A meeting of the Brick Township Planning Board

was held on December 9, 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

Kevin Nugent

Matthew Fagen

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 Secretary

**VOUCHERS:**

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

VOTING IN THE AFFIRMATIVE

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

**RESOLUTIONS:**

**PB-2831A-MSP -C 8/20**

**Beacon 70 c/o Dr. Karl Blum**

**Block 673 Lot 18**

**799 Route 70**

**Amended Minor Site Plan w/Variance**

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

VOTING IN THE AFFIRMATIVE

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

The motion was approved and Resolution R-30-2020 was adopted.

**NEW BUSINESS:**

**PB-2859-MS-V 9/20**

**545 Winding River LLC**

**Block 1385.04 Lot 40**

**545 Winding River Rd.**

**Minor Subdivision with Variance**

It was announced by the Chairman that this case will not be heard and will be moved to the January 13th 2021 and they will be publishing notice for the next meeting.

**Ordinance vacating a portion of**

**Delmar Drive adjacent to Block 312, Lot 20**

**Presented by: Tara Paxton, MPA, PP, AICP**

Ms. Paxton presented to the Board a street vacation for a portion of Delmar Drive that is between Baywood Blvd and Drum Point Road , where the application is requesting to add square footage to his lot 20.

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

VOTING IN THE AFFIRMATIVE

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

**PB-2852-PSP-FSP-C-2/20**

**Old Silverton Rd, LLC**

**Block 549 Lot 7**

**427 Old Silverton Rd**

**Preliminary & Final Site Plan w/Variance**

The applicant Sam Pica III, was represented by Timothy B. Middleton, Esq. Mr. Pica was sworn in and testified the use of the proposed site at 427 Old Silverton Road which is located in the Village zone. The current lot is vacant , which Mr. Pica proposes two new buildings, the first building will contain five contractor units on the first floor with an office and two apartments . The second floor and the second building will contain office space, storage and a garage.

Mr. Pica stated that the contractor units will be available for “mom and pop” type operations like electricians and plumbers to store their equipment and some vehicles. Business hours will run as normal 9-5 operations, no employees will meet on the premises. There will be some parking inside the building. The apartments on the second floor will be rented out to firemen and police men in the area that need rental opportunities. The second building as described by Mr. Pica “will be used as his own personal office and garage as he needs more parking”.

Richard P. Tokarski, Jr., AIA, Tokarski Millemann Architects, LLC, the applicant’s architect was sworn in. Mr. Tokarski testified the five contractors’ units will have a rear entrance to the apartments upstairs and each unit would have a 10ft x 12ft overhead garage door to fit one or two vehicles, a small office and handicap assessable restroom. Total square footage for building A would be 5,700 sq. ft. The upstairs apartments would be two three-bedroom units. Mr. Tokarski stated building B is a freestanding one-story building containing an office, restroom and a single car garage. Square footage is approximately 1,017 sq. ft. It has a garage door and entrance door on the parking lot side and rear exit door off the back of the building.

The Chairman called for a five-minute break.

Mr. David G. Eareckson of Matrix Neworld Engineering was sworn in.

Mr. Eareckson testified that the property is an unusually shaped 26,000 sq.ft. lot on the corner of Drum Point Road and Old Silverton Road. There is a small frontage on Drum Point Road and a majority of the frontage on Old Silverton. He stated the applicant is requesting a variance for curbs and sidewalks as the Town has plans to repave Old Silverton Road as per Township Engineer, Elissa Commins review letter. Mr. Eareckson also testified that one space per contractor unit in building A was required and each unit contained one space. He stated building B requires three spaces and that the two apartments above required 2.4 spaces each and the plan proposes 9 spaces in front of the property and in the garage and 10 spaces outside which is satisfactory of the Township Ordinance. A variance was also requested for the detention basin because of the unusual shape lot, it would be used as an emergency spillway. The dumpster would be located in the furthest from the residential structure closest to a wooded area and be private garbage pick up due to the commercial use of the property.

Ray Jordan, the Board’s engineer reviewed his letter and stated the proposed 2.5 ft. wide sidewalk, that an appropriate compromise would be a 4 ft. sidewalk. The applicant agreed along with the concept of providing wheel stops , and they would install a sidewalk on Drum Point Road ; not on Old Silverton Road and still requested the variance.

Tara Paxton, Municipal Planner, asked if employees were coming to the site she saw a concern for the number of parking spots, Mr. Pica testified that the shop is a small “small mom and pop shop” and there would not be many employees parking on the premises due to the small nature of the use of the contractor operations. The applicant also noted that the trash generated from the residential apartments would be deposited in the dumpster which will be private pick up due to the commercial use. Ms. Paxton noted a contribution would be made to the Pedestrian Safety Fund in lieu of the provision of sidewalks on Old Silverton Road, sidewalks are to be placed along Drum Point Road.

Barbara Ehlen, LP, PP, project manager, from Beacon Planning was sworn in. As to the variance request regarding driveways not less than 20 ft. nor more than 30 ft. in width, Ms. Ehlen testified the Ordinance requiring that two driveways of 20 ft. to 30 ft. in width would be permitted for each 300 ft. of frontage on a public street and no driveway located within 100 ft. of an intersection of two public streets, that such a variance could be granted because traffic would be slowing down at that intersection. As to the driveway variance for driveways being closer than 100 ft. to the intersection of any two public streets, she noted that the driveways were smaller and limited-use driveways just for the contractor units and they were only the first three units near the intersection.

The Chairman opened the meeting for public comment.

Andrew Flora of 18 Silverton Road was sworn in. He was objecting the application and saw concern for the number of variances that were being requested and was displeased with the proposed site taking away the residential character of Old Silverton Road.

Paul Bottitelli of 419 Old Silverton Road noted that he moved into the area in February 2020 and was led to believe that this would be residential property next door, he is concerned about noise and traffic in the area.

Christopher Alino of 143 Clubhouse Drive is the owner of property across from Drum Point Road and had concerns of parking.

Jeffrey Alino of 128 Captains Drive noted he is the owner of the property located at 143 Drum Point Road and owns Boardwalk Hot Dogs. He also had concerns about parking and with his own experience renting to contractors he found all sorts of commercial vehicles on the property. He stated the reason most contractors rent property is for the storage of the vehicles because they cannot be on their residential property.

Janice Connor 412 Old Silverton Road stated her concerns of the application, which included the noise and parking.

Due to time concerns the Chairman polled the board to see if the case should be postponed to another date.

VOTING IN THE AFFIRMATIVE TO CARRY THE MEETING

Councilman Mummolo, Mr. Occhiogrosso, Mr. Philipson, Ms. Lambusta, Mr. Nugent, Mr. Fagen, Mr. Aiello

It was called that the majority agreed to postpone the meeting to give ample time to the public for questions and comments to consideration.

Due to time concerns, the matter was carried to a second hearing date of January 13, 2021.

**PB-2858-PSP-FSP-C 7/20**

**1106 Industrial Parkway Brick, LLC**

**Block 1068 lot 21**

**1106 Industrial Parkway**

**Preliminary and Final Major Site Plan w/Variance**

It was announced by the board attorney, Harold Hensel, that this case will not be heard due to the limited time that was available. This application will be heard on the January 13th 2021 meeting, no further notice would be necessary.

**ADJOURNMENT**

A motion to adjourn the meeting by Mr. Occhiogrosso and all were in favor.

The meeting was adjourned at 10:42 pm.

Respectfully submitted by:

Lauren J. Frank