

A meeting of the Brick Township Planning Board
was held on **October 10, 2018** in the Municipal Building.
The meeting was called to order at 7:13pm.

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. The Chairman called the meeting to order at 7:13 PM.

Mr. Cooke led the Pledge of Allegiance.

MEMBERS PRESENT

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

ALSO PRESENT

Harold Hensel, Esq.
Michael Fowler, AICP/PP, Municipal Planner
Tara Paxton, AICP/PP, Assistant Municipal Planner
Casey Dancisin, Court Reporter

VOUCHERS

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

In favor: Mr. Clayton, Councilman Mummolo, Mr. Gross, Ms. Lambusta, Mr. Nugent, Ms. Della Volle, Mr. Aiello, Mr. Philipson, Mr. Cooke

Present but not voting: Mr. Osipovitch

Absent: Mr. Occhiogrosso

OLD BUSINESS:

**PB-2806 John Herbster
185 & 187 Cartagena Drive
Block 211.30 Lot 15 & 16
Minor Subdivision**

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

In favor: Mr. Clayton, Councilman Mummolo, Mr. Gross, Ms. Lambusta, Mr. Nugent, Ms. Della Volle, Mr. Aiello, Mr. Philipson, Mr. Cooke

Present but not voting: Mr. Osipovitch

Absent: Mr. Occhiogrosso

The motion was approved and Resolution R-31-18 was approved.

**PB-2815 Burnt Tavern Realty
9-15 Lanes Mill Road
Block 1446.03 Lot 5
Preliminary and Final Site Plan**

A motion was made by Ms. Lambusta and seconded by Councilman Mummolo to approve the resolution.

In favor: Mr. Clayton, Councilman Mummolo, Mr. Gross, Ms. Lambusta, Mr. Nugent, Ms. Della Volle, Mr. Aiello, Mr. Philipson, Mr. Cooke

Present but not voting: Mr. Osipovitch

Absent: Mr. Occhiogrosso

The motion was approved and Resolution R-32-18 was approved.

NEW BUSINESS:

**PB-2779 Our Family Practice, LLC
Block 896.01 Lot 1-3 & 18-20
1899 Route 88 East
Minor Site Plan
Application to Amend the Resolution of Approval
R-7-17 January 7, 2017**

John Jackson, Esq. appeared on behalf of the applicant asking for relief from the resolution requirement for the cross access. They do not feel that the family medical practice has any commonality with the plaza next door as their client shares no common interests. Mr. Jackson stated this is not a variance requirement.

Michael Fowler, Township Planner had no objection to this matter as the volume that will pass the Doctor's site will not affect the neighboring properties.

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

In favor: Mr. Clayton, Councilman Mummolo, Mr. Gross, Ms. Lambusta, Mr. Nugent, Ms. Della Volle, Mr. Aiello, Mr. Philipson, Mr. Cooke

Present but not voting: Mr. Osipovitch

Absent: Mr. Occhiogrosso

PB-2812 Selman Savino Properties, LLC
781 Route 70
Block 673 Lot 49
Minor Site Plan w/Variance

John Jackson, Esq. presented to the board an application for his client Selman & Savino Properties LLC, who proposes to renovate the existing structure at Block 673 Lot 49, 781 Route 70 and make minor parking lot changes for ADA compliance for the proposed used car lot. The property is a B-3 general business zone and was previously a car dealership for many years.

Charles Lindstrom, PE, PP, the applicant's engineer, was sworn in and introduced the following exhibits.

Exhibit A-1: Power Point

Exhibit A-2: Revised Site Plan

Mr. Lindstrom testified the application seeks to upgrade and legitimize the parking area in the western portion of the property which will be used for parking of automobile inventory. The application initially requested approval for 157 parking spaces but the spaces have been reduced to 127 parking spaces due to the Environmental Protection prior approvals. This reduction eliminates the need for any Wetlands or CAFRA from the DEP. The applicant seeks to create a controlled access in and out of the property from Route 70; install curbing, sidewalks, and a rain garden both in the front and back of the site to assist with drainage.

Mr. Lindstrom stated the variances requested for the building structure are preexisting variance conditions, required front setback of the building is 75 ft. and existing is 20.18 ft.

Currently parking occurs in the Route 70 right of way, where 20 ft. is required. The pre-existing condition with parking in that area would not continue without approval from the Department of Transportation approval. This will not be a public parking lot. It will be controlled by the owners.

Ted Wilkinson, P.E. of ARH Associates reviewed his report dated August 20, 2018 and stated the applicant must comply with all Department of Environmental Protection's regulations and checklist items set forth under the ordinance as mentioned in his report, because this is more than one acre of disturbance. Although this is a minor site plan he noted it to be a major development and the applicant must comply with groundwater recharge, water quality and net reductions during the 2, 10, and 100 year storm events. The applicant agreed to this along with submitting the storm water maintenance plan to satisfy the NJDEP storm water guidelines.

The owner, Mr. Savino, was sworn in and testified that the hours of operation will be standard car dealership hours; there are six technicians that work in the shop, 2 to 4 salespeople, with 12 dedicated parking spaces located in the back of the building for employees. He stated the HVAC's will be staying on the rooftop after the building renovation and agreed upon screening to be placed around the mechanicals. Mr. Savino indicated and agreed that he would work with the Board's engineer to remove gravel and update the gravel area on the western portion of the property, as it is currently heavily packed and not porous.

Mr. Lindstrom agreed to comply with Ms. Commins, Township Engineer, report dated August 3, 2018 with the need to flood proof the structure as it is located in a flood zone AE8 and agreeing to comply with the Fire Safety report dated June 25, 2018.

Mr. Wilkinson requested clarification from the applicant that he will be taking down the large light poles. Mr. Jackson stated they are all coming down and they will comply with the requested lighting.

Chairman Cooke opened the hearing for Public comment, and closed the hearing for public comment.

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

All in favor: Mr. Clayton, Councilman Mummolo, Mr. Gross, Ms. Lambusta, Mr. Nugent, Ms. Della Volle, Mr. Aiello, Mr. Philipson, Mr. Cooke

**PB-2811 Shippee Family Partnership, LP
506 Sunset Blvd
Block 31 Lot 22.01
Minor Subdivision w/Variance**

The applicant's attorney John Jackson, Esq. appeared on their behalf, He presented to the board exhibit A1-Powerpoint Presentation of the minor subdivision with variances. The applicant is proposing to subdivide one 10,287 sq. ft. lot in the R-5 single family residential zone into two lots. The proposed lot 22.02 and lot 25.04 both would have 5,143.5 sq. ft. which meets the lot area requirement; both lots would have a lot width of 42.75 ft. where 50 ft. is required. The applicant also seeks to request a variance for the zoning requirement for a 50ft right of way, where 40 ft. right of way on Sunset Blvd is proposed,

The applicant's engineer Charles Lindstrom, PE, PP testified on behalf of the applicant and stated to the north of the property is what is identified on the site plan as a private right of way which serves as a walkway to the beach which is owned by the Deauville Beach Association. Mr. Lindstrom testified that this is not a road nor will ever be a road. It serves as a private walkway for beach access. This should not be considered to have a front set back as it serves as just a walkway.

Mr. Lindstrom reviewed Ted Wilkinson, P.E. of ARH Associates, report from July 16, 2018. He requested a waiver from the requirement to install curbs and sidewalks as it would not conform with the neighborhood. Mr. Wilkinson stated there are curbs and sidewalks across the street and he stated roads need curbs or the wear and tear will harm the road over time which then requires the Township improve these roads. Mr. Lindstrom testified that most of these driveways come right to the edge of pavement. Mr. Jackson stated they are concerned with a raised curb but they can incorporate a depressed curb along the entire frontage of the two proposed lots to maintain the road washout. Mr. Wilkinson stated he is ok with the sidewalk requirement being waived.

The height variance the applicant is requesting that 38.5 ft. is allowed to the peak and both proposed lots seek a height variance to permit 42.3 ft. height above grade to peak. The Board Attorney stated as long as it is below the 10% of the maximum height being permitted, this is seen before the Planning Board. This height would conform to all structures in this zone, Exhibit A-1 pages 8, 9, and 10 depicts neighboring properties that are built with this height variance. Mr. Fowler, Township Planner, stated if approved, this will meet all ordinance requirements for the height variance.

The applicant agreed to install a 4 ft. solid privacy fence to serve as privacy and to set forth the walkway area and they will comply with all DEP requirements for pilings and dune decking.

Chairman Cooke opened the hearing for Public comment, Mark Schmidt of 502 Sunset Blvd, questioned the proposed parking for the two lots as he has concerned about the

illegal parking along the roadway, he was at ease with the RSIS standards the applicant will have to comply with. Chairman Cooke closed the hearing for public comment.

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

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

Not in favor: Ms. Della Volle

ADJOURNMENT

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

The meeting was adjourned at 9:36 PM

Respectfully submitted by:
Lauren J. Helmstetter