

A meeting of the Brick Township Planning Board
Was held on **December 12, 2018** in the Municipal Building.
The meeting was called to order at 7:05pm.

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 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. Chairman, Bernard Cooke, called the meeting to order at 7:02 PM.

Mr. Cooke led the Pledge of Allegiance.

MEMBERS PRESENT

Bernard Cooke
Councilman Mummolo
Richard Gross
JoAnne Lambusta
Kevin Nugent
Kevin Aiello
Brad Clayton
William Philipson – Alt #1
George Osipovitch – Alt #2

MEMBERS ABSENT

Cosmo Occhiogrosso
Eileen Della Volle

ALSO PRESENT

Harold Hensel, Esq.
Tara Paxton, AICP/PP, Municipal Planner
Ted Wilkinson, P.E.
Denise Sweet, Court Reporter
Pamela O'Neill, Secretary

Vouchers

A motion was made by Mr. Aiello and seconded by Councilman Mummolo to approve the vouchers

Voting in favor: Mr. Clayton, Councilman Mummolo, Mr. Gross, Mr. Nugent, Mr. Aiello, Mr. Philipson, Mr. Osipovitch, Mr. Cooke,

OLD BUSINESS:

RESOLUTIONS

**PB 2814-MSP-V-DMT Enterprises, LLC
Block 611.01, Lot 34-Block 612, Lot 1.01
670 Mantoloking Road
Minor Site Plan with Variance**

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

Voting in favor: Councilman Mumolo, Mr. Gross, Ms. Lambusta, Mr. Nugent, Mr. Aiello, Mr. Philipson, Mr. Osipovitch

The motion carried and Resolution R-40-18 was adopted.

**PB-2813-PSP-FSP-V—Farro’s Far Out Tees c/o Dominick Farro
Block 1308.102 & Lot 11
354 Herbertsville Road
Preliminary & Final Major Site Plan w/Variance**

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

Voting in favor: Councilman Mumolo, Mr. Gross, Ms. Lambusta, Mr. Nugent, Mr. Aiello, Mr. Philipson, Mr. Osipovitch

The motion carried and Resolution R-39-18 was adopted.

NEW BUSINESS:

**BP-2824-PMS-Agar Construction
Block 646, Lot 31
416 Vannote Place
Preliminary Major Subdivision**

Chairman Cooke announced PB-2824-PMS, Agar Construction will not be heard tonight. It will be carried to the hearing of February 27, 2019. The applicant has granted a time waiver and will re-notice in the newspaper, but is not required to re-notice the 200 foot property owners list.

**PB 2817-CT07-91, Brick Blvd, LLC. (Starbucks)
Block 379.01, Lot 5
91 Brick Blvd
Preliminary and Final Major Site Plan with Variance**

Jilian McLeer, Esq. with King, Kitrick, Jackson & McWeeney, appeared on behalf of the applicant. She explained that she will be using a Powerpoint presentation marked as Exhibit A-1. She gave a brief overview of the application. They propose to construct a Starbucks Store according to the corporate protocol after having had many meetings with the Township and the County. The site is a single lot on Brick Boulevard surrounded by roadways which was previously a gas station. It is a prominent location with access near a shopping center.

Ms. McLeer introduced the engineer.

Loralie Totten, P.E., P.P., Crest Engineering Associates, was sworn and her credentials to testify as engineer and planner were accepted by the Chairman.

Ms. Totten described the existing conditions on Sheet 2 noting the location near Bay Harbor Shopping Center. She testified they have an LOI request for Absence of wetlands and a CAFRA Jurisdictional Determination. The site had had a gas station and has a LSRP for Monitoring wells. There will be only two monitoring wells left on site. She testified the property is located in the B-3, Highway Development zone.

Ms. Totten testified the proposed Starbucks in a 2325 SF building with a drive thru. She referred to page 6 on the Power Point exhibit to point out the points of access on the site.

She testified that parking is very important to the Starbucks model and they are proposing 30 spaces where only 19 are required.

Ms. Totten testified there are variances for set-backs and the location of the trash enclosure due to the fact the site has roadway all around it.

The applicant is required to provide a ROW dedication which further decreased the impervious coverage.

No change is proposed to the drainage. Water and sewer will be connected through a BTMUA approved system.

Ms. Totten testified she met with the Board Engineer before the meeting and they have agreed with many of the points in the ARH Associates report, dated October 31, 2018.

Regarding the Impervious cover and parking space issues, they propose to reduce the size of the 7 parking spaces from 10 feet to 9 feet and reducing the width of the drive thru lane and the by- pass lane. This will reduce the impervious coverage.

Ms. McLeer noted reducing the width of the parking spaces will require another variance, but it is recommended by the Board Engineer.

Chairman Cooke called on Mr. Wilkinson, for comments on his review: He approves the 9 foot spaces, and the 7 stalls in the front and sidewalk is an improvement to the site. He said he thinks 30 parking stalls are excessive, but it is a Board call.

He recommends some berming in the front.

Ms. Totten agreed to work with Mr. Wilkinson to provide the best berm possible, shrink the drive thru and move the dumpster forward.

She further stated they will work the sidewalk around the pole or remove the pole. They agreed to provide a monument sign that will comply with the ordinance and show the street number.

Regarding ADA compliance they will not have depressed curb at the driveways, but, will propose to switch the handicap 11 foot wide and 8 foot wide stalls and provide depressed curb.

She further testified they will carry the sidewalk around the exit of Brick Boulevard and connect the sidewalk with Starbucks.

Regarding connecting the sidewalk to the shopping center, they will work with the County.

Mr. Wilkinson stated he is satisfied with the responses of the applicant.

Ms. Paxton commented on her report dated December 6, 2018.

Ms. Totten noted there is a bicycle rack on the plan, they will meet the landscaping requirement, and they will irrigate.

Chairman Cooke noted other reports
Shade Tree Commission- December 12, 2018
Municipal Engineer- September 18, 2018
Bureau of Fire Safety August 24, 2018

Ms. Totten stated the applicant will comply with all reports

Architectural Committee-November 7

Dan Governale, Barlo and Governale Associates, Architect, was sworn and his credentials to testify were accepted by the Chairman.

He stated the monument sign will be backlit. Will redesign the plan and make it conforming and resubmit it.

Chairman Cooke opened the hearing to comments or questions. Seeing none, he closed the public.

The Board agreed the number of parking stalls will be at 30, six for employees and 24 for customers

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

Voting in favor: Mr. Clayton, Councilman Mummolo, Mr. Gross, Ms. Lambusta, Mr. Nugent, Mr. Aiello, Mr. Cooke, Mr. Philipson, Mr. Osipovitch

Chairman Cooke called for a brief break at 8:30 PM

The meeting was called back to order at 8:40 PM

**PB 2825-MS-PSP-FSP-11/18, M & Z Super Dome, LLC
M & M Route 70, LLC
Block 702, Lot 30 & 31
770, 780 Route 70
Minor Subdivision and Preliminary Major Site Plan**

Chairman Cooke announced the Architectural Committee did meet this evening and made some recommendations.

John J. Jackson, Esq. appeared on behalf of the applicants. He gave a brief overview of the application which proposes to subdivide the parcel located in the Metedeconk Village Redevelopment area into two parcels. The applicant is proposing to construct an indoor/outdoor sports facility in the rear of the property with the marketplace nearest Route 70. The site is the former Foodtown site.

Mr. Jackson said there is another attorney tonight representing Jack Morris, M & M, LLC, Kevin Boris, Esq., as there are two applicants.

Mr. Jackson noted Pete Tasca will be here to testify to his successful operation of a Superdome. The main building will have studios for Yoga, Ballet, Training and other activities and the dome will be behind it for football, soccer etc. under the dome to nurture future athletes of Brick Township.

Regarding the Architectural Plans, Mr. Jackson noted the Architectural Committee recommended some changes. He said they will work with the Township Planner to raise the façade and make it look more like Sheet 12 of the plan.

Mr. Jackson further stated they are seeking only preliminary approval for the site plan.

He displayed A-2 Color Site Plan showing building of M & M in front and the Superdome in the back. The front development will consist of a large retail building, a small building and a restaurant.

Peter Tasca, His background is as a Phys Ed teacher and social worker. He started an 18,000 SF indoor basketball facility in 2000 and a 42,000 SF gravity vault. They were very successful and he was approached to build a larger facility

The proposed facility will have a 75,000 SF enclosed dome in the back which is proposed to be the sports campus. The front area will be utilized for ballet, art studios, physical therapy, food concessions birthday parties, class rooms, hot yoga.

Chairman Cooke asked for questions from the public on Mr. Tosca's testimony

Dawn White, 296 Princeton Ave, asked what the fees for families will be.

Mr. Tasca responded that they try to keep the fees affordable. Most programs are offered in 8 week sessions and work out at about \$20.00 per session. There are basic programs and elite programs. The elite programs are more expensive. They offer parties for 16 children for \$395.00

Jeffrey Carr, PE, PP, was sworn and he addressed the report of ARH, Associates, Board Engineers, dated December 4, 2018, report of the Board Planner, dated December 4, 2018, report of the Shade Tree Commission dated December 12, 2018, Traffic Safety report dated December 3, 2108, report of Municipal Engineer and Township Traffic Engineer, John Jarr.

Mr. Carr testified that the property is being developed according to the goals in the Metedeconk Village Redevelopment Plan as noted in Ms. Paxton's report.. The plan provides retail shopping facilities with amenities by a private sector developer and provides incentive to further improve the Route 70 corridor with an aesthetically attractive site and community related recreational facilities. They have NJDOT approval for the site.

Regarding the variances, Mr. Carr testified the variance for maximum impervious coverage was needed, but the application was actually reducing impervious coverage. Mr. Carr testified the parking requirement is 391 spaces whereas the applicant is providing 368 spaces. He testified the difference is de Minimis. The parking spaces will not be used at the same time due to the staggered uses on the site. The variance for parking abutting the residential is necessary die to the configuration of the site. Mr. Carr testified the applicant will add landscaping to comply with the Metedeconk Village Redevelopment Zone, the proposed development will improve storm-water facilities and the site lighting will meet the requirements of Green Building Technology.

He testified to the unique features of the site. Mr. Carr said it is an infill parcel with Forge Pond to the East, the golf course to the rear, Route 70 in the front and the Church parking lot to the side.

Additionally he testified the landscaped islands will be irrigated, and the applicant will work with the Township to create rain garden landscaping and depressed curb along with Bike racks and pedestrian connections to the Green Acres parcel at the rear..

Mr. Wilkinson noted the applicant agreed work with the Board to reduce the parking spaces to 9 X 18 ft. to reduce impervious coverage. The reduced size of the spaces will allow for an additional 16 spaces to a total of 384. The applicant agreed there will be no breaks in the sidewalks along the frontage and they will narrow the driveways to 26 feet. Mr. Carr confirmed he will work with Mr. Wilkinson.

Ms. Paxton noted the standard bulk requirement do not apply in a redevelopment zone. She noted the plan will be refined when it comes back for final site plan approval.

Chairman Cooke asked for comments from Mr. Carr on the letter submitted by M. Kinnevy dated December 6, 2018.

He agreed to comply with the requested sidewalks.

John Jarr, Board Traffic Engineer, was sworn and noted that the applicants had done an excellent job in providing for appropriate traffic circulation with a difficult jug handle. There is a decrease in traffic from before. Regarding parking, the site will be adequately parked.

Kevin Boris, Esq., Weingarten Law Firm, M & M Realty offered John Takina, Professional Planner.

Mr. Takina was sworn and he represents M & M Realty.

He addressed the front parcel which would have a 22,000 SF retail building with a restaurant. He agreed to follow the recommendations of the Architectural Committee. He said the site will function as one.

Chairman Cooke opened the hearing to public comment.

Frank Petorino, was sworn and he testified he has been coaching for 25 years and thought the Super Dome was good for the Township since there are not enough Gyms in the area.

Seeing no other members of the public to comment, he closed the public.

Mr. Jackson summarized the application.

There was some discussion regarding the resolutions. Mr. Hensel recommended the Board vote separately on the subdivision and the site plan.

A motion was made by Mr. Gross and seconded by Mr. Philipson to approve the application for the Minor Subdivision with a variance and a blanket easement.

Voting in favor: Mr. Clayton, Councilman Mummolo, Mr. Gross, Ms. Lambusta, Mr. Nugent, Mr. Aiello, Mr. Cooke, Mr. Philipson, Mr. Osipovitch

A motion was made by Mr. Aiello and seconded by Ms. Lambusta to approve the Preliminary Major Site Plan with variances.

Voting in favor: Mr. Clayton, Councilman Mummolo, Mr. Gross, Ms. Lambusta, Mr. Nugent, Mr. Aiello, Mr. Cooke, Mr. Philipson, Mr. Osipovitch

ADJOURNMENT

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

The meeting was adjourned at 10:15 PM

Respectfully submitted by:
Judy Fox Nelson