A meeting of the Brick Township Planning Board

was held on July 22nd 2020 in the Township of Brick Municipal Building, 401 Chambers Bridge Road, virtually through ZOOM

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

Brad Clayton

JoAnne Lambusta

Councilman Mummolo

Cosmo Occhiogrosso

Eileen Della Volle

Kevin Nugent

William Philipson – Alt #1

George Osipovitch – Alt #2

**ABSENT**

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 Mr. Occhiogrosso to approve the vouchers

VOTING IN THE AFFIRMATIVE

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

**RESOLUTIONS:**

**PB-2836-MS-V-6/19-EXT**

**James & Teri Lacey**

**Block 870 Lot 31.05 & 31.06**

**113-117 Elizabeth Ave**

**Extension Minor Subdivision w/Variance**

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

VOTING IN THE AFFIRMATIVE

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

The motion was approved and Resolution R-20-2020 was adopted

**PB-2853-A-FSP-C-2/20**

**Lidl US Operations, LLC**

**Block 670 Lot 4**

**2770 Hooper Ave**

**Amended Site Plan w/Variance**

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

VOTING IN THE AFFIRMATIVE

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

The motion was approved and Resolution R-19-2020 was adopted.

**NEW BUSINESS:**

**PB-2848-MS- 2/2020**

**Dainius Sakavickas**

**Block 324.19 Lot 22**

**25 Royal Drive**

**Minor Subdivision w/Variance**

The Chairman stated this application will not be heard due to a deficient notice and will be carried to the August 26, 2020 meeting. The applicant will notice for that hearing.

**PB-2846-PSP-FSP-C-12/2019**

**Fine Arts Holdings, LLC**

**346 Drum Point Road**

**Block 645.01 Lot 107**

**Site Plan w/Variance**

John J. Jackson, Esq. and William A. Stevens, P.E., P.P engineer of Professional Design Services, John Rea, traffic Engineer, Dov Spellman, a representative of the applicant and Thomas McHugh architect all appeared before the board virtually to represent the applicant. Mr. Jackson stated the applicant is proposing a two-story mixed use building with a first-floor commissary kitchen and two apartments on the second floor.

Mr. Stevens was sworn in. Mr. Stevens testified the subject property is currently wooded and, in a V-Z (Village Zone) on the corner of Drum Point and Emberly Road. Access to the site would be from Emberly Road and the buffering of the rear property is dense then what they would normally see as they are trying to create a four-season buffer as they will plant evergreen trees to buffer the commercial use from the surrounding residential use. The rain garden feature will be on the Drum point Road frontage and comply with recommendations from the Board engineer. For the first variance requested is for parking stalls whereas 30 is required and 16 is proposed. Being this is going to be a commercial kitchen there will not be customers coming in and out of the building, most orders will be done over the phone and online. Mr. Jackson stated this can be put into the resolution that this use is site specific and any other use of this building will have to come back to the board for an amended site plan. Mr. Hensel, Board Attorney agreed that can be done and that is a standard they have done before. Mr. Stevens then proceeded with the second variance for the 25ft buffer as required they are proposing 20 ft buffer from the residential zone. As per Mr. Paxton’s report the applicant agreed upon installing fencing in refence to her report.

As for Mr. Wilkinson’s report and concerns with the drainage basin being located on the front of the property and being fully landscaped. Mr. Wilkinson stated this will not suffice as a type of raingarden and will need to be redesigned to handle the runoff overflow. Mr. Stevens stated this was designed to be better neighbors to the residential neighbors on the residential side of the property. He agreed to modify the application to create an underground recharge system for the runoff. Mr. Wilkinson stated the location of the trash enclosure out front as he agreed with Ms. Paxton that the Township’s practice is not to be in the front yard and the Architectural Review Committee had the same opinion as there should be better options to move the trash enclosure. Mr. Wilkinson suggested to move it by the loading dock and narrow the dock up to fit it in there. Mr. Stevens stated there is 10 ft between the proposed building and the side property line which could potentially fit a refuse container in there.

The chairman asked if there were any questions from the Board.

Mr. Aiello asked if the trash enclosure is moved what will happen with the signage will it stay in the same locations. Mr. Stevens stated if it is moved they might not need it and the building mounted sign might just be enough, as this isn’t a retail destination.

Councilman Mummolo commented he likes the idea of keeping everything uniform with the towns and putting the garbage enclosure in the back by the loading dock. He also would like to see the drainage underground.

Ms. Della Volle commented for the record she agrees with Councilman Mummolo.

The Board was polled to relocate the trash enclosure to the loading dock area. With the suggestion from Ms. Paxton the space that is open from moving the trash enclosure will be green banked parking for 3 spaces.

The Board unanimously agreed on relocating the trash enclosure.

Mr. Wilkinson questioned the sidewalk that there will be no gaps in the sidewalk and would be continuous. The applicant agreed to all technical revisions required by Mr. Wilkinson’s report.

Mr. Rea, a licensed engineer in traffic, was sworn in and testified that based on the number of employees there will be lesser traffic impact then a busy commercial use then what this particular application is more of an office use as far as traffic concerns. There would be anywhere from 5-10 employees and the parking calculation was satisfactory.

Dov Spellman, a representative of the applicant was sworn in. He testified the nature of use of the proposed business as a food catering business where the food is prepared on site and then delivered to its customers. They cater to corporate events, bar mitzvahs, weddings, or birthday parties offsite. Hours of operation range from 8:30 a.m.-9 a.m. to 6 or 7 p.m.

Councilman Mummolo asked how often the garbage pickup would be. Mr. Spellman stated it would be based on usage. Ms. Paxton stated the Township has a ordinance that commercial properties have a minimum of a weekly pickup.

Mr. McHugh, the applicant’s architect, was sworn in. He explained the layout of the building and in response to Mr. Wilkinson’s inquiry he noted that the roof leaders and downspouts would drain into the storm system and the applicant would install grease interceptors.

The chairman opened for questions of comments from the Board. Mr. Nugent asked how the second bay door that is adjacent to the parking spaces. He asked how that would function as a bay door with the parking spaces in front. The applicant agreed the bay door would be modified to a smaller six ft. wide door instead of a full-sized garage door.

The chairman opened for public comment.

Suzanne Ramondo was sworn in. She testified and questioned if catering was permitted in this use. Mr. Jackson advised with this use it is permitted. She expressed concerns for delivery hours as far as trucks coming after business hours, the applicant agreed that deliveries and pick up would only occur between the hours of 7 a.m. to 7 p.m.

Melissa Faicello submitted an email to the Township on June 3rd to be read. Ms. Paxton had read the stated letter with Ms. Faicello’s concerns.

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

VOTING IN THE AFFIRMATIVE

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

**ADJOURNMENT**

A motion to adjourn the meeting by Councilman Mummolo and all were in favor.

The meeting was adjourned at 9:35pm.

Respectfully submitted by:

Lauren J. Frank