

A meeting of the Brick Township Planning Board
was held on **February 22, 2017** in the Municipal Building.
The meeting was called to order at 7:00pm.

Notice of Public Meeting

Let the minutes reflect that adequate notice for holding this meeting was provided in the following manner:

By resolution of the Brick Township Planning Board on January 11, 2017. The notice was posted on the Bulletin Board in the Municipal Building, forwarded to the official newspaper, filed with the Township Clerk as required by the Open Public Meetings Law.

MEMBERS PRESENT

Bernard Cooke
Councilman Mummolo
Richard Gross
Cosmo Occhiogrosso
Eileen Della Volle
Kevin Nugent
William Philipson – Alt #1
George Osipovitch – Alt #2

MEMBERS ABSENT

JoAnne Lambusta
Kevin Aiello
Brad Clayton

ALSO PRESENT

Michael Fowler, AICP/PP, Municipal Planner
Ted Wilkinson, PE, Adams, Rehmann & Heggan
Lisa Norman, CSR, Court Reporter
Pamela O'Neill

APPROVAL OF MINUTES:

December 14, 2017

A motion was made by Mr. Gross and seconded by Mr. Osipovitch to approve.

VOTING IN THE AFFIRMATIVE:

Mr. Gross, Mr. Osipovitch, Mr. Cooke

Ineligible:

Councilman Mummolo, Mr. Nugent, Ms. Della Volle, Mr. Philipson, Mr. Occhiogrosso,

Absent:

Mr. Clayton
Ms. Lambusta
Mr. Aiello

The motion was approved.

January 11, 2017

A motion was made by Mr. Occhiogrosso and seconded by Councilman Mummolo to approve.

VOTING IN THE AFFIRMATIVE:

Councilman Mummolo ,Mr. Gross, Mr. Occhiogrosso, Ms. Della Volle, Mr. Nugent, Mr. Cooke, Mr. Philipson, Mr. Osipovitch

Absent:

Mr. Clayton
Ms. Lambusta
Mr. Aiello

The motion was approved

OLD BUSINESS- RESOLUTION :

PB-2783-MS 11/16

Michael and Anne Oliver
Minor Subdivision
Block 324.13 Lot 15 &16

A motion was made by Mr. Gross and seconded by Mr. Occhiogrosso to approve.

VOTING IN THE AFFIRMATIVE:

Councilman Mummolo, Mr. Gross, Mr. Occhiogrosso , Ms. Della Volle, Mr. Nugent, Mr. Philipson , Mr. Cooke, Mr. Osipovitch

Absent:

Ms. Lambusta
Mr. Clayton
Mr. Aiello

Resolution R-13-17 was approved

PB-2688-FMS 9/11

Joseph and Louise Gass
Final Minor Subdivision
Block 322 Lot 16.08 & 29.01

A motion was made by Mr. Gross and seconded by Councilman Mummolo to approve.

VOTING IN THE AFFIRMATIVE:

Councilman Mummolo, Mr. Gross, Mr. Occhiogrosso , Ms. Della Volle, Mr. Nugent, Mr. Philipson , Mr. Cooke, Mr. Osipovitch

Absent:

Ms. Lambusta
Mr. Clayton
Mr. Aiello

Resolution R-14-17 was approved

NEW BUSINESS:

PB-2788-MS 1/17

Township of Brick
Minor Subdivision
Block 741 Lot 1
401 Chambers Bridge Rd.

The Township of Brick proposes to subdivide Lot 1, into two separate lots (Lot 1.01 & 1.02) to construct a future Municipal Safety Complex. The lot to be subdivided is located within the R-1: Rural Residential Zone.

The Township was represented by Mr. Scott Kenneally of Sharkey, Kelly, Kenneally, Cunningham & Turnbach and Ms. Elissa Commins, Township of Brick Municipal Engineer. Ms. Commins was sworn in by Court Reporter and Councilman Mummolo recused himself from the dais.

Mr. Kenneally introduced Ms. Commins and she testified the area would be designated as a Municipal Safety Complex with the construction of a police garage to house 3 ambulances, mobile command center and mass casualty units. Ms. Commins submitted Exit A-1: Minor Subdivision Plan, Matrix New World Engineering.

Ms. Commins acknowledged Mr. Wilkinson report dated Feb. 14, 2017, which stated no variance are required for this application. Mr. Wilkinson suggested waiver be granted to use deed instead of plan to file and Mr. Kenneally concurred.

A motion was made by Mr. Gross and seconded by Mr. Occhiogrosso to approve.

VOTING IN THE AFFIRMATIVE:

Mr. Gross, Mr. Nugent, Ms. Della Volle, Mr. Philipson, Mr. Occhiogrosso, Mr. Osipovitch, Mr. Cooke

Absent:

Mr. Clayton
Ms. Lambusta
Mr. Aiello

Recused:

Councilman Mummolo

The motion was approved

Resolution:

A motion was made by Mr. Occhiogrosso and seconded by Mr. Philipson to approve.

VOTING IN THE AFFIRMATIVE:

Mr. Gross, Mr. Nugent, Ms. Della Volle, Mr. Philipson, Mr. Occhiogrosso, Mr. Osipovitch, Mr. Cooke

Absent:

Mr. Clayton
Ms. Lambusta
Mr. Aiello

Recused:

Councilman Mummolo

The Resolution **R-12-17** was approved

PB-2785-MSP-V 12/16

B-Tach, LLC
Minor Site Plan w/Variance
Block 853 Lot 2 & 3
848 Route 70

The Applicant proposes to refurbish an abandoned 1-story block building to operate a professional office building and adjacent parking structures.

The Applicant was represented by Kimberly Bennet, Esq. of King, Kitrick, Jackson & McKweeney and Jeffery Carr, PE, PP of Lindstrom, Diessner & Carr.

Ms. Bennet testified the property is located at 848 Route 70 westbound and is currently a defunct furniture store. The Applicants are proposing the site to be a law firm office, by rehabbing the site with aesthetic upgrades and no addition. Ms. Bennet advised the Applicants have other professional offices in Eatontown and Toms River, NJ.

Ms. Bennet introduced Mr. Carr and he was sworn in by Court Reporter. Mr. Carr testified and made the following statements:

- Applicants are upgrading the site and changing the use to an Law firm office.
- No window signs will be used and street scape will be enhanced.
- Site entrance proposed on right, one way and exit onto Route 70
- Forge Pond Rd. will have open pavement except corner
- Currently sign on site is 25' high located in the middle of the parking area.
- ADA compliance not to code
- Steep, unpaved slop located in the rear of the property
- Applicants propose the following upgrades:
 - Re-stripping parking area
 - Closing off Forge Pond Rd. north end and making single access point
 - Green scraping along Forge Pond Rd.
 - Removal of sign in the middle of parking area
 - 90 degree parking on Forge Pond Rd and angle parking on Route 70 side of site.
 - Changing of street scape with the installation of 2 landscaped islands
 - Installation of bumper stops
 - Reconstruction of sidewalks along the front of structure with new ADA compliant access
 - Addition of 2nd staircase for egress from basement
 - Construction of trash enclosure on concrete pad, to house small trash cans
 - Removal of fenced area for parking restriping
 - Removal of trash enclosure and utilization of small trash cans with area fenced on 3 sides and evergreen plantings.
 - Rear trash enclosure egress to put in resolution compliance

The Chairman called for a break at 8:50pm and the meeting resumed at 9:05pm

Ms. Bennet asked Mr. Carr to testify on the report from Mr. Wilkinson dated January 30, 2017.

- Mr. Carr testified the following are pre-existing nonconformance conditions, Lot area(2 acres required & 34,504 existing/proposed), Lot width (200 ft. required & 294 ft. existing/proposed) , Front yard setback (75 ft. required and 43.08 existing/proposed)and Side yard setback (30 ft. required and 21.01 ft. existing/proposed)

- Ms. Bennet testified the Applicants agree to consolidate lots as noted in Mr. Wilkerson's report.
- Applicants are requesting a waiver of depiction of freshwater wetland limits and wetland buffers. Mr. Carr stated wetlands on 2 sides of site and wetlands are not near the area of the site in which the refurbishment work is being done. Mr. Carr testified the NJ DEP wetland map was plotted on the plan to show site is not near wetlands. Mr. Wilkinson requested a record of the anticipated buffers and Mr. Carr stated the Applicant has resubmitted plans with wetlands plotted.
- Mr. Carr testified although accessory side yard setback of 4.5ft is an existing non-conformity, the applicant proposes to install a 6 ft. fence to screen proposed trash area and this non-conformity will not be eliminated by lot consolidation
- Mr. Carr testified a new variance is requested for pre-existing condition with parking, whereas no parking can be located within 20 ft. of ROW
- Mr. Carr testified another new variance is being requested for 9ft parking spaces, where 10ft is required stating due to the pre-existing site restrictions
- Mr. Carr testified the applicant is seeking a waiver for the sidewalks along Route 70, due to the limited space from existing NJDEP signage. Also due to limited accessibility on Forge Pond Road, the applicant is requested a waiver and contribution to Pedestrian Safety Fund for both.
- After discussion with the board on, Mr. Carr stated the Applicant would agree to install sidewalks along Route 70 pending NJDOT approval
- Mr. Carr testified the Applicants will be relocating the sign along the BTMUA easement in front, about 11ft. from corner of Route 70 , 25ft back from curve line with a shift to landscaped island.
- Mr. Carr testified the Applicants will eliminate 1 parking space to revise the proposed drive aisle from 14ft to 16ft at the narrowest point, whereas 18ft is required.
- Mr. Carr testified a waiver is requested for the 3ft high landscape berm along the frontage between the street and the driveway aisle/parking due to existing NJDOT right away and sight triangle
- Mr. Carr testified the Applicant agrees to and has completed the following site layout comments:
 - Plans shows lot consolidation
 - Brought site up to ADA compliance
 - Resurfacing & Sealing the Parking lot prior to final stripping
 - Removal of one stall nearest the construction to increase the aisle width
 - Acceptance of minimum one-way drive aisle constriction point of 16ft by Kevin Batzel, Bureau of Fire Safety
 - Removal of the one stall nearest the constriction to increase the aisle width to 16ft
 - Will repair the failing sidewalk along the building
 - Improvement of the concrete walk by making the grade an 2% slope for ADA compliance
 - Identification of ADA curb ramp from the ADA stall into the building

- Mr. Carr testified per Mr. Wilkerson recommendation, no landscaping will be planted along the frontage that will grow any taller than 3ft.
- Mr. Carr testified there is no need for DEP approval, as they have improved Stormwater runoff by reducing it.
- Mr. Carr testified a waiver is requested for proposed 9ft by 18ft parking stalls at 62 degree angle, national standard
- Mr. Carr testified the Applicants will be adding stop signs at exits and one way and 2 way arrows.
- Mr. Carr testified an height variance is being requested for 20ft.black and white monument sign, where ordinance states 15ft. The Applicant will be placing the sign on Route 70 side, not Forge Pond Rd.
- All of Mr. Wilkerson's grading and drainage comments have been or will be addressed.
- Mr. Carr stated if sidewalks waived , no need for ramp, but if installed they will install curb impressions.
- Mr. Carr testified no changes proposed for electric, phone, water, sewer, gas or cable utilities
- Mr. Carr testified improving soffit lighting, which will be down directed and agree to add note on plans stating lights to remain on for 30 minutes after closing.
- Mr. Carr testified there will be no major deliveries and one way access on Forge Pond rd. with 24ft inlet, for trash and fire access. They will be installing a safe stone walkway with striping where appropriate.
- Mr. Carr stated the trash enclosure gate height proposed is 6'and the fencing will be vinyl.
- Mr. Carr testified the Applicants will be utilizing existing lighting, 4ft overhang with down lighting mounted under facade and Mr. Wilkerson commented the Applicant must make sure there is ample lamination for parking spots.

Mr. Wilkerson offered the following comments in response to Mr. Carr's testimony:

- Advised sidewalks must be pulled back for Fire truck access
- Improvements are needed on radius for entrance on Route 70
- Sidewalks are recommended to complete pedestrian access
- Requested removal of extra 200ft of asphalt and Applicants agreed
- The removal of landscaping ties and placement of stairs closer to the building
- Requested addition of FEMA flood zone mapping, to show site flood zone location status, to which Mr. Carr agreed.

Mr. Carr addressed the report from Kevin Batzel, Bureau of Fire Safety dated Feb. 13, 2017, stating they will meet with Mr. Batzel to address his concerns on proposed fire lanes and stone surfaces. Mr. Carr testified he will inquire with Mr. Batzel, if wood chips more agreeable in place of stone. Mr. Carr also testified the basement is for storage only and no need for ADA compliance and bluestone egress is only required for 1st floor to meet ADA requirements.

Mr. Carr addressed the letter from Traffic Safety dated

Mr. Carr address the report from Elissa Commins, Township Engineer , dated January 9, 2017,by stating they will repair westerly curb line of the parking lot to direct stormwater runoff to existing inlet.

Mr. Carr addressed the comments from Michael Fowler, Township Planner, dated February 15, 2017, by testifying the following:

- Proposed trash enclosure will be widen
- Both trash and recycle receptacles will be utilized
- Applicants agree to put 4 tress along Forge Pond Rd. area
- Advised business hours are Monday thru Saturday, no Sunday working hours
- Applicant will defer to the Board on irrigation plans, as none are proposed
- No new building mechanicals
- Basement for (dead files) storage only
- Applicant will submit new sign proposal on updated plans
- Applicant agrees to outdoor area for employees on the southwest side of building.
- Mr. Carr testified the Applicants will work with the Township on the use of drought tolerant plantings.
- Mr. Fowler recommended sidewalks and was advised my Mr. Carr, the installation of sidewalk would be dependent on NJDOT approval and ask if the Applicants could start interior work while awaiting NJDOT approval and was advise clean out only would be permissible, a kind to a vanilla box.

The Applicant submitted the following exhibits:

- A 1: Applicant's Eatontown office
- A 2: Applicant's Toms River office
- A 3: pics of signage on Forge Pond Rd.
- A 4-5:photos of signs in surrounding area
- A 6: rendering of proposed sign
- A 7-8: pictures of building currently

A motion was made by Mr. Gross and seconded by Councilman Mummolo to approve.

VOTING IN THE AFFIRMATIVE:

Councilman Mummolo, Mr. Gross, Mr. Occhiogrosso , Ms. Della Volle, Mr. Nugent, Mr. Philipson , Mr. Cooke, Mr. Osipovitch

Absent:

Ms. Lambusta
Mr. Clayton
Mr. Aiello

ADJOURNMENT

A motion to adjourn the meeting was made by Councilman Mummolo and seconded by Mr. Gross. All were in favor.

The meeting was adjourned at 10:30pm

Respectfully submitted by:
Pamela O'Neill