

R-14-07

**BRICK TOWNSHIP PLANNING BOARD**  
**PRELIMINARY AND FINAL SITE PLAN APPROVAL**  
**WITH VARIANCES AND DESIGN WAIVERS**

**RESOLUTION R- 14 -07**

**Page 1 of 12**

**Case No. PB-2597-PSP-FSP-1/07**

**March 14, 2007**

File 2  
App  
App Att  
App Eng  
PB Att  
PB Eng  
Zoning  
Tax A  
Eng 2

**WHEREAS, THE CHURCH OF SAINT DOMINIC, AS APPLICANT /**

**OWNER**, having a mailing address of 250 Old Squan Road, Brick, New Jersey 08724, has applied to the Brick Township Planning Board for preliminary and final site plan approval pursuant to N.J.S.A. 40:55D-46, 50, 51, 60, and 70; and

**WHEREAS**, proof of service as required by law upon appropriate property owners and governmental bodies has been furnished and determined to be in proper order; and

**WHEREAS**, a public hearing was held on February 28, 2007 at the Municipal Building, at which time testimony and exhibits were presented on behalf of the Applicant, and all interested parties having been heard; and

**WHEREAS**, the Board makes the following factual findings and findings of law:

1. This property is known and designated as Block 1091, Lot 5, on the Municipal Tax Map.
2. The property is located on the corner of Van Zile Road and Old Squan Road, and is within the B-3 (Highway Development) Zone. The Applicant proposes to construct new / renovated space of approximately Twelve Thousand (12,000) sq. ft. which is to incorporate a two-story addition to the existing Saint Dominic School building, (approximately Eight Thousand (8,000) sq. ft. of renovations), as well as an expansion of the existing parking area to add approximately 103 new spaces. The two story addition will house a parish meeting hall, a library, music room, art room and

storage areas. Additional renovated space is an upgrade to a state-of-the-art Science Lab, Library and further expanded classroom space.

The proposed preliminary and final site plan is shown on plans entitled "Preliminary and Final Site Plan, Saint Dominic's Church, Lot 5, Block 1091, Township of Brick, Ocean County, New Jersey" as prepared by Ronald Kacmarsky Architectural Group, dated December 20, 2006, last revised February 14, 2007 consisting of Ten (10) sheets, and Architectural Plans, also prepared by the Kacmarsky Group dated 11/2006 last revised 2/14/07, consisting of three (3) sheets.

3. Applicant, through its Engineer Chayan Bhatta P.E. and P.P. of Ronald Kacmarsky Architectural Group, testified that the vibrant and growing Roman Catholic Church and School of Saint Dominic's need additional space. This proposal, which incorporates new construction, a two story addition, and a renovation of the existing building, will serve to provide available needed room for the varied Church, School and Outreach Projects. This project also incorporates an upgrade of the School's Science Lab to be state-of-the-art facility and also increases the size and scope of the Science Computer Lab and School's Library. The Church's Pastor, Rev. James Brady and the School's Principal, Ms. Carol Bathman, echoed that this is a necessary and warranted expansion and upgrade to the physical campus of Saint Dominic's. As most will acknowledge, in this Computer / media age, keeping current with the torrent of information available is a goal all schools aspire to. Yet, Saint Dominic's School and Church are but buildings to contain the true Christian spirit at this Diocese of Trenton Church and School. Guiding this expansion is the mission statement of the Church and School as a Faith-Based education of its youth, solace to its parishioners (young and old)

and the availability or faculties to practice the true service of Christianity here in Brick Township and beyond.

4. James A. Priolo, P.E., P.P., C.M.E., of Birdsall Engineering, Inc., Board's Engineer, prepared a report to the Board dated February 26, 2007. The Board hereby adopts the findings in that report and incorporates that document into this resolution by reference.

5. Michael P. Fowler, AICP/PP, Board's Planner, prepared a report to the Board dated February 27, 2007. The Board hereby adopts the findings in this report and incorporates that document into this resolution by reference.

6. Mark Kataryniak, P.E., P.T.O.E., of Birdsall Engineering, Inc., Board's Traffic Engineer, prepared a report dated February 27, 2007. The Board hereby adopts the findings in that report, and incorporates that document into this Resolution by reference.

7. Kevin Batzel, Brick Township Bureau Chief/Fire Marshall of the Bureau of Fire Safety prepared a report to the Board dated January 22, 2007. The Board hereby adopts the findings in this report and incorporates that document into this resolution by reference.

8. Ptl. Gerard Lampiasi, of the Brick Township Traffic Safety Bureau, prepared a report to the Board dated February 21, 2007. The Board hereby adopts the findings in that report and incorporates that document into this Resolution by reference.

9. Applicant has sought no variances, and therefore, none are granted.

10. Applicant has sought Design Waivers as follows:

- (a) In accordance with Section 245-396., a traffic report is required for this project. No report has been submitted.(The Board has elicited

a Traffic Report from its Traffic Engineer, Mark W. Kataryniak, P.E., P.T.O.E., dated February 27, 2007, (which will be discussed further in this Resolution)

- (b) In accordance with Section 245-413A, parking islands shall be required in all parking lots providing for more than 20 parking spaces and shall contain at least one shade tree for every ten stalls. No parking islands or trees are provided in the new parking lot. (Applicant will comply with the Ordinance)
- (c) In accordance with Section 245-371A, Stormwater Management shall be required for all residential and commercial development and shall be designed in accordance with Chapter 396 of the Ordinance and N.J.A.C. 5:21-7 Stormwater Management for all aspects of Stormwater Management Design. Stormwater runoff calculations are required. (It should be noted that while this Application was pending - after Applicant's professionals had an opportunity to discuss certain specifics of the proposal with Board's Professionals - the Applicant decided to revise its plan - so as not to include the "gated roadway" - that was originally proposed.) (Applicant will comply with the Ordinance.)
- (d) Applicant has requested a waiver from requirement to place curb or curb stop in place on the southern edge of parking lot by proposing edging material to the satisfaction of Board Engineer/Planner.

11. With the exception of the waivers granted hereinabove, the Applicant has complied with the requirements of the site plan ordinance. The plan is consistent with the intent and purpose of the Master Plan and the Municipal Development Ordinance. Accordingly, the Board finds that the benefits of the proposed development outweigh any detriments, and the relief requested can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Township Zoning Ordinance or Master Plan.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Planning Board on this 14<sup>th</sup> day of March, 2007, that this application be approved subject to the following conditions:

1. The Applicant shall comply with all standard Planning Board conditions for preliminary site plan approval as set forth on Attachment 'A.'

2. The Applicant shall comply with all representations and agreements made by the Applicant, its Attorney or any of its Professionals, or Representatives, during the presentation of this case.

3. The Applicant shall comply with the following paragraphs contained in the report of James A. Priolo, P.E., P.P., C.M.E., of Birdsall Engineering, Inc., Board's Engineer, dated February 26, 2007; including: 4. Site Plan -- (a) (The Applicant agreed per Board's direction to provide an outbound survey of the property for review.); 5. Grading Plan and Stormwater Management—(a) (Applicant agrees to provide the Board with the note that was cut off on the plan for the chain link fence by the aboveground stormwater detention.); (b) (Applicant has agreed to show a connection from the existing inlet located near the southwest corner of the new parking to the existing drainage system. Applicant will recite the inlet correctly on the plans.); (c) (The Applicant has

agreed to provide a drainage design and calculations in accordance with Chapter 396 of this Ordinance.); (d) (The Applicant has agreed to correct the detail for the aboveground stormwater detention which has conflicting contours from what is shown on the plan.); (e) (The Applicant has agreed to show additional contour lines, spot elevations, and top of curb grades for the parking lot and channel.); (f) (The Applicant has agreed to provide additional spot elevations in the area of the handicap parking spaces.); (g) (The Applicant has agreed to provide the information logs for the soil borings (located in the channel). The Applicant has also agreed to have the soil permeability tests performed.); (h) (The Applicant has agreed to show the existing concrete curb (triangular island) as being removed.); (6) Part Site & Additional Parking Plan: (a) (Applicant acknowledged that the proposal recites that 102 parking spaces are provided on the plan. The Applicant has agreed to remove the parking spaces located in the southernmost area on the eastern side, as that space does not provide sufficient room for backing movements.); (b) (The Applicant has agreed to reduce the size of the handicap parking spaces from the oversized ten (10) feet in width, to the required eight (8) feet, so as to reduce the amount of impervious coverage.); (c) (The Applicant further agreed to provide pavers for the twelve (12) foot wide walkway.); (d) (The Applicant has agreed to show the channel and aboveground retention area on the plan.); (e) (The Applicant has agreed to provide a crosswalk from the area of the handicap parking spaces to the parking field, then to the patio paver featured at the structure.); (f) (The Applicant has agreed to show the locations of the light poles and their foundations on the plan to ensure there their are no conflicts with the parking spaces.); (g) (The Applicant has agreed to clearly label the concrete pavers that are proposed in the area of the new building addition.); (h) (The Applicant has agreed to correct the pavement details for Section A-A and Section B-B which have

conflicting base course thicknesses.); (i) (The Applicant has agreed to provide some type of edging material at the southern edge of the parking lot, where no curb or curb stops are provided.); (j) ( The Applicant has agreed with the Board's concerns as to traffic safety with the proposed gates, and has decided to abandon that idea.) ; (7) Lighting Plan: (a) (Applicant has agreed to provide the detail for the decorative lighting pole.); (b) (Applicant has agreed to revise the plan which shows one of the proposed lighting foundations in the main parking area, as being located in the middle of a parking space.); (8) (The Lighting Plan: (a) (Applicant has agreed to correct the Pine/ Evergreen trees that appear to interfere with the function of the channel.); (b) (Applicant has agreed to provide additional landscaping along the southern (non-curbed) side of the parking lot.); (c) (Applicant has agreed to provide a planting schedule.); (9) (Applicant has agreed to show the grading, drainage and Stormwater Management structures on the Soil Erosion and Sediment Control Plan.); (10) (Applicant has further agreed to provide the following details: (a) (An eight (8) ft. chain link fence); (b) (An six (6) ft. chain link gate); (c) (Proposed concrete pavers (if applicable)); (d) (Tree and shrub planting details); (e) (Pavement markings/stripping details); (11) (Applicant has agreed to provide the printed name beneath the signature line for the Certification of the Record Holder, along with a Certification for the Applicant. The Applicant will provide the commission expiration date for the Notary Public signature); (12) (Applicant has agreed that the Ocean County Planning Board approval is to be recited on plan); (13). (Applicant has agreed to submit to, and appear before to all other local, State and Federal agencies having jurisdiction over this project.); (14) (Applicant has agreed that, prior to commencement of construction, the Applicant shall post a performance guarantee and inspection bond, in accordance with the Township's Land Use Ordinance and Municipal Land Use Law).

4. The Applicant shall comply with the following comments contained in the report from Michael P. Fowler, AICP/PP, Planning Board and Municipal Planner, dated February 27, 2007: V. Comments: (A). (Applicant has provided testimony with regard to the dimensions of the proposed addition and the total floor area.); ( B). (Applicant has agreed to plant six (6) ft. to eight (8) ft. tall Evergreen trees in the buffer area between the new parking spaces and the adjoining apartments.); (C). (Applicant has agreed to install new site lighting (with house shields) to prevent glare and spillover to the neighboring apartment complex. The Applicant has agreed to provide timers for the new site lighting, as the new site lighting should be turned off by 11:00 p.m. (when there are no activities taking place at the Church / School property.); ( D.) (Applicant has agreed to provide that at least one (1) of the handicap parking stall will be van accessible, with an eight (8) ft. wide parking stall, and with a eight (8) ft. wide discharge area. In addition, Applicant has agreed that a cross walk leading from the handicap stalls to the nearest depressed curb should be recited on the revised plan. Should the depressed curb not be in close proximity to the handicap spaces, then one should be provided.) ; (E.) (Applicant has abandoned the gated driveway area.)

5. The Applicant shall comply with the comments contained in the report of Mark W. Kataryniak, P.E., P.T.O.E., Board's Traffic Engineer dated February 27, 2007, including: (C.) On Site Issues: 1. (Applicant is proposing the construction of one-hundred and three (103) spaces where 97 are required by the Ordinance for the proposed expansion.); 2. (The Applicant has agreed to remove the southernmost parking space (on the eastern side) as it does not seem to provide sufficient room for backing movements.); thereby reducing the total number of proposed parking spots to one hundred and two (102) 3. (The Applicant has agreed to provide a cross walk in the area of the



handicapped parking spaces, in addition to an adjoining ADA compliant handicapped curb ramp.); 4. (Applicant has agreed (per ADA Standards) to provide at least one van-accessible parking space, which will be shown on the plans.); 5. (The Applicant has further agreed to align the proposed twelve (12) foot wide walkway from the parking lot with the crosswalk extending from the handicapped parking spaces.); 6. (The Applicant has agreed that the plan shows that some of the proposed lighting foundations for the main parking areas will be located in the middle of parking spaces. Applicant has agreed that these discrepancies will be revised.); 7. (The Applicant has agreed that stop bars and stop signs should be provided at all internal intersections for the minor movements.); 8. (The Applicant has agreed the plan will include details on the existing signing, striping and traffic control on the areas adjacent to the expansion.); 9. The Applicant has agreed the intersection of the proposed parking aisle (at the northwest corner of the existing building) will be aligned with the existing parking aisle (at the northwest corner of the existing building) will to eliminate conflict points.); 10. (Applicant has agreed to provide the approach signage for the proposed circular intersection, in addition to W 1-8 signs located on the central island.); 11 (Applicant has agreed to provide mountable curbing in the interior circular intersection. The Applicant has agreed to show the necessary details to the plans.); 12 (Applicant has agreed that the maximum type vehicle anticipated to use the proposed circle should be provided, and the Applicant has provided testimony that the proposed layout can accommodate this vehicle.); The Applicant further stipulated that the proposed drive aisle will not be used by school buses); 13. (Not applicable eliminated by Applicant ); 14. (The Applicant has agreed to comply with the Fire Report as to Fire Lanes.); 15. (Not applicable eliminated by Applicant); 16. (Not applicable eliminated by Applicant); 17. (Not applicable eliminated by Applicant); 18. (Applicant has agreed to

curbed islands being placed at both ends of the Twenty (20) space parking rows so as to provide protection to parked vehicles.); 19. (Applicant has agreed to provide the following details: (a.) Pavement markings/stripping layout, color and dimensioning and ( b.) signage details)

6. The Applicant shall comply with the comments contained in the report of Kevin C. Batzel, Bureau Chief/ Fire Marshal, Brick Township Bureau of Fire Safety dated January 22, 2007. 1 ( Applicant has agreed a note will be installed on the plan indicating all fire lanes, fire zones, signs and stripping to be in accordance with Brick Township Chapter 191); 2. (Applicant has agreed to re-designate fire lane stripping as indicated on sheet Y3 to include yellowing stripping, no parking fire lane in the center of the proposed roadway as well as signs.); 3. (Applicant has agreed to eliminate gates.); 4. (Applicant has agreed that the vast majority of existing fire lane signs are in poor condition and faded out, and will replace them throughout the entire complex.); 5. (Applicant has agreed to install an additional note on the plan indicating all existing fire lanes to remain, and that they will be upgraded, with additional stripping installed, as per the recommendation / direction of the Brick Township Fire Marshal/Bureau of Fire Safety, based on actual field conditions.); 6. (Applicant has agreed to provide proposed building use group in accordance with the international building code, and identify if fire sprinklers are to be provided, or if fire separation walls are to be designed, in the construction phase.); 7. (The Applicant shall comply with the comments contained in the report of Officer G. Lampiasi, Brick Township Traffic Safety Officer, dated February 21, 2007. Applicant has agreed that the proposed parking area with Ninety-Seven (97) additional parking spaces, should have a Stop Bar and an R1-1 Stop Sign installed.

Applicant has further agreed that this proposed new rear entrance to the school is anticipated to not have a substantial increase in the amount of pedestrian traffic.

8. The Applicant has further agreed that all plan revisions and modifications as recited herein shall be subject to the review and approval of Board's professionals.

9. The Applicant has further agreed to Board's recommendation that the revised plan shall be subject to the review and approval of Board's Architectural Committee.

10. The Applicant has agreed that all lighting will be directed downward, and have reflecting flat glass glare shield that must be consistent with the approved criteria of the "International Dark Sky Organization", and to satisfaction of Board's Engineer/Planner

11. The Applicant has agreed that any and all site lighting (except for security lights) will be turned off by eleven (11) p.m. or one (1) hour after events have concluded at the Church or School.

12. The Applicant has agreed to have its Attorney prepare any and all proposed drainage, utility, access and sight triangle easements (if any) and forward same to the Board's Attorney and Engineer, for their review and approval, prior to the recording of same in the Ocean County Clerk's Office.

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March 14, 2007

MOVED BY: Mr. Liloia

SECONDED BY: Mr. Dockery

VOTING IN THE AFFIRMATIVE: Mr. Petoia, Mrs. LaDuke, Mr. Reilly, Mr. Dockery

Mr. Liloia, Mr. Lazroe, Mr. Underwood

VOTING IN THE  
NEGATIVE:

INELIGIBLE TO VOTE: Mr. Catalano

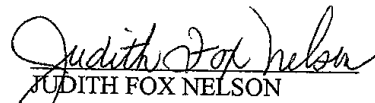
ABSTAINING:

ABSENT: Mr. Aiello, Mr. Hahn, Councilwoman Scaturro

#### CERTIFICATION

I, **JUDITH FOX NELSON**, Clerk of the Planning Board of the Township of Brick, County of Ocean, State of New Jersey, do hereby certify that the foregoing resolution was duly **ADOPTED** by the said Planning Board of the Township of Brick at a regular meeting held on the 14<sup>th</sup> day of March, 2007.

IN WITNESS WHEREOF, I have set my hand this 16<sup>th</sup> day of March, 2007.

  
JUDITH FOX NELSON  
Clerk of the Planning Board

ATTACHMENT "A"

BRICK TOWNSHIP PLANNING BOARD

STANDARD CONDITIONS FOR SITE PLAN APPROVAL

RESOLUTION R-14-07

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CASE NO. 2597-PSP-FSP-1/07

1. Applicant shall obtain certification by the Local Soil Conservation District of a plan for soil erosion and sediment control in accordance with N.J.S.A. 4:24-39 et seq., commonly known as the "Soil Erosion and Sediment Control Act."
2. All materials, methods of construction and details shall be in conformance with the current "Engineering Specifications and Construction Details" of the Township of Brick, which are on file in the office of the Township Engineer.
3. Applicant shall obtain all approvals required by any Federal, State, County or Municipal agency having regulatory jurisdiction of this development. Upon receipt of such approval(s), the applicant shall supply a copy of the permit(s) to the Board. In the event that any other agency requires a change in the plans approved by this Board, the applicant must reapply to the Brick Township Planning Board for approval of that change.
4. Applicant shall submit this entire proposal for re-approval should there be any deviation from the terms and conditions of this Resolution or the documents submitted as part of this application, all of which are made a part hereof and shall be binding on the applicant.
5. Applicant shall provide a statement from the Brick Township Tax Collector that all taxes are paid in full as of the date of this Resolution and as of the date of the fulfillment of any condition(s) of this Resolution.
6. Prior to the issuance of a construction permit, the applicant shall furnish the Township Clerk with a cash bond and performance guarantee in an amount to be determined by the Township Engineer.
7. Applicant shall post an inspection fund with the Township Clerk in an amount to be determined by the Township Engineer.
8. No soil shall be removed from the site without the written approval of the Township Council.
9. The applicant shall comply with all provisions and pay all fees established under Article VB (Mandatory Development Fees) of Chapter 190 of the Code of the Township of Brick.
10. For all residential uses the subdivider or site plan applicant shall provide for a trash receptacle.
11. In order to insure uniformity of trash receptacles and compatibility with the automatic trash collection system, all trash can receptacles required herein shall be obtained from the Township of Brick.
12. Applicant shall provide proof of application for Title NJSA 39:5 A-1 to the Planning Board.

ATTACHMENT "A"

BRICK TOWNSHIP PLANNING BOARD

STANDARD CONDITIONS FOR SITE PLAN APPROVAL

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7. Applicant shall post an inspection fund with the Township Clerk in an amount to be determined by the Township Engineer.
8. No soil shall be removed from the site without the written approval of the Township Council.
9. The applicant shall comply with all provisions and pay all fees established under Article VB (Mandatory Development Fees) of Chapter 190 of the Code of the Township of Brick.
10. For all residential uses the subdivider or site plan applicant shall provide for a trash receptacle.
11. In order to insure uniformity of trash receptacles and compatibility with the automatic trash collection system, all trash can receptacles required herein shall be obtained from the Township of Brick.
12. Applicant shall provide proof of application for Title NJSA 39:5 A-1 to the Planning Board.

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

Regular meeting, Wednesday, August 15, 2007, 6:30 PM, Engineering Conference Room, Third Floor, 129 Hooper Avenue, Toms River, New Jersey.

Chairman Bertrand presiding. Attending: Richard Work, Elaine McCrystal, Peter Hartney, Joseph Bilotta, Ronald Lotrecchio, Laura Benson, David McKeon, Anthony Agliata and Robin Florio.

Chairman Bertrand asked if the Planning Board meeting was in compliance with the Open Public Meetings Act. Ms. Florio advised the Chairman that adequate notice of this meeting was provided.

On a motion by Mr. Work, seconded by Ms. McCrystal, the minutes of the meeting of August 1, 2007 were moved for approval. The motion was unanimously carried.

**SUBDIVISION AND SITE PLAN REVIEW**

**BAY HEAD: Lots 14 Block 58 (BHB72A) Michael Lee**

This minor subdivision is for the shifting of a lot line. No additional lots are being created. County facilities are not affected. On a motion by Mr. Work, seconded by Ms. McCrystal, this minor subdivision was given final approval. The motion was unanimously carried.

**BRICK: Lots 5 Block 1091 (BRT75F) Rev. James J. Brady**

This site plan application is for an addition to the existing Saint Dominic Church and school building along with associated parking lot expansion. No improvements are proposed along Old Squan Road. County facilities are not affected. On a motion by Mr. Hartney, seconded by Ms. McCrystal, this site plan was given final approval. The motion was unanimously carried.

**BRICK: Lots 1, 1.01, 2, 3, 3.01, 50.02, 50.03 & 51 Block 68 (BRT870H) Scott Pezarras - Township of Brick**

This minor subdivision is for the former Trader's Cove Marina property creating two lots that are to be sold to Ocean County and two lots that are to be retained by Brick Township. County facilities are not affected. On a motion by Mr. Work, seconded by Ms. McCrystal, this minor subdivision was given final approval. The motion was unanimously carried.

**LACEY: Lots 31.01, 32-34, 28.01 Block 271 (LT710A) Frank Przemielewski**

This minor subdivision is for the consolidation and re-subdivision of five existing lots into two new lots. County facilities are not affected. On a motion by Mr. Bilotta, seconded by Mr. Hartney, this minor subdivision was given final approval. The motion was unanimously carried.

**LAKEWOOD: Lots 9 Block 345 (LAT1015A.01) 319 Prospect, LLC**

On a motion by Mr. Work, seconded by Ms. McCrystal, this site plan was given final approval contingent upon the developer to (1) submit a deed for an additional right-of-way dedication to 10' behind the proposed curbline along James Street to Ocean County, (2) submit a deed from the adjacent property owner for the right-of-way dedication as indicated on the plans to accommodate the proposed road improvements along James Street, to Ocean County, (3) submit a sight right easement form for sight triangle easements at the proposed driveway on James Street in accordance with County standards to Ocean County, (4) submit a drainage easement form for a 5' wide drainage easement along the entire frontage of James Street to Ocean County, (5) construct porous pavement in the parking area adjacent to the rear building in a design to be reviewed and approved by the Ocean County Engineer, (6) redirect the roof leaders away from the front recharge system, (7) construct drainage facilities along James Street to address the water quality storm for the proposed road widening in a design to be reviewed and approved by the Ocean County Engineer, (8) pay an off-tract drainage improvement fee in the amount of \$2,800.00 and