A **PUBLIC** meeting of the Brick Township Board of Adjustment

Was held on Wednesday**, September 2, 2020 at** Brick Township Municipal Building

401 Chambers Bridge Road Virtually through Zoom.

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

Chairman Chadwick called the meeting to order. He led the Salute to the flag and read the following Open Public Meetings Act Statement.

Pursuant to Section 10 of the Open Public Meetings Act, notice of this meeting was sent and advertised in the Asbury Park Press and the Ocean Star. A copy of that notice was posted on the bulletin board, where public notices are displayed, in the municipal building. In addition, a copy of that notice is, and has been available to the public, and is on file in the office of the municipal clerk. Accordingly, this meeting is deemed to be in compliance with the Open Public Meetings Act.

Mr. Chadwick read a statement from the Insurance Company on proper meeting conduct.

The Roll was called

**MEMBERS PRESENT**

David Chadwick

Frank Mizer

Mike Jamnik

Dawn Marie White

Carl Anderson

Louis Sorrentino

Michele Strassheim

Darren Caffery, Alt 1

Mark Starr, Alt 2

**ALSO PRESENT**

John Miller, Esq.

Brian Boccanfuso, PE, CME Engineering

Christopher Romano, Zoning Officer

Denise Sweet, Court Reporter

Pam O’Neill, Secretary

The Board Professionals were sworn.

**OLD BUSINESS:**

**VOUCHERS:**

The Chairman announced there were no Vouchers to approve.

**RESOLUTIONS:**

**BA-3209-C-6/2020**

**Anthony O’Donnell**

**Block 917, Lot 22**

**511 Princeton Ave**

**Bulk Variance**

A motion to approve the resolution was made by Ms. Strassheim and seconded by Mr. Mizer.

In favor: Mr. Jamnik, Ms. White, Mr. Sorrentino, Mr. Anderson, Ms. Strassheim, Mr. Mizer, Mr. Chadwick

Resolution R-46-2020 was approved.

**BA-3201-6/2020**

**Cortney Pechillo**

**Block 1050, Lot 11**

**111 Truman Drive**

**Bulk Variance**

A motion to approve the resolution was made by Mr. Mizer and seconded by Ms. White.

In favor: Mr. Jamnik, Ms. White, Mr. Sorrentino, Mr. Anderson, Ms. Strassheim, Mr. Mizer, Mr. Chadwick

Resolution R-47-2020 was approved.

**BA-3204-5/2020**

**Kerrianne Berneck**

**Block 92.06, Lot 14**

**6 Maryanne Drive**

**Bulk Variance**

A motion to approve the resolution was made by Mr. Mizer and seconded by Ms. White.

In favor: Mr. Jamnik, Ms. White, Mr. Sorrentino, Mr. Anderson, Ms. Strassheim, Mr. Mizer, Mr. Chadwick

Resolution R-44-2020 was approved.

**BA-3208-6/2020**

**Michael Vlacancich**

**Block 378.21, Lot 1**

**19 Homewood Drive**

**Bulk Variance**

A motion to approve the resolution was made by Ms. Strassheim and seconded by Ms. White.

In favor: Mr. Jamnik, Ms. White, Mr. Sorrentino, Mr. Anderson, Ms. Strassheim, Mr. Mizer, Mr. Chadwick

Resolution R-44-2020 was approved.

**NEW BUSINESS:**

**BA-3028-A-PSP/FSP-C-5/20**

**PMG New Jersey, LLC**

**Block 1446.03, Lot 4**

**1 Lanes Mill Road**

**Use Variance and Amended Preliminary and Final Site Plan**

Jason Tuvel, Esq. appeared on behalf of the applicant. He stated the Board had approved two years prior on April of 2018 to a use variance to redevelop and enhance the gas station with a drive-thru and convenience store. He stated nothing about the site has changed but the applicant is returning to the Board as the County has required a right-of way dedication which altered the size of the applicant’s lot and therefor required a new use variance relief with amended preliminary and final site plan approval.

Site Engineer, Jeffery Martell, P.E. was sworn in. He testified the revisions to the plan where needed as the Ocean County Planning Board approval required an additional 3,346 sq. ft. right-of-way dedication. The lot size was reduced because of this from 52,404 sq. ft. to 49,058 sq. ft. The roadway dedication does not change the use the property was originally approved for in 2018.

The applicant’s Planner, Justin Auciello, P.P., AICP, was sworn in. He stated the most notable change in the application is the roadway dedication made the property size smaller, this does not affect the approval for the use variance. The changes to the application include minimum front yard setback from the commercial building was approved at 41.5 feet whereas now would be 32.1 feet. The minimum front yard setback from the canopy was approved for 39.4 foot whereas not a 34.8-foot setback is proposed. The impervious coverage was approved at 79.8% whereas now would be proposing 83.2%. The parking area setback from Burt Tavern road where a 18-foot setback was approved in 2018 and a 10.9 foot setback is now proposed. For the freestanding sign a 3.3-foot setback is now proposed where 21 foot was originally approved. Maximum commercial driveway width of 52 feet is proposed and 50 was approved in 2018.

Mr. Boccanfuso, PE, CME Engineering, stated he did not see many revisions or issues with the application from an engineering standpoint. He testified that it was a function of the County road dedication that was not known at the time the plans were approved.

Ms. Paxton stated the applicant had satisfied all conditions of the 2018 Resolution of Approval, with the exception of the right-of-way dedication required by the Ocean County Planning Board.

Mr. Boccanfuso summarized key items in his report to the board.

Chairman called for Public questions or comments or email that were received for this application, seeing none he closed the Public portion.

A motion was made by Mr. Jamnik and seconded by Ms. White.

In favor: Mr. Jamnik, Ms. White, Mr. Sorrentino, Mr. Anderson, Ms. Strassheim, Mr. Mizer, Mr. Chadwick

The application was approved.

**BA-3189-PSP-FSP-C-D-1/2020**

**Lombardi Residential, LLC**

**Block 106, Lot 1**

**406 Mantoloking Road**

**Use Variance and Preliminary and Final Major Site Plan**

The applicant was represented by John J. Jackson, III, Esq. Mr. Jackson stated his client is returning to the Board from the last hearing being held on July 15, 2020. He testified since then his client had met with neighbors who had drew concern about drainage and potential parking issues. His client would install “no parking” signs along the portion of North Raleigh Road that fronts the property.

The Applicant’s Engineer and Planner, Robert Burdick, P.E., P.P., testified that the applicant proposed to construct three residential townhomes in one building on a lot that is in a R-7.5 residential zone. Due to concerns of the parking Mr. Burdick testified the residents of the proposed townhomes would be permitted to utilize the parking area dedicated to the existing commercial building for overflow parking that may be needed. Mr. Burdick stated the history of the water ponding on North Raleigh Road would be reduced due to recent paving. He also testified the Applicant would install an underground trench recharge system which will discharge to two inlets and this will improve the situation for the residents North of Raleigh Road. The currently property contains 24 parking spaces and the applicant has only utilized no more then 8 spaces at any time in the 8 years that he has owned this property. Mr. Burdick’s opinion is that this would improve the aesthetics of the neighborhood and is an approved use for the property.

Ms. Paxton, testified that the Lombardi’s were originally approved in 2014 for use of an office building to occupy the former Community First Aid Squad building. Ms. Paxton stated in 2018 the Township Council rezoned as a recommended by the Master Plan Committee and Planning Board, to allow a mix of residential and commercial use as the Village zone as this area was not approved for that mixed use.

Mr. Boccanfuso, PE, CME Engineering, stated he agreed with Ms. Paxton he was not in favor of any striping of an area on North Raleigh Road as it will fade and provides a false sense of safety.

Board Member Mr. Jamnik had lost internet connection during testimony and it was called by the Board Attorney to stop the meeting and resume after Mr. Jamnik listens to the recording to the testimony he had missed. The Chairman called for the meeting to resume at the next available hearing on October 7, 2020.

The Board Attorney John Miller, stated the Applicant will be carried to October 7, 2020 and the Applicant will not have to notice for the hearing.

**ADJOURNMENT**

A motion to adjourn the meeting was made by Mr. Caffery and all were in favor.

The meeting was adjourned at 9:50 pm

Respectfully submitted by:

Lauren J. Frank