A meeting of the Brick Township Planning Board

was held on January 13, 2021 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

Matthew Fagen

Councilman Mummolo

Cosmo Occhiogrosso

George Osipovitch

Kevin Nugent

William Philipson

Daniel Ward– Alt #2

**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

Pamela O’Neill, Secretary

**VOUCHERS**

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

In favor: Mr. Clayton, Councilman Mummolo, Mr. Occhiogrosso, Mr. Philipson, Mr. Fagen, Mr. Nugent, Mr. Osipovitch, Mr. Cooke.

**MINUTES:**

**May 27, 2020**

A motion was made by Councilman Mummolo and seconded by Mr. Philipson to approve the minutes.

In favor: Mr. Clayton, Councilman Mummolo, Mr. Occhiogrosso, Mr. Philipson, Mr. Nugent, Mr. Osipovitch, Mr. Ward, Mr. Aiello, Mr. Cooke.

**June 10, 2020**

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

In favor: Mr. Clayton, Councilman Mummolo, Mr. Occhiogrosso, Mr. Philipson, Mr. Nugent, Mr. Osipovitch, Mr. Ward, Mr. Aiello, Mr. Cooke.

**June 24, 2020**

A motion was made by Mr. Philipson and seconded by Councilman Mummolo to approve the minutes.

In favor: Mr. Clayton, Councilman Mummolo, Mr. Occhiogrosso, Mr. Philipson, Mr. Nugent, Mr. Osipovitch, Mr. Ward, Mr. Cooke.

**July 22, 2020**

A motion was made by Councilman Mummolo and seconded by Mr. Philipson to approve the minutes.

In favor: Mr. Clayton, Councilman Mummolo, Mr. Occhiogrosso, Mr. Philipson, Mr. Nugent, Mr. Osipovitch, Mr. Ward, Mr. Aiello, Mr. Cooke.

**ELECTION OF CHAIRMAN**

Tara Paxton, Administrative Officer called for nominations for Chairman.

A motion was made by Mr.Aiello and seconded by Councilman Mummolo to nominate Bernard Cooke Chairman.

VOTING IN THE AFFIRMATIVE

Mr. Clayton, Councilman Mummolo, Mr. Occhiogrosso, Mr. Philipson, Mr. Fagen, Mr. Nugent, Mr. Osipovitch, Mr. Aiello.

The motion to elect Mr. Cooke as Chairman was approved.

Ms. Paxton turned over the meeting to Mr. Cooke and he resumed the Chair.

**ELECTION OF VICE CHAIRMAN**

A motion was made by Councilman Mummolo and seconded by Mr. Philipson to nominate Mr. Aiello Vice-Chairman.

VOTING IN THE AFFIRMATIVE

Mr. Clayton, Councilman Mummolo, Mr. Occhiogrosso, Mr. Philipson, Mr. Fagen, Mr. Nugent, Mr. Osipovitch, Mr. Ward, Mr. Cooke.

The motion to elect Mr. Aiello Vice Chairman was approved

**ELECTION OF ALTERNATE MEMBERS TO SIGN MAPS**

A motion was made by Mr. Cooke and seconded by Councilman Mummolo to appoint Kevin Aiello as Alternate Member to sign maps if the Chairman is not available.

VOTING IN THE AFFIRMATIVE

Mr. Clayton, Councilman Mummolo, Mr. Occhiogrosso, Mr. Philipson, Mr. Fagen, Mr. Nugent, Mr. Osipovitch, Mr. Ward, Mr. Cooke.

The motion was approved and Resolution R-1-2021 was adopted.

**ELECTION OF PLANNING BOARD SECRETARY**

A motion was made by Mr. Aiello and seconded by Mr. Philipson to nominate Pamela O’Neill as the Board Secretary and in the absence of the Secretary, Lauren Frank is appointed Acting Secretary for the purpose of signing maps and documents on behalf of the Brick Township Planning Board.

VOTING IN THE AFFIRMATIVE

Mr. Clayton, Councilman Mummolo, Mr. Occhiogrosso, Mr. Philipson, Mr. Fagen, Mr. Nugent, Mr. Osipovitch, Mr. Aiello, Mr. Cooke.

The motion to elect Pamela O’Neill was approved.

Chairman Cooke announced a committee made up of himself, Mr. Aiello and Councilman Mummolo reviewed the proposals for the Board Attorney, Engineer, and Court Reporter. The committee makes the following recommendations.

**APPOINTMENT OF THE PLANNING BOARD ATTORNEY**

A motion was made by Councilman Mummolo and seconded by Mr. Philipson to appoint the firm of Secare and Hensel as Planning Board Attorney

VOTING IN THE AFFIRMATIVE

Mr. Clayton, Councilman Mummolo, Mr. Occhiogrosso, Mr. Philipson, Mr. Fagen, Mr. Nugent, Mr. Osipovitch, Mr. Aiello, Mr. Cooke.

The motion was approved and Resolution R-2-2021 was adopted.

**APPOINTMENT OF THE PLANNING BOARD ENGINEER**

A motion was made by Mr. Occhiogrosso and seconded by Mr. Occhiogrosso to appoint the firm of ARH Associates as Planning Board Engineer

VOTING IN THE AFFIRMATIVE

Mr. Clayton, Councilman Mummolo, Mr. Occhiogrosso, Mr. Philipson, Mr. Fagen, Mr. Nugent, Mr. Osipovitch, Mr. Aiello, Mr. Cooke.

The motion was approved and Resolution R-3-2021 was adopted.

**APPOINTMENT OF THE COURT REPORTER**

A motion was made by Mr. Councilman Mummolo and seconded by Mr. Occhiogrosso to appoint the firm of Denise Sweet & Associates as Court Reporter

VOTING IN THE AFFIRMATIVE

Mr. Clayton, Councilman Mummolo, Mr. Occhiogrosso, Mr. Philipson, Mr. Fagen, Mr. Nugent, Mr. Osipovitch, Mr. Aiello, Mr. Cooke.

The motion was approved and Resolution R-4-2021 was adopted.

**ESTABLISHMENT OF THE 2021-2022 MEETING DATES**

A motion was made by Councilman Mummolo and seconded by Mr. Aiello approve the Planning Board Meeting dates for 2021 and 2022

VOTING IN THE AFFIRMATIVE

Mr. Clayton, Councilman Mummolo, Mr. Occhiogrosso, Mr. Philipson, Mr. Fagen, Mr. Nugent, Mr. Osipovitch, Mr. Aiello, Mr. Cooke.

The motion was approved and Resolution R-5-2021 was adopted.

**APPOINTMENT OF THE MUNICIPAL PLANNER**

A motion was made by Councilman Mummolo and seconded by Mr. Aiello to appoint the Tara Paxton as Municipal Planner.

VOTING IN THE AFFIRMATIVE

Mr. Clayton, Councilman Mummolo, Mr. Occhiogrosso, Mr. Philipson, Mr. Fagen, Mr. Nugent, Mr. Osipovitch, Mr. Aiello, Mr. Cooke.

The motion was approved and Resolution R-7-2021 was adopted.

**SWEARING IN OF THE BOARD PROFESSIONALS**

Planning Board Attorney, Harold Hensel, Esq. swore in Ray Jordan, P.E., Board Engineer and Tara Paxton, AICP/PP, Municipal Planner

**NEW BUSINESS:**

**Capital Project:**

**District 1 Board of Fire Commissioners/ Pioneer Hose Fire Company**

Shed installation

312 Drum Point Rd.

Presented by: Tara Paxton, MPA, PP, AICP

Ms. Paxton presented the 22’ x 36’ shed installation used to store vehicles and equipment by the Pioneer Hose Fire Company.

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

VOTING IN THE AFFIRMATIVE

Mr. Clayton, Councilman Mummolo, Mr. Occhiogrosso, Mr. Philipson, Mr. Fagen, Mr. Nugent, Mr. Osipovitch, Mr. Aiello, Mr. Cooke.

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

**Old Silverton Rd, LLC**

**Block 549 Lot 7**

**427 Old Silverton Rd, LLC**

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

The Chairman announced this case is a continued from the December 9, 2020 Planning Board meeting which left off with questions and comments from the public.

Timothy Middleton, Esq. appeared with his clients and David Eareckson of Matrix Neworld Engineering.

Mr. Eareckson noted his applicant has revised the plans for Building B in regards to the planning board members and professionals’ comments at the last meeting. They flipped the building to show the garage on the opposite side and shifted the parking around so all residential spaces are closer to Old Silverton Road.

Mr. Jordan, Board Engineer, agreed this was a better plan and the 4ft sidewalk was what was agreed upon at the last hearing.

James Casey, Esq., the objector’s attorney, questioned the parking spaces and the number necessary for offices and residential buildings. Mr. Casey

Andrew Flora, 418 Old Silverton Road, stated this project is too much on too small of a lot. The major issue is five business fronting on Old Silverton Road for access and parking. The activity from these buildings once the applicant gets approval anything can be going on as far as operations and hours which will not be enforced by the municipality years after.

Jeffery Alino, 128 Captains Drive, expressed concerned with parking and argued the garage spaces for the contractor shop should not count as required parking spaces.

Peter Bottazzi, 104 W. Mantoloking Drive, owns the Red Lion Plaza and CVS property, he did not object to the application as Mr. Pica will maintain this property.

Andrea Distaulo, 414 Old Silverton Road, objected to the application as she felt this project is too busy for this area.

The Chairman asked if there were emails sent in regarding the application. Seeing there was no emails with questions or comments the Chairman closed the Public portion of the meeting.

Board Member, Councilman Mummolo, asked about the parking requirements for clarification.

Township Planner, Ms. Paxton stated it is 44 spaces for residential in RSIS standards. The applicant is proposing 20 parking spaces.

The Chairman called to poll the board on behalf of the Applicants request to bring their traffic expert for testimony at another hearing.

VOTING IN THE NEGATIVE:

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

Mr. Cooke abstained as it was a unanimous no from the board members.

Mr. Hensel asked for closing arguments.

Mr. Casey, objector’s attorney, stated his closing arguments and statements.

Mr. Middleton, applicant’s attorney, made his closing statement.

A motion to deny the application was made by Councilman Mummolo and seconded by Mr. Occhiogorsso.

VOTING IN THE AFFIRMATIVE TO DENY THE APPLICATION:

Mr. Philipson, Mr. Fagen, Mr. Nugent, Mr. Osipovitch, Mr. Occhiogrosso, Mr. Aiello, Mr. Ward, Mr. Cooke

**ADJOURNMENT**

A motion to adjourn was made by Councilman Mummolo. All were in favor.

The meeting adorned at 9:19 PM.

Respectfully submitted by:

Lauren J. Frank