

A meeting of the Brick Township Board of Adjustment was held on **February 7, 2018** in the Municipal Building. The meeting was called to order at 7:00 pm.

Notice of Public Meeting was read by Chairman Langer. He led the Salute to the flag and the roll was called.

MEMBERS PRESENT

Harvey Langer
David Chadwick
Mike Jamnik
Louis Sorrentino
Stephen Leitner
Carl Anderson, Alt 1
Michele Strassheim, Alt 2

MEMBERS ABSENT

Frank Mizer
Dawn White

ALSO PRESENT

John Miller, Esq.
Brian Boccanfuso, PE
Tara Paxton, AICP/PP, Assistant Municipal Planner
Sean Kinnevy, Zoning Officer
Denise Sweet, Court Reporter
Pamela O'Neill, Secretary

The Board Professionals were sworn.

VOUCHERS

A motion was made by Mr. Chadwick and seconded by Mr. Anderson to approve the vouchers.

VOTING IN THE AFFIRMATIVE:

Mr. Chadwick, Mr. Jamnik, Mr. Sorrentino, Mr. Leitner, Mr. Langer, Mr. Anderson, Mr. Strassheim

NEW BUSINESS:

**BA-3062-A-PSP-FSP-C-D-9/17, Bricktown UE, c/o Urban Edge Properties
Block 701, Lot 7, 8, 9.03,15 & 16, 644 NJ State Hwy 70**

John Sarto, Esq. appeared on behalf of the applicant.

Timothy Lurie, P.E., P.P., was sworn and testified the property is located in the B-3 zone. He said the applicant proposes to demolish an existing 1,045 SF commercial building on lot 8.03 and reconfigure the area to add 15 parking spaces for a total of 1,049. He testified that some of the internal driveways will be re-routed to improve circulation to the site from Chambers Bridge Road.

The following exhibits were marked by the court reporter:

- A-1 Colored Site Plan –grading and landscape plan
- A-2 Google Earth –Overlay
- A-3 Site Plan with existing conditions
- A-4-Photos –Garbage enclosures near McDonalds
- A-5Photo- the inside of garbage enclosure

Mr. Lurie testified that d (3) variance relief from conditional use standards applicable to shopping centers was necessary. He stated 1049 parking spaces are proposed where 1,034 exist and 1,162 are required, a reduction in impervious coverage from 88% to 87% was required. The minimum landscape area will be increased from 12.3% to 13.3% where 20% is required. The applicant proposes to add landscaping around the perimeter of the reconfigured parking areas and lighting consistent with the existing shopping center. Mr. Lurie advised the Board that there was a previously granted variance to construct a 3,057 SF addition on the southerly side of the building and those improvements will be constructed in phases and shown on the plan.

Mr. Lurie reviewed the report prepared by the Board Engineer dated January 3, 2018. He testified all of the lots except the location of the McDonald's were consolidated for a total of 23.6 acres. There are 57 green banked parking spaces on the site which have not been needed.

Mr. Lurie testified the wood shed depicted in A-4 and A-5 will be removed and replaced with landscaping.

He agreed to provide a bituminous sidewalk between the sidewalk that ends at the corner of Chambers Bridge Road and Route 70 and extend westward past the access way on Route 70 and meet with the sidewalk constructed along the adjacent Target store site.

He testified the benefits of the project outweigh any detriment. The "d3" variance relief sought by the applicant would have no detrimental impact on any of the neighboring properties

Mr. Lurie reviewed the report of Tara Paxton, AICP/PP, and Board Planner, dated January 29, 2018.

She recommended appropriate signage and restriping for the new intersection and raised crosswalks. Mr. Lurie agreed to comply and to install a bike rack on the site next to McDonald's.

There was some discussion regarding the installation of sidewalks. The applicant wanted to get a waiver.

The Chairman polled the Board and all were in favor of installing the sidewalks. In the event the applicant cannot get DOT approval, they can get a waiver and contribute to the Pedestrian Safety Fund.

The Traffic Report dated November 13, 2017, Municipal Engineer's report dated November 13, 2017 were reviewed.

Mr. Lurie agreed to address the dumpster issue raised in the Bureau of Fire Safety report dated October 31, 2017.

John Rea, Traffic expert, was sworn, and testified to the proposed site circulation improvements.

Chairman Langer called for public comment. Seeing none he closed the public.

He called on Mr. Sorrentino to provide Factual Findings as follows:

The applicant requests variance relief to demolish an existing 1,345 SF building on site, to add to the existing parking and improve the ingress and egress from Chambers Bridge Road to the north easterly corner of the site.

They require "d3" relief for a conditional use.

The site remains appropriate for the use

The applicant requires bulk relief.

Mr. Sorrentino said he concluded the variances can be granted.

All members concurred.

A motion to approve the application was made by Mr. Chadwick and seconded by Mr. Jamnik.

Ayes: Mr. Chadwick, Mr. Jamnik, Mr. Sorrentino, Mr. Leitner, Mr. Langer

Chairman Langer called for a break at 8:43. The meeting was called back to order.

**BA 3028-PSP-FSP-C-D-3/17, PMG New Jersey, LLC
Block 1446.03, Lot 4-1 Lanes Mill Road (carried from November 8, 2017)**

Jason Truvel, Esq. appeared on behalf of the applicant. He stated the application was carried from the November 8, 2017 hearing. He stated the applicant is seeking Preliminary and Final Major Site Plan approval with a use and bulk variance to remove

the existing car wash and convenience store and construct a new 5,246 SF restaurant with drive through lane and expand the gas station under the existing canopy.

Jeffrey A. Martell, P.E., Stonefield Engineering was sworn.

He stated he had met with the Traffic Safety Department to review the report dated April 3, 2018. They will comply with the report.

He also met with the Bureau of Fire Safety to review the report dated March 30, 2018. They will comply with that report as well.

Christine Cafone-Nunziano, P.P., Planner for the applicant was sworn.

She reviewed the report prepared by Tara Paxton, AICP/PP.

She testified that the gas station is not a permitted use and requires a D- 1 variance to expand the use. The gas station and car wash have been located on site since 1983.

She testified the site is suitable for the use. The use will serve the Public and do no substantial harm to the public good.

The Chairman opened the hearing to the public. Seeing none, he closed the public.

He called on Mr. Leitner to give Factual Findings.

He reported the following:

The applicant is seeking a variance for a d-1 Use because a gasoline filling station is not a permitted use in the B-2 general Commercial zone.

The applicant is seeking variances for minimum front set back on Lanes Mill and Burnt Tavern Roads, Garden State Parkway, maximum Impervious coverage, number of façade signs, maximum area of freestanding signs, maximum quantity of signs , pylon signs, and maximum height for a free standing sign.

A motion to approve was made by Mr. Leitner and seconded by Mr. Jamnik to approve the application.

In favor: Mr. Chadwick, Mr. Jamnik, Mr. Sorrentino, Mr Leitner, Mr. Langer

OLD BUSINESS

BA-3025(2388)-DEC-USA, Inc.

Block 1068, Lot 30.01

1118 A Industrial Parkway

Amended Final Major Site Plan

A motion was made by Mr. Sorrentino and seconded by Mr. Jamnik to approve the resolution.

In favor: Mr. Jamnik, Mr. Sorrentino, Mr. Leitner, Mr, Langer, Mr. Anderson

Absent: Ms. White, Mr. Mizer

Ineligible, Mr. Strassheim

ADJOURNMENT

A motion to adjourn the meeting was made and all were in favor.

The meeting was adjourned at 10:05 PM

Respectfully submitted by:
Pamela O'Neill