A meeting of the Brick Township Planning Board

was held on **January 22, 2020** in the Municipal Building,

401 Chambers Bridge Road.

The meeting was called to order at 7:00 pm.

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 8, 2020. 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 Cooke, called the meeting to order at 7:00 PM.

Chairman Cooke led the Pledge of Allegiance.

**MEMBERS PRESENT**

Bernard Cooke

Kevin Aiello

Councilman Mummolo

Brad Clayton

JoAnne Lambusta

Kevin Nugent

Eileen Della Volle

William Philipson – Alt #1

George Osipovitch – Alt #2

**MEMBERS ABSENT**

Richard Gross

Cosmo Occhiogrosso

**ALSO PRESENT**

Harold Hensel, Esq., Board Attorney

Ted Wilkinson, P.E., ARH Associates, Board Engineer

Denise Sweet, Court Reporter

Tara Paxton, PP/AICP, Township Planner

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. Clayton, Councilman Mummolo, Ms. Lambusta, Mr. Nugent, Ms. Della Volle,

Mr. Aiello, Mr. Philipson, Mr. Osipovitch, Mr. Cooke

**MINUTES**

A motion was made by Councilman Mummolo and seconded by Mr. Clayton to approve the minutes of November 13, 2019.

VOTING IN THE AFFIRMATIVE

Mr. Clayton, Councilman Mummolo, Mr. Nugent, Ms. Della Volle, Mr. Cooke, Mr. Philipson

**OLD BUSINESS:**

**RESOLUTIONS**

**PB- 2816-FSP-8/19**

**Osborn Sea Bay Condo Association**

**Block 26, Lot 4**

**1-6 West Marion Street**

**Final Major Site Plan**

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

VOTING IN THE AFFIRMATIVE

Mr. Clayton, Mr. Nugent, Ms. Della Volle, Mr. Aiello, Mr. Cooke, Mr. Philipson, Mr. Osipovitch

The motion was approved and Resolution R-9-2020 was adopted

**NEW BUSINESS:**

**PB-2838-PSP-FSP-C-7/19**

**Steven Keller**

**1470 Route 88**

**Block 773, Lot 26**

Vincent DeSimone, Esq, appeared on behalf of the applicant.

Mr. DeSimone stated the applicant is seeking preliminary & final major site plan approval to expand the existing parking areas to the rear of the building for additional parking with striping. The applicant is proposing reconstructing the front entry to make it ADA compliant. The site is located along Route 88 between Clay Avenue and Park Avenue.

Bruce Jacobs, PE, PP, Gravatt Consulting Group, was sworn and his credentials to testify as engineer and planner were accepted by the Chairman.

The following exhibits were marked for the record:

Exhibit A-1 Minor Subdivision prepared by WSB Engineering (Lots21 & 23.02)

Exhibit A-2 Landscaping and Lighting Plan Page 4 of 7

Exhibit A-3 Site Plan Page 3 of 7

Exhibit A-4 Hand out -5 pages of photographs

Mr. Jacobs described the history of the site. The office building is in the B-2 zone and currently vacant. The building has been deficient in parking for a long time. He would like to improve the site for future tenants. Mr. Keller will be willing to consolidate the two lots should he get a favorable approval.

Mr. Jacobs further testified the applicant proposes new drainage, landscaping, sidewalks, and lighting.

The applicant will agree to provide an easement in lieu of a ROW dedication

Mr. Jacobs testified they are not seeking any new variances for the existing building part of the site and by consolidating the two lots, they will eliminate the possibility of having a single-family dwelling on that lot. The proposed parking lot improvements will benefit parking concerns in the neighborhood and fits in with the Route 88 corridor.

The applicant will comply with the Bureau of Fire Safety report dated August 12, 2019 and September 4, 2019.

Mr. Jacobs stated they agreed to create a landscape berm on Route 88. The ordinance requires a 3-foot berm, but they think the could get a 1 to 2-foot berm. They will go as high as they can with shrubbery. He said they will provide 2 pole mounted lights directed downward.

Parking stalls are proposed to be 9’ X 20’ rather than the required 10’ X 18’.

The variances are due to the exceptional irregular shape of the property.

The proposed landscape upgrades should meet the requirements for street trees and shade trees.

Mr. Wilkinson commented on the ARH report dated October 15, 2019. Regarding the curb and sidewalk, the Board was polled and agreed the applicant should provide a 5-foot-wide monolithic sidewalk with curb along Clay Avenue.

The applicant agreed to show the old trash enclosure” to be removed” on the plans. They further agreed with Mr. Wilkinson’s request to provide new lighting in the existing part of the site to match up with the new lights proposed. They will leave the flood lights on the building, but will not use them.

Tara Paxton, Municipal Planner asked the applicant to comment on certain parts of her report dated November 26, 2019.

The applicant will agree to match up the new landscaping with the old part of the site with additional street trees and flowering shrubs and will submit a plan to the Board.

The applicant further agreed to provide curb cuts for better stormwater filtration.

Mr. Jacobs will show the location of all mechanicals. He noted most are on the left side of the building and will be shielded by low growing shrubs.

He testified they will continue the buffer on the northern property line.

Mr. DeSimone noted the following reports are in the record:

Township Engineer’s Report dated August 30, 2019- no comment

Environmental Commission dated October 31, 2019- Supports the application

Shade Tree Commission dated August 14, 2019- approves the application

Traffic Safety report dated August 12, 2019-

Mr. Jacobs noted all the construction equipment will park in the existing parking area during construction.

Chairman Cooke called for public comment or questions

Kenneth Burkett, 1402 Clay Avenue, was sworn.

He commented that he had sold the property to Mr. Keller and he had lost money and is not willing to move the fence on the property line.

Mr. DeSimone stated he would request the Board grant a variance for the fence is he is unable to work out an agreement with Mr. Burkett.

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

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

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

Chairman Cooke called for a recess at 8:15 PM. He called the meeting back to order at 8:20 PM.

**PB 2819-A-PSP-V-FSP-C-9/18**

**Walmart Real Estate Business Trust**

**1871 Route 88**

**Block 868, Lot 12.01**

Patrick McNamara, Esq. appeared on behalf of the applicant. He stated the applicant is seeking amended site plan approval to create a storage area for Christmas toys and an area for outdoor seasonal storage which will created a deficiency in parking spaces.

Brian Deily, store manager for Walmart was sworn.

Mr. Deily testified he has been a store manager for the past 10 years and he runs the store operations on a day to day basis. He described how containers have been used on the property for Christmas merchandise. He testified the store does not have any parking problems even on the busiest day. He further testified that the stormwater detention basin is cleaned on a monthly basis.

Exhibit A-1 -sheet 1of the site plan was marked. Mr. Deily showed the areas that are planned to use for the storage containers and the seasonal merchandise.

Chairman Cooke called for questions of the Board. Seeing none, he asked for the next witness.

Greg Dibona, Landscape architect, Bohler Engineering, was sworn and his qualifications were accepted by the Chairman.

He testified that the trailers on site are considered seasonal and are used by Walmart at its stores for Christmas merchandise from October 15th through January 15th. In addition, the applicant is seeking approval to create a seasonal display area to use from March 1st through mid- October. He stated the applicant needs to have a permanent location for these areas.

Chairman Cooke called for questions of the Board

Councilman Mummolo asked him to define the exact times of these storage areas.

Mr. Dibona verified the Southeast area will be used for October 15 to January 15th.

The Outdoor Seasonal area will be used from March 1st through fall.

Brad Thompson, PE, engineer, Bohler Engineering, was sworn and his credentials to testify were accepted by the Chairman. He testified the seasonal area would require the loss of 22 parking stalls out of the total of 73 spaces that are to be lost. The site has 676 spaces whereas 748 are required and the reduction of 73 will bring the total number of spaces down to 603 parking spaces. He testified the variance could be granted because the parking areas will continue to be adequate.

Chairman Cooke called for questions of the Board

Mr. Philipson asked about the on-line grocery pick up parking area.

Mr. Dibona said the pick-up program varies by the need. They have 10 spaces now.

They are included in the total count.

He further testified there is adequate parking on site.

Nicholas Graviano, PP, was sworn and his credential to testify were accepted by the Chairman.

He testified that the site is 18 ½ acres with a145,500 SF of building. He stated his opinion that the variances could be granted since they would advance the purposes of zoning and the benefits would outweigh the detriments.

Ms. Paxton, Municipal Planner, prepared reports dated February 15, 2019 and August 5, 2019. She suggested the area be designated for seasonal storage be approved on a permanent basis for code enforcement issue rather than a specific time frame.

In addition, she requested the Board stipulate more frequent garbage collection in the resolution of approval.

The applicant agreed to twice weekly garbage collection.

Mr. Wilkinson, Board Engineer, prepared reports dated July 25, November 6, 2019 and December 7, 2018. He expressed concern about the garbage collecting in the drainage basin. The Town will require a plan of the drainage basin maintenance.

Chairman Cooke called for public comment or questions. Seeing no one he closed the hearing to the public.

A motion to approve the application was made by Councilman Mummolo and seconded by Ms. Della Volle with a requirement to pick up the trash/recycle a minimum of twice a week and provide a maintenance plan for the detention basin.

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

A motion to adjourn was made at 9:21 PM.

Respectfully submitted by:

Judy Fox Nelson