A meeting of the Brick Township Planning Board

was held on October 28, 2020 in the Township of Brick Municipal Building, 401 Chambers Bridge Road, virtually through ZOOM

The meeting was called to order at 7:01 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 7:01 PM.

Chairman Cooke led the Pledge of Allegiance.

**MEMBERS PRESENT**

Bernard Cooke

Kevin Aiello

JoAnne Lambusta

Councilman Mummolo

Cosmo Occhiogrosso

Eileen Della Volle

Kevin Nugent

William Philipson

George Osipovitch – Alt #1

Daniel Ward – Alt #2

**ABSENT**

Brad Clayton

**ALSO PRESENT**

Harold Hensel, Esq., Board Attorney

Ray Jordan, P.E., ARH Associates, Board Engineer

Denise Sweet, Court Reporter

Tara Paxton, PP/AICP, Township Planner

Lauren Frank, Board Assistant

**VOUCHERS:**

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

VOTING IN THE AFFIRMATIVE

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

**MINUTES:**

**MAY 13, 2020**

A motion was made by Councilman Mummolo and seconded by Mr. Aiello to approve the May 13, 2020 minutes.

VOTING IN THE AFFIRMATIVE

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

**RESOLUTIONS:**

**PB-2848-MS -2/20**

**Dainius Sakavickas**

**Block 324.19, Lot 22**

**25 Royal Drive**

**Minor Subdivision with Variance**

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

VOTING IN THE AFFIRMATIVE

Mr. Occhiogrosso, Mr. Philipson, Ms. Lambusta, Mr. Nugent, Mr. Aiello, Mr. Osipovitch, Mr. Ward, Mr. Cooke

The motion was approved and Resolution R-23-2020 was adopted.

**NEW BUSINESS:**

**PB-2847-PSP-FSP-CU -1/20**

**SHM Manasquan, LLC**

**Block 1368/1369, Lot 1/26 & 30**

**217 Riverside Drive North**

**Preliminary and Final Major Site Plan**

William Sullivan, Esq. of the firm of Scarinci & Hollenbeck appeared on behalf of the applicant SHM Manasquan, LLC. He stated the marina is located in a R-7.5 zone in the marina overlay zone. The applicant is proposing three new structures for the commercial marina and asking for a parking variance and design waivers. Michael Intile, professional engineer and planner from Crest Engineering was sworn in.

Exhibits marked:

 A-1 Color rendition labeled display showing lighting and drainage.

 A-2 Display showing parking lot vehicle flow in a circulation plan.

A-3 Artists rendering of the view of the marina from the street.

A-4 Architectural elevations of the buildings.

Mr. Intile testified that three 10,050 sq. ft. buildings are proposed and will be done in phases. Phase one, building one is a small office area and a shop area where boats will be serviced. The second and third building will be storage where boats would be pulled into the building and stored for off season. In phasing in the construction, the plan is to construct the first building with the office and service area and one of the two storage buildings.

A variance is being sought for the number of parking spaces required, whereas 389 is required but 268 proposed. Mr. Intile stated the ordinance does not distinguish between the different types of floor space that could be created in a marina overlay zone. Because the new buildings and square footage is being used as storage they applicant does not feel that it should be required to have the same parking requirements as a 10,000 sq. ft. office building as the storage building will not be adding to the need for more parking and there is already adequate parking on this site.

A design waiver is being requested for the requirement that all parking stalls must be 10 ft. by 18 ft. minimum whereas the applicant has shown stalls of 9 ft. by 18 ft. Also, the two-way drive aisle be a width of 25 ft., whereas the original application proposed a 15 ft. width. At the hearing, however, the applicant revised the drive aisles to be one-way, thus only requiring an 18 ft. width, but still necessitating a variance for the 3 ft. difference. The third design waiver requested for the requirement to install curbing and sidewalks as there is no other sidewalks in the area. Also, a design waiver of the requirement to show the location of loading as the operations on this site does not require loading.

Mr. Jordan, asked if vehicles from the public come through the storage area. Mr. Intile stated the staff controls the traffic having them go through the gate and stop there.

Ms. Paxton asked if the c variances could be addressed. Mr. Intile testified that the variances being sought by the applicant are no detriment to the zone plan he stated the benefits outweigh any detriment to the zoning, the applicant agreed upon Ms. Paxton’s request to install curb cuts and curbing. Mr. Intile stated there is no gasoline or diesel on this site, there is a boat wash station that is a close loop system that filters the water from any oils that come off the boats.

Ms. Paxton stated this site has been the subject to a number of approvals over the years. Mr. Intile had put together a landscaping plan that over the next 3-4 years they will have a better chance of survival and be denser. Mr. Intile stated the property will be irrigated.

Mr. Emmanuel Obiora R.A. of Eco Architects, LLC, the applicant’s architect was sworn in. He addressed Exhibit A-4 which is the architectural elevations of the building showing 37 ½ ft. to the ridge and 35 ft. to the eaves, and stated they comply with ordinance requirements.

Brian Cosgrove, general manager of this facility for 32 years was sworn in. He stated that he has employees year-round in the elements repairing boats on the site. He stated in his testimony there will not be any painting of boats done on the site. He plans on hiring higher grade technicians to be able to work year-round in an indoor facility. Mr. Cosgrove testified they plan on working on the phases for 3-5 years, phase one and two in year one and the phase three based on the need following after.

The Chairman opened for public comment. Seeing there was none he closed for public.

Ms. Paxton stated there was no emails sent to the Public Comment Emails.

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

VOTING IN THE AFFIRMATIVE

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

**PB-2854-MS-C 4/2020**

**Alan and Nicole Fredericksen**

**Block 1108 Lot 1.04**

**260 Novello Drive**

**Minor Subdivision w/Variance**

The applicant was represented by Dennis Collins, Esq. and Patrick Ward, PE, PP, of Insite Engineering, LLC. Mr. Ward was sworn in. The applicant is proposing to reconfigure the lot lines of existing Lot 1.04 an irregularly shaped lot and add it on the existing Lot 1.01. Mr. Ward testified the re-alignment of lot lines will result in new Lot 1.04 containing 17,336.06 sq. ft. and Lot 1.01 containing 21,680.84 sq. ft., both far in excess of the minimum lot area requirement of 9,000 sq. ft. This subdivision will eliminate the multiple sides of the former lot 1.01. They are increasing the depth of 1.01. Originally the applicant was requesting variances for lot width, for Lot 1.04 which would only provide 63.37 ft. of width, but when discussed with the board professionals it was agreed upon lot width should be measured from the front setback line, and in both lots, there is a minimum of 75 ft. width, which removes the need for a variance. The applicant does seek a waiver of the shade trees and street trees as this is two already developed lots with existing trees.

In addressing ARH’s review letter, Ray Jordan, Board engineer stated he has minor comments as the applicant’s certification and signatures should be on the plan. He also asked if there was a dwelling on lot 1.01. Mr. Ward stated there is and the reason they did not show it was because they started with a boundary survey of both lots and it did not indicate the house on 1.01.

Councilman Mummolo asked if the existing homes were not shown on the plots will they be shown so they meet all the setbacks. Mr. Ward stated they do comply and they are not doing anything to impact the setbacks they are just increasing the conformity so they will be compliant.

The Chairman opened for public comment. Seeing there was none he closed for public.

Ms. Paxton stated there was no emails sent to the Public Comment Emails.

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

VOTING IN THE AFFIRMATIVE

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

**PB-2857-MS-C 7/20**

**R.M. Associates of NJ, Inc.**

**Block 663 lot 10.01**

**475 East End Ave**

**Minor Subdivision with Variance**

John Jackson, Esq., and Frank Baer, PE, PP. appeared on behalf of the applicant. The following exhibit was marked into evidence:

 A-1 PowerPoint

Mr. Jackson stated the applicant is proposing a subdivision of one existing lot on East End Avenue, into two lots in the R-7.5 zone. The property currently has a single-family dwelling under construction.

Mr. Baer, was sworn in. He stated that they are creating a common boundary line for two lots. Lot 10.02 is a fully conforming lot for the R-7.5 zone. Proposed lot 10.03 exceeds the lot area criteria and is considered a corner lot because of it bordering Downey Avenue a stub paper street. This is creating a hardship proposing a restriction on the lot based on where the front setback is located parallel to East End Avenue creating two frontages making it a corner property.

Mr. Jordan, asked if a variance is required for the lot width. Mr. Baer stated the both lot lines meet the lot width of 75 ft. They are just requesting a variance for lot 10.03 to permit a setback of 9 ft. from the easement line to the front of the lot so that there is no need to comply with the 25 ft. front yard setback off Downey Avenue’s stub.

Ms. Paxton questioned who the easement is for and who will utilize it. Mr. Baer stated the easement was created as part of the Church of the Visitation property when it owned the entire tract in this area to provide access to East End Avenue from tax Lot 25.01. It has never been used and they don’t see it being utilized in the future it dates back to the 1940’s when it was created.

The applicant also seeks a waiver for curbs and sidewalks, and due to the fact that there is no curbing or sidewalk in the area. The Board’s professionals did not see a problem with this request as it does not conform with the neighborhood.

The Chairman opened for public comment.

Jenny DeStefano of 463 East End Avenue was sworn in. She asked if there were any current home plans for this property.

Mr. Murzda, the applicant, was sworn in. He responded that there will be a house built similar to the current house under construction on the lot.

Ms. DeStefano, wanted to clarify that the 9 ft is outside of the current easement. Mr. Jackson stated the 9ft off the easement and the vacant road.

Seeing there was no more comments from the public the Chairman closed for public comment.

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

VOTING IN THE AFFIRMATIVE

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

**ADJOURNMENT**

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

The meeting was adjourned at 10:14 pm.

Respectfully submitted by:

Lauren J. Frank