

A meeting of the Brick Township Planning Board
was held on **Jan. 23, 2018** in the Municipal Building.
The meeting was called to order at 7:00 pm.

Administrative Officer, Tara Paxton called the meeting to order and read the following:

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. Ms. Paxton led the Pledge of Allegiance.

MEMBERS PRESENT

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

MEMBERS ABSENT

Kevin Aiello
Brad Clayton

ALSO PRESENT

Tara Paxton, AICP/PP, Municipal Planner
Ted Wilkinson, PE, Adams, Rehmann & Heggan
Denise Sweet, Court Reporter
Harold Hensel, Esq.
Pamela O'Neill, Secretary

VOUCHERS

_A motion was made by Councilman Mummolo and seconded by Ms. Lambusta to approve the vouchers

VOTING IN THE AFFIRMATIVE:

Mr. Gross, Ms. Lambusta, Ms. DellaVolle, Mr. Occhiogrosso, Councilman Mummolo, Mr. Nugent, Mr. Osipovitch, Mr. Philipson

MINUTES-September 12, 2018

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

VOTING IN THE AFFIRMATIVE:

Mr. Gross, Ms. Lambusta, Mr. Nugent, Mr. Osipovitch, Mr. Philipson

MINUTES-September 26, 2018

VOTING IN THE AFFIRMATIVE:

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

ELECTION OF CHAIRMAN

Administrative Officer, Tara Paxton, AICP/PP, called for nominations for Chairman.

A motion was made by Councilman Mummolo to nominate Bernard Cooke as Chairman. The motion was seconded by Mr. Gross

VOTING IN THE AFFIRMATIVE:

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

The motion to elect Mr. Cooke as Chairman was approved
Ms. Paxton turned over the meeting to Mr. Cooke and he resumed the Chair

ELECTION OF VICE CHAIRMAN

A motion was made by Councilman Mummolo to nominate Kevin Aiello as Vice Chairman. The motion was seconded by Mr. Gross.

A vote was taken to elect Mr. Aiello as Vice Chairman.:

VOTING IN THE AFFIRMATIVE

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

The motion to elect Mr. Aiello as Vice Chairman was approved

ELECTION OF PLANNING BOARD SECRETARY

A motion was made by Councilman Mummolo to nominate Pamela O'Neill as the Planning Board Secretary. The motion was seconded by Mr. Gross.

A vote was taken to elect Pamela O'Neill as the Planning Board Secretary:

VOTING IN THE AFFIRMATIVE

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

The motion to elect Ms. O'Neill as Secretary was approved

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ELECTION OF ALTERNATE MEMBERS TO SIGN MAPS

A motion was made by Councilman Mummolo to nominate Vice Chairman Mr. Aiello, Ms. Lambusta or Mr. Occhiogrosso as the Alternate Member to sign maps if the Chairman is not available.

In the absence of the Secretary, Lauren Helmstetter is appointed as Acting Secretary for the purpose of signing plans and documents on behalf of the Brick Township Planning Board

The motion was seconded by Mr. Gross

VOTING IN THE AFFIRMATIVE

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

The motion was approved and Resolution R-1-19 was adopted

APPOINTMENT OF THE PLANNING BOARD ATTORNEY

A motion was made by Mr. Gross to appoint Secare and Hensel as the Planning Board Attorney. The motion was seconded by Mr. Occhiogrosso

VOTING IN THE AFFIRMATIVE

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

Absent:

Mr. Clayton, Mr. Aiello

The motion was approved and Resolution R-2-19 was adopted

APPOINTMENT OF THE PLANNING BOARD ENGINEER

A motion was made by Councilman Mummolo to appoint Adams, Rehmann and Heggan as the Planning Board Engineer. The motion was seconded by Mr. Occhiogrosso.

VOTING IN THE AFFIRMATIVE

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

Absent:

Mr. Clayton, Mr. Aiello

The motion was approved and Resolution R-3-19 was adopted

APPOINTMENT OF THE COURT REPORTER

A motion was made by Councilman Mummolo to appoint Denise Sweet and Associates as the Court Reporter for the Planning Board. The motion was seconded by Mr. Gross

VOTING IN THE AFFIRMATIVE

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

Absent:

Mr. Clayton, Mr. Aiello

The motion was approved and Resolution R-4-19 was adopted

ESTABLISHMENT OF 2019-2020 MEETING DATES

A motion was made by Mr. Occhiogrosso to approve the Planning Board meeting dates for 2019 and January 2020. The motion was seconded by Councilman Mummolo.

VOTING IN THE AFFIRMATIVE

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

Absent:

Mr. Clayton, Mr. Aiello

The motion was approved and Resolution R-5-19 was adopted

APPOINTMENT OF THE CONFLICT PLANNER

A motion was made by Mr. Occhiogrosso to appoint the following firms for conflict planner: Adams, Rehmann & Heggan Associates, Inc., CME Associates, and Leon S. Avakian, Inc. for 2019. The motion was seconded by Councilman Mummolo.

VOTING IN THE AFFIRMATIVE

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

The motion was approved and Resolution R-6-19 adopted

SWEARING IN OF BOARD PROFESSIONALS

Planning Board Attorney, Harold Hensel, swore in Board professional, Mr. Wilkinson and Ms. Paxton.

OLD BUSINESS

RESOLUTIONS

**BA-2817-CT07-91 Brick Blvd & DT07-91 Brick Blvd, LLC
Block 379.01, Lot 5
91 Brick Blvd (Starbucks)
Preliminary and Final Site Plan w Variance**

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

VOTING IN THE AFFIRMATIVE

Councilman Mummolo. Mr. Gross, Ms. Lambusta, Mr. Nugent, Mr. Cooke, Mr. Philipson, Mr. Osipovitch

The motion was approved and Resolution R-7-19 adopted

**PB-2825-MS-V-11/18, HFZ-Super Dome, LLC and M & M @ Route70, LLC
Block 702, Lot 31
770, 774 & 780 Route 70
Minor Subdivision**

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

VOTING IN THE AFFIRMATIVE

Councilman Mummolo, Mr. Gross, Ms. Lambusta, Mr. Cooke, Mr. Nugent, Mr. Philipson, Mr. Osipovitch

The motion carried and Resolution R-8-19 was adopted

**PB-2825-PSP--V-11/18, HFZ-Super Dome, LLC and M & M @ Route70, LLC
Block 702, Lot 31
770, 774 & 780 Route 70
Preliminary Major Site Plan with Variances**

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

VOTING IN THE AFFIRMATIVE

Councilman Mummolo, Mr. Gross, Ms. Lambusta, Mr. Nugent, Mr. Cooke, Mr. Philipson, Mr. Osipovitch

The motion carried and Resolution R-9-19 was adopted

NEW BUSINESS

**PB-2803 MS Extension-Atlantic Property Development
Block 43.05, Lot 11
331 North Bay Drive
Minor Subdivision**

Chad Warren, Esq., appeared on behalf of the applicant. Frank Baer, PE, engineer for the applicant was present as well. Mr. Warren stated the applicant was held up because of the CAFRA permit.

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

VOTING IN THE AFFIRMATIVE

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

The motion carried and Resolution R-10-19 was adopted.

PB- 2804- MS-Extension-Bauer Properties, LLC
Block 252.19, Lot 40 & 41.01
111-115 Southview Court
Minor Subdivision

Frank Baer, PE, WSB Engineering, was present for the applicant
He stated the applicant is in the process of getting resolution compliance and requires an extension.

A motion to approve the extension and memorialize the resolution was made by Mr. Occhiogrosso and seconded by Ms. Lambusta

VOTING IN THE AFFIRMATIVE

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

The motion carried and Resolution R-11-19 was adopted.

PB-2805 Extension- Steven Bendel
Block 1422, Lot 46
860 Ridge Road
Minor Subdivision

John Paul Doyle, Esq, appeared on behalf of the applicant. He stated there had been an easement on the property from the BTMUA going back many years. The easement is not needed anymore and has been finally removed, but, the applicant was unable to accomplish this within the 190 days.

A motion to approve the extension and memorialize the resolution was made by Mr. Occhiogrosso and seconded by Ms. Lambusta

VOTING IN THE AFFIRMATIVE

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

ABSTAINING Councilman Mummolo

The motion carried and Resolution R-12-19 was adopted

PB 2791-FMS AYRA Properties
Block 645, Lot 1.02
312 Drum Point Road
Final Major Subdivision

John P. Doyle, Esq., appeared on behalf of the applicant.
He noted Matt Wilder, PE, Morgan Engineering, was present.

Mr. Wilkinson stated his report dated December 10, 2018 noted some technical closure is needed for the final plat, but he said the plat is acceptable for the Board to consider. Ms. Paxton stated the applicant has met the compliance in her opinion and she has no comments on the final.

Councilman Mummolo asked about the easements in the rear yards of the new homes. Mr. Hensel said the deed restrictions should be required to be submitted for review for each of the homes.

Chairman Cooke called for public comment and seeing none, he closed the public.

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

VOTING IN THE AFFIRMATIVE

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

PB-2827-MS-Brick Township Board of Education
Block 867, Lot 6
32-34 Princeton Ave
Minor Subdivision with Variance

Ben Montenegro, Esq. appeared on behalf on the Board of Education.
He stated the property is in the B-3 zone. The Board of Education is seeking a minor subdivision of the subject property into 2 lots, new lot.6.02 is on Princeton Avenue, and lot 6.01 is on Route 88.

Ryan Conklin, PE, AICP, PP, was sworn and his credentials as Engineer and Planner were accepted by the Chairman.

The following exhibits were marked:

Exhibit A-1- Arial Map showing the zoning and adjacent lots

Exhibit A-2-Color rendering of the Revised Minor Subdivision Plat

Exhibit A-3-Photo exhibit showing the Site from the north and the south

Exhibit A-4-Truck turning plan for deliveries to the site

Mr. Conklin described the proposed subdivision into two lots with the vacant Laurelton School located on Route 88 and a School BOE warehouse located on Princeton Ave.

Mr. Conklin reviewed the ARH report prepared by Mr. Wilkinson dated January 8, 2019. He testified that the applicant needs variances for lot width, front yard setback and side yard setback.

Regarding the comments in the report they will agree to provide a Quick Claim deed to Lot 5 and will delineate same on plat.

They will comply with Comments D-b, c, e, and f. Regarding the comment on street trees, the B.O.E. agrees to provide the street trees on the Princeton Ave side. They are asking for a waiver because lot 6.01 will be sold and redeveloped.

Mr. Conklin reviewed the report dated December 19, 2018 prepared by Municipal Planner, Tara Paxton.

Ms. Paxton noted there was an application on this property in 2013 which was denied. Mr. Montenegro explained the current application eliminated 2 previous variances and changed the configuration of the lot line and they agreed to provide street trees. He noted there were significant changes and they did not have a Res Judicata issue.

Ms. Paxton requested the resolution should acknowledge the building has been abandoned as a school use for many years and she noted the building does not qualify for any historical registries.

Chairman Cooke noted for the record a report from the Municipal Engineer dated December 26, 2019 and Bureau of Fire Safety report dated December 20, 2019 were included in the record.

Councilman Mummolo asked for clarification of the school use.

Ms. Paxton said an for profit school such as a real estate school would be permitted, but a traditional school would require a use variance.

.Chairman Cooke called for public comment or questions, seeing none he called for a motion to approve or deny the application.

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

VOTING IN THE AFFIRMATIVE

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

PB-2818-A-FSP-8/18-Wawa, Inc.
Block 321, Lot 11.01 & 11.02
383 Drum Point Road
Amended Final Site Plan with Variance

Sara Werner, Esq. appeared on behalf of the applicant. She outlined the application. S

Matthew Sharo, PE, Dynamic Engineering, engineer for the applicant, was sworn and his credentials to testify were accepted by the Chairman.

Exhibit A-1 colored photograph was marked. He described the location of the existing Wawa store.

Exhibit A-2 Colored rendering of the Site Plan, sheet 4. Colorized the buildings and landscaping.

Mr. Sharo explained the proposal to construct a 77.9 SF walk in freezer addition to the existing building. The freezer would be surrounded by an 8 foot high white vinyl fence with bollards. Sidewalk and curbing will be replaces around the addition and the fencing will be locked at all times. No parking will be eliminated by the construction of the addition. The external freezer takes the place of trash enclosure. A new CO 2 unit will be included. Trash will be managed from inside and picked up on a regular basis.

Mr. Sharo agreed to come to agreement with the comments from the ARH report dated October 3, 2018 and the report prepared by Ms. Paxton dated October 29, 2018.

All of the older stores are being remodeled within the year. The site will be a current ADA code compliant. They agreed to add plantings and trees to the site.

.Chairman Cooke called for public comment or questions.

Brian Kleissler, 391 Drum Point Road was sworn. He questioned if the proposed freezer will generate any additional noise. The freezer is completely enclosed and will not generate any noise.

The Chairman called for a motion to approve or deny the application.

A motion was made by Mr. Occhiogrosso and seconded by Ms. Della Volle to approve the application.

VOTING IN THE AFFIRMATIVE

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

ADJOURNMENT

A motion to adjourn the meeting was made and the meeting was adjourned at 9:05 PM.

Respectfully submitted,

Judy Fox Nelson