A meeting of the Brick Township Planning Board

was held on May 27th 2020 in the Township of Brick Municipal Building, 401 Chambers Bridge Road, virtually through ZOOM

The meeting was called to order at 7:03 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 7:03 PM.

Chairman Cooke led the Pledge of Allegiance.

**MEMBERS PRESENT**

Bernard Cooke

Kevin Aiello

JoAnne Lambusta

Councilman Mummolo

Cosmo Occhiogrosso

Kevin Nugent

Eileen Della Volle

William Philipson – Alt #1

George Osipovitch – Alt #2

**ABSENT**

Brad Clayton

Richard Gross

**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

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

**RESOLUTIONS:**

**PB-2850-MS-2/20**

**David R. Merritt**

**Block 939 Lot 22.02 & 22.03**

**731 Bay Ave**

**Minor Subdivision**

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

VOTING IN THE AFFIRMATIVE

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

The motion was approved and Resolution R-14-2020 was adopted

**PB-2842-PSP-FSP-8/19**

**Osborn Sea-Bay Condo Assoc.**

**Block 36 Lot 13, 18, 22 & 24**

**Cummins Street/Elder Road/Shell Road**

**Preliminary & Final Site Plan**

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

VOTING IN THE AFFIRMATIVE

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

The motion was approved and Resolution R-15-2020 was adopted

**NEW BUSINESS:**

**PB-2843-MS-C-11/19**

**Joseph A. Salomone**

**Block 655 Lot 4**

**459 East End Ave**

**Minor Site Plan w/Variances**

Chairman Cooke announced the applicant will not be heard and they will be carried to the June 24, 2020 meeting.

**PB-2851-MS-V-2/20**

**FB Properties Family Limited Partnership**

**Block 26.01 Lot 48**

**495 Route 35 North**

**Minor Subdivision w/ Variances**

John Paul Doyle, Esq, represented the applicant along with Charles Lindstrom, PE PP. Mr. Lindstrom was sworn in and proposed a three-lot minor subdivision on the barrier island in a R-5 Residential Zone which will mirror the subdivision to the south of this property on Deauville Drive. Mr. Lindstrom stated he tried to limit the number of variances requested but there are two variances they are seeking, because lot 48.01 is a corner lot where 6,000 sq., ft is required they are proposing 5,002 sq. ft. The second variance is for proposed lot 48.02 the interior lot where a 50 ft width is required and 46.66 ft is proposed. Other than these two variances these lots are conforming with all requirements and setbacks of the R-5 zone. It was noted by Mr. Doyle and Mr. Lindstrom that corner lots are required to be larger in size to accommodate additional setbacks for visibility, while this lot is smaller in area it has the lot width and space for sight triangle easements. With doubt that Deauville Drive would be widened in the future the applicant is still taking in consideration the standards in the Township Ordinance requiring a minimum of 50 ft right-of-way where presently it is 39.06 ft of right-of-way. The applicant proposed a 5.47 ft road widening to achieve the 25 ft minimum half-width measure from center line.

Mr. Lindstrom addresses comments in Tara Paxton’s report where the property could be subdivided into two conforming lots it would be grossly oversized and not confirmative to the residential lots in the area. He noted that most lots in the area are small but conforming. The applicant initially requested waivers to construct sidewalks however the applicant has agreed to install sidewalks on Route 35 southbound and Deauville Drive as sidewalks are already installed on the northbound side.

Tara Paxton commented to add two things that she left out of her report, she asked if they would agree to put in the pedestrian cross-hatched area would be installed for a crosswalk on Deauville Road both were it intersects with the northbound and southbound sections of Route 35. Mr. Lindstrom agreed provided that DOT approval is granted. Ms. Paxton added the appropriate signage should also be included in resolution compliance.

Board Engineer, Ted Wilkinson, went over his report dated March 6, 2020. Mr. Wilkinson would like confirmation that there will be no proposed driveways or parking in the front yards of these two corners lots. Mr. Lindstrom stated driveways will come off Deauville Drive and they are not proposing parking on Route 35. Mr. Wilkinson also clarified that the lot coverage and setbacks should be measured from the easement line. Mr. Lindstrom stated that only the front yard setback should be measured from the road widening easement line. Harold Hensel, Board attorney agreed with Mr. Lindstrom as lot coverage even though will be encumbered by an easement it is still owned by the property owner and should be included in the lot coverage calculation of 35 percent. Both Ms. Paxton and Mr. Wilkinson both agreed buffering was not required to the commercial property that this property backs up to, due to the salty high wind area, but a 6 ft. high solid fence along the back-property line will be permitted since there are no sight triangle issues to grant the permission of this variance and because of the commercial use of the property it abuts. Mr. Wilkinson also added that he would like to be included that there would be no building in the back-yard setback which includes structures, decks and other features that can block the fire safety access. The board professionals as well as the applicant agreed that no accessory buildings or structures will be in the rear yard setback of 5 ft.

A waiver was requested by Mr. Lindstrom for the planting of shade trees due to the sandy nature of the Barrier Island which the Board’s professionals agreed on.

A discussion was had on the concern that there is a possibility of utility trenches being cut on Deauville Drive and the possibility of a pavement project on Deauville Drive. The applicant agreed that they would be meet with any recommendations and requirements imposed by the Township Engineer with the restoration of Deauville Drive for the installation of utilities and trenches.

Mr. Wilkinson added the applicant should seek out authorization from Jersey Shore Power and Light to see if a light can be added to the pole on the intersection of Deauville Drive and Route 35 northbound as there is currently no direct street lighting proved there now. The applicant agreed to these technical revisions.

It was suggested by the Environmental Commission for installation of rain gardens but seeing that this is not a site plan it is only recommended and not required by the applicant.

The chairman opened the meeting for public comment. Seeing that there was none he closed the public comment.

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

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

**ADJOURNMENT**

A motion to adjourn the meeting by Mr. Occhiogrosso and seconded by Councilman Mummolo was made and all were in favor.

The meeting was adjourned at 8:22pm.

Respectfully submitted by:

Lauren J. Frank