

A meeting of the Brick Township Planning Board
was held on **April 11, 2018** in the Municipal Building.
The meeting was called to order at 7:05 PM.

Notice of Special 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 10, 2018. 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
Kevin Aiello
Brad Clayton
JoAnne Lambusta
Richard Gross
Kevin Nugent
William Philipson – Alt #1
Mr. Osipovitch-Alt #2

ABSENT

Cosmo Occhiogrosso
Councilman Mummolo
Eileen Della Volle

ALSO PRESENT

Harold Hensel, Esq.
Michael Fowler, AICP/PP, Municipal Planner
Denise Sweet, Court Reporter
Pamela O'Neill, Secretary

VOUCHERS

Chairman Cooke announced the vouchers will be carried to the meeting of April 25, 2018.

NEW BUSINESS

PB-2807-TC-3/18-John Helmstetter
596 Mantoloking Road
Block 167, Lot 6

Mr. Fowler stated the applicant had taken down trees without a permit.

Applicant, John Helmstetter was sworn. He testified that he removed trees to construct a new home and apologized for not getting a permit. He agreed with the Engineering Department to replace six trees and four evergreen plants. He also agreed that all tagged trees are the plan will remain and he will get the proper permitting for clearing and grading.

A motion was made by Mr. Gross and seconded Mr. Philipson to approve the application and adopt the resolution.

Ayes: Mr. Cooke, Mr. Aiello, Mr. Clayton, Mr. Gross, Ms. Lambusta, Mr. Nugent, Mr. Philipson and Mr. Osipovitch.

The motion passed and the resolution was approved.

**PB-2803- MS-V-11/17, Atlantic Property Development, Frank Ferrari
331 North Bay Drive
Block 43.05, Lot 11
Minor Subdivision with Variance**

Felix Nihamin, Esq., appeared on behalf of the applicant, who is seeking Minor Subdivision approval to reinstate a common property line in accordance with the original filed map to create two undersized lots.

Frank Baer, PE, PP, of WSB Engineering, was sworn. His credentials to testify were accepted by the Chairman. He testified the property is off of Route 35 Southbound. Exhibit A-1, a 1954 filed map, was marked. Mr. Baer demonstrated that all of the properties in the area were developed on 50 X 80 foot lots. The homes will meet the requirements of the Flood zone. Water services are in a sewer laterals are in process so the road does not need to be reopened.

There is no property to dedicate for road widening.

They request a waiver for street and shade trees as they do not grow in the soil there.

Mr. Baer agreed to request gas lines to be installed. He will get back to Mr. Wilkinson.

Mr. Baer reviewed the ARH Engineering report prepared by Ted Wilkinson, dated February 12, 2018. He agrees to all of the map filing comments of Mr. Wilkinson. They will agree to meet all set-backs.

Mr. Baer reviewed the report of Mr. Fowler dated April 5, 2018. He stated the property was vacant due to the demolition of a previous structure from Superstorm Sandy. The new homes proposed will be similar in size to the new homes in the area. He will mark the locations of the driveways.

Mr. Fowler requested the 9 Ft side yard set-back remain on the south side on Lot 12.

Mr. Baer said they will comply with the Bureau of Fire Safety Report, prepared by Kevin Batzel, dated January 17, 2018 and the Municipal Engineers report prepared by Elissa Commins, dated January 23, 2018.

Chairman Cooke opened the hearing to the Public, seeing none he closed the hearing.

A motion was made by Mr. Gross and seconded by Ms. Lambusta to approve the application.

Ayes: Mr. Cooke, Mr. Aiello, Mr. Clayton, Mr. Gross, Ms. Lambusta, Mr. Nugent, Mr. Philipson, Mr. Osipovitch

PB-2805- Steven Bendel-MS-V-1/18
860 Ridge Road
Block 1422, Lot 46
Minor Subdivision with variance

Chairman Cooke announced the application was carried from the March 14, 2018 meeting and Kevin Aiello, who had been absent from the meeting has listened to the recording and has certified so and is eligible to vote on the application.

John Paul Doyle, Esq. appeared on behalf of the applicant. He stated the applicant took into consideration the comments from the Board, the professionals and the neighbors and in a timely fashion submitted revised plans to amend the application from a three lot subdivision to a fully conforming two lot minor subdivision. Any issues with the trees are to be limited by the Township Ordinances.

Regarding the deed restrictions, Mr. Doyle referred to a four lot subdivision granted in 1966. There were no restrictions by the Planning Board. Meadows Marina put a restriction. Mr. Doyle noted one of the 4 lots got a subdivision. Since the Planning Board did not put in the restriction, the restriction is of no moment legally.

The restriction on the Eagle Ridge development was a CAFRA restriction and still applies.

Frank Baer, P.E., P.P., was sworn. His credentials were accepted by the Chairman. He testified the subdivision was fully conforming and the new lot could be developed with a house that would be compatible with the existing neighborhood.

A 20 foot easement will be required by the BTMUA to provide water and sewer services. The septic system to the existing system will be eliminated and public sewer will be provided. He reviewed the report prepared by Ted Wilkinson, P.E., ARH Associates., and Board Engineer, dated April 9, 2018. Mr. Baer agreed to comply with the technical comments. There was some discussion regarding a set- back being measured from the easement, but, it was determined the ordinance requires the set- back to be measured from the lot line. It was agreed the applicant will remove a fence and patio.

Regarding the waiver for shade trees, Mr. Baer testified there is a canopy of trees on the property and additional trees are not needed or would they survive. The Board agreed to the waiver. Also, the Board agreed to a waiver of Sidewalks. Mr. Fowler noted he did not need to prepare a report for a two lot conforming minor subdivision, but he would like to have the applicant provide for a 15 foot conservation easement between lots 46.02 and 47.02.

A 20 foot easement would be created to permit sanitary sewer to connect to the residence on Lot 46.01.

The Chairman opened the hearing for public comment. Eileen Nagy, 870 Ridge Road, was sworn. She stated she was generally satisfied with the revised subdivision. She read from the Turi approval for conditions that there was a condition for no further subdivision.

Scott Schocke, 788 Holly berry Lane, was sworn, inquired how close the house would be to his home.

John Lamela, 740 Halifax Lane, expressed some concern about having the house built in the middle of the lot.

Thomas Fatigante, was sworn. He expressed concern regarding the possibility of a creeping major subdivision. He asked for a deed restriction in the resolution. Mr. Doyle noted the applicant has already agreed to no further subdivision.

Seeing no further comment, the Chairman closed the public portion.

Mr. Doyle summarized the application.

A motion was made by Ms. Lambusta and seconded Mr. Gross to approve the application.

Ayes: Mr. Cooke, Mr. Aiello, Mr. Clayton, Mr. Gross, Ms. Lambusta, Mr. Nugent, Mr. Philipson, Mr. Osipovitch

OLD BUSINESS

**PB-2802-Spruce Equities, LLC
287 Van Zile Road
Block 1133, Lot 7
Preliminary Major Subdivision**

A motion was made by Mr. Philipson and seconded by Mr. Gross to approve the resolution.

Ayes: Mr. Cooke, Mr. Gross, Mr. Nugent, Mr. Philipson

The motion carried and Resolution R-16-18 was adopted.

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

The meeting adjourned at 8:35 PM

Respectfully submitted,
Judy Fox Nelson