.

Mr. Eichorn said that there is an architect and he can give more information.

Mr. Burnstein asked what will determine if it is a boy or girl's school.

Mr. Eichorn said it will be like a retail store, since it is for profit, it will go down to the numbers that are being offered, who gives a greater demand, and who will pay the most money. He said each school will have its safety coordinator. The school will also have PTA; there will be no rental halls or party rentals.

Mr. Burnstein asked if the applicant will be utilizing security guards like most private schools are.

Mr. Eichorn said he is not aware grants are available, but if he is told, he would be happy to apply.

Mr. Peters needed clarification on the statement of the operations. If parents come to attend a play during school hours, we want to make sure there is enough parking, so we don't end up with folks parking in unsafe places.

Mr. Eichorn said that there will be no shows in the facility. Recess time usually takes about 15-20 minutes and kids play for another 15-20 minutes.

Mr. Peters said he wants to nail down all the operation, safety, egress, and landscaping issues, so that way later applicant has no issues with Building or Zoning Department, or the applicant has questions for the Board later on.

Resident Susan Cooper from Villeta Drive, Jackson NJ was sworn in. She stated that the population has definitely changed on that side of the town, especially Whispering Hills, which needs to be taken into account. She said that Cross Street is one of the worse streets in Ocean County; it is 3 miles long and is full of traffic. During rush hour, the time school opens or closes and into the night it is impossible to pass around. If the school is built more traffic will be added to the area. The resident had a question if students will be getting grants from the State. According to the Resident New Jersey has a state requirement for the size of the school. Elementary school must be built on 5 acres, high school much has 20 acres and despite that being a private school, 13 acres is illegal by State standards. Private schools and public schools have to follow the same regulation known as a community safety plan.

Resident Eleanor Hannum, Jackson New Jersey. She has a question regarding the number of classrooms in each school.

Mr. Gartner said that the board did not get to the Architect's testimony yet. Mr. Hannum said that she heard about utilizing a pallet jack to go in through the front door and unload products and food. There are certain regulations when it comes to children's and the use of pallet jacks, I don't know if that would qualify when children are around. The Resident wants to know if the school will accommodate special education.

Mr. Hudak said he does not think the applicant has an answer for it. The resident said that if they do, they have to meet ADA requirements and also if the school will have an elevator to accommodate that. The resident stated that according to Mr. Echorn the school will run through the entire year and she wants to make sure that the board is aware that Jackson Memorial high school is hosting recreation programs. Might be conflicting, moving those kids over the summer, when it comes to traffic. The resident stated that if there is a left turn, what they are doing for the businesses that are on the street. It is a high financial impact on those businesses. This needs to be taken into consideration. The resident stated that according to NJ regulations, the Department of Education and Governor Murphy, two years ago increase the amount, Jackson Board of education is to provide security service, equipment, and technology. So it will be our responsibility to provide that and if it is provided there must be a place for those security officers within the building.

Resident Dawn Slay 93 Leesville Road was sworn in. She said she has spoken with the Ocean County engineer herself, they informed me that there were 19 outstanding comments or items that need to be addressed. She wants to know whatever was discussed today if those 19 items were addressed.

Mr. Hudak asked if Mr. Rea was aware of it. Mr. Rea said that he is aware of the list.

Mr. Wall asked Mr. Klee if he can request a list from County

Mr. Klee said that typically when they go to County they will come up with the laundry list of things they need or maybe deem the application complete and this would be public information.

Mr. Wall asked Mr. Klee if he got a letter.

Mr. Klee said he does.

Resident Tina Kowalski, Jackson NJ was sworn in. The resident referred to Dr. Campbell's comment about garbage and compactor holding 600 students' garbage if it's actual and plus 500 staff members.

Dr. Campbell said that she did point out the trash issue, but Mr. Borden agreed to put a trash area behind each of the buildings to accommodate too much trash.

Resident Patricia Karamu, W. Veterans Highway, Jackson NJ was sworn in. She had a question regarding enrollment, how many kids will be accepted, and where the numbers come from since the building can hold more kids than is proposed.

Ms. Jennings said that the size of the building is not related to the number of students, but the parking requirement that the applicant is meeting.

Resident Maria Amador 19 Arrowhead Circle was sworn in. The resident was concerned about the two-lane street, no sidewalk, no shoulder, and also hours of operations.

Resident Elaine Kowalski Jackson NJ was sworn in. The resident had concerned about the right and left turn on Leesville. Mr. Rea said that all this has been put into traffic study and that is why he is recommending improvements.

Resident Jeffrey Tripp 55 Leesville Road, Jackson NJ was sworn in. He had a question regarding the emergency fire road. He said that it appeared to him that there will be no boundaries, no dividing line, and no buffer zone.

Mr. Bordon said near Leesville road the separation is about 5 feet from the property line for the edge of the emergency drive and further back it's about 15 feet.

Mr. Huda asked MR. Klee about setbacks.

Mr. Klee said because it is an emergency road he does not think it is regulated.

The resident asked if whatever trees are on the applicant's side you will take that buffer, you will go right up to my property line.

Mr. Bordon confirmed that all the trees on the applicant's property will be removed.

The Resident asked if there is a State requirement for an emergency.

Mr. Hudak says that the board asked for the alternative to give us a separate emergency exit, and entrance into the property. I had no idea until now that it is right on the property line, five feet off the edge.

The Resident's concern is that he will have no privacy.

Mr. Hudak asked if, May 16th, 2022 works for the applicant to come back. Closing public comment: Motioned Burnstein/ Riker all in favor among present

Mr. Gertner stated that Block 11901 Lot 40 Lees village LLC is being carried to May 16th, 2022. Without the requirement of further notice. The applicant waives time through May 31st, 2022

Motion to close the meeting Riker/Burnstein all in favor among present.

Respectfully submitted by

Irina Darrar

Planning Board Recording Secretary