

BRICK, TOWNSHIP OF

(Planning/Zoning)

Case # 1288 - Dr. P. H. 24
S. 12. P. 14. 11
Dec 95
Block 547.9 - Lots 15 & 16

1. sidewalks O.P.R. & B.B.
2. add'l Refuse area
3. plantings in rear.
4. Sprinkling system?
5. Stucco on rear facade
6. Testimony as to durability of evergreens and requirements for watering

subject to appl of.
S.T.C. & Env. Comm.

deemed Incomplete
Dec 21, 1983

deemed complete
February 3, 1984

45 days for decision
Expires March 19, 1984

477-1-14

APPLICATION NO. _____

FILE _____

19

DRUM POINT PLAZA

AMENDED
APPLICATION FOR SITE PLAN APPROVAL

TO: BRICK TOWNSHIP PLANNING BOARD:

Application is hereby made for site Plan Approval in accordance with the provision of Section 18 - Ordinance 183-74 of the Brick Township Zoning Ordinance.

1. Location: DRUM POINT ROAD & BRICK BLVD. Zone: B-2BLOCK NO. 547ALOT NOS. 15 & 162. Area of tract (in acres) 3.51 ACRES3. Are road or other improvements to be constructed? YES4. Proposed use and/or development plans: SHOPPING CENTER 17 RETAIL STORESTOTALING 26,500 SQUARE FEET

If Apartments:

	Number of	Number of
Total Units	1 Bedroom	2 Bedroom
5. NAME OF APPLICANT <u>JOHN DE GEORGE</u>		Telephone
		No. <u>255-2730</u>
Address <u>46 FLORENCE COURT TOMS RIVER, N.J.</u>		
Applicant's interest in these premises <u>OWNER.</u>		
Name of Owner of Property <u>JOHN DE GEORGE</u>		
Address <u>46 FLORENCE COURT TOMS RIVER, N.J.</u>		Telephone
		No. <u>255-2730</u>
NAME AND ADDRESS OF ATTORNEY <u>ROBERT VAN SICKLE 2110 HOOPER AVE. TOMS RIVER, N.J.</u>		

6. IF OWNER IS A CORPORATION: *****NOT APPLICABLE*****
In what State was Corporation Incorporated? _____

Date of Incorporation? *****NOT APPLICABLE*****

LIST ALL OFFICERS, DIRECTORS and STOCKHOLDERS and THEIR RESIDENCE ADDRESS:
(use rider if necessary)

7. As required by 40:55D-48.1, list the name and address of any person holding more than a 10% interest in the corporation or partnership: (use rider if necessary)

JOHN J. DE GEORGE 46 FLORENCE COURT TOMS RIVER, N.J.JOHN D. DE GEORGE 42 FLORENCE COURT TOMS RIVER, N.J.DOUGLAS REILLY 44 FLORENCE COURT TOMS RIVER, N.J.

8. Name and address of persons preparing plans:

Architect OCEAN ARCHITECTURE TOMS RIVER

Telephone
No.

Address: ROUTE 37 TOMS RIVER

No.

Engineer CHARLES RUSH ENGINEERING

240-1200

Address: 805 MAIN ST. TOMS RIVER, N.J.

9. Does applicant seek relief under N.J.S.A. 40:55 D-60? YES

If so, set forth each variance requested or direction for issuance of permit request:

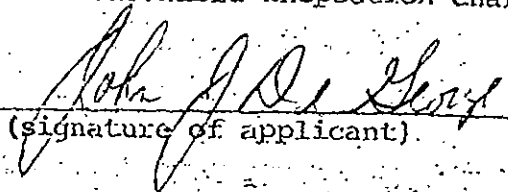
REQUESTING INCREASED SQUARE FOOTAGE OF SIGN FROM 50 SQUARE FEET TO
200 SQUARE FEET

HAS COUNTY PLANNING BOARD GRANTED APPROVAL PURSUANT TO N.J.S.A. 40:27-6.6?

HAVE ALL TAXES OR ASSESSMENTS FOR LOCAL IMPROVEMENTS BEEN PAID? YES

I, (we) agree all applicable performance guarantees and maintenance guarantees shall be provided in the form required by the Township of Brick.

I, (we) agree to deposit with the Clerk of the Township of Brick an amount to be determined by the Township Engineer, sufficient to cover a reasonable inspection charge.


(signature of applicant)

STATE OF NEW JERSEY)

) SS.

AFFIDAVIT

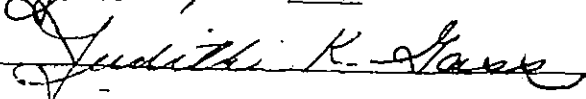
COUNTY OF)

I, JOHN J. DE GEORGE of full age, being duly sworn according to law upon my oath depose and say that I reside at 46 FLORENCE CT. TOMS RIVER, N.J.

in the County of OCEAN State of NEW JERSEY

and that the statements contained in this application and in the papers appended hereto are true.

Sworn to and subscribed
before me this day
of June 13, 1984



JUDITH K. GASS
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Apr. 5, 1987

TOWNSHIP OF BRICK

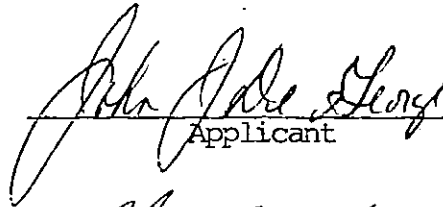
CONSENT FORM

APPLICANT JOHN DE GEORGE

CASE # 1388 BLOCK(S) 547A LOT(S) 15 & 16

NAME OF PROJECT DRUM POINT PLAZA TYPE SHOPPING CENTER

The above named applicant(s) hereby agrees to reimburse the Brick Township Planning Board/Board of Adjustment for any additional costs involved with the review/hearings of this application over and above the fees previously submitted with the original application.


Applicant

May 8, 1984
Date

ALL FEES IN CASH OR CERTIFIED CHECK.

RECEIVED

APPLICATION NO. _____

FILED _____

NOV 10 1983

19

BRICK TOWNSHIP PLANNING BOARD

APPLICATION FOR SITE PLAN APPROVAL

TO: BRICK TOWNSHIP PLANNING BOARD:

Application is hereby made for site Plan Approval in accordance with the provisions of Section 18 - Ordinance 183-74 of the Brick Township Zoning Ordinance.

- Location: BRICK BLVD. & DRUM POINT ROAD Zone: B-2
BLOCK NO. 547A LOT NOS. 15 & 16
- Area of tract (in acres) 3.425 ACRES
- Are road or other improvements to be constructed? ON SITE PARKING, ETC. (SEE SITE PLAN)
- Proposed use and/or development plans:

CONSTRUCT RETAIL STORES & RESTAURANT

If Apartments:

Total Units N/A Number of 1 Bedroom _____ Number of 2 Bedroom _____

- NAME OF APPLICANT DRUM POINT PLAZA, a partnership Telephone 255-6590
Address P.O. BOX 893 BRICK TOWN, NJ 08723

Applicant's interest in these premises CONSTRUCT RETAIL STORES & RESTAURANTName of Owner of Property ELIZABETH F. THOMAS

Address P.O. BOX 183 MIDDLEBURG, VIRGINIA Telephone No. _____

NAME AND ADDRESS OF ATTORNEY VAN SICKLE & BIELORY 255-6500
ROBERT VAN SICKLE, ESQ.
2110 HOOPER AVENUE, TOMS RIVER, NJ 08753

- IF OWNER IS A CORPORATION:

In what State was Corporation Incorporated? NOT Applicable

Date of Incorporation? _____

LIST ALL OFFICERS, DIRECTORS and STOCKHOLDERS and THEIR RESIDENCE ADDRESS:
(use rider if necessary)

As required by 40:55D-48.1, list the name and address of any person holding more than a 10% interest in the corporation or partnership: (use rider if necessary)

DOUGLAS REILLY 44 FLORENCE CT. TOMS RIVER, N.J.JOHN D. DE GEORGE 42 FLORENCE CT. TOMS RIVER, N.J.JOHN J. DE GEORGE 46 FLORENCE CT. TOMS RIVER, N.J.

8. Name and address of persons preparing plans:

Architect ROBERT C. MICKLEWRIGHT

Telephone

No.

929-9220

Address: 1187 WASHINGTON ST. TOMS RIVER, NJ No.

Engineer CHARLES B. RUSH, P.E. & L.S. LIC. NO. 21904

Address: RUSH ENGINEERING COMPANY, INC. 805 MAIN ST. TOMS RIVER, NJ

08753

9. Does applicant seek relief under N.J.S.A. 40:55 D-60? NO

If so, set forth each variance requested or direction for issuance of permit request:

HAS COUNTY PLANNING BOARD GRANTED APPROVAL PURSUANT TO N.J.S.A. 40:27-6.6? PENDING

HAVE ALL TAXES OR ASSESSMENTS FOR LOCAL IMPROVEMENTS BEEN PAID? Smith 12/31/53

I, (we) agree all applicable performance guarantees and maintenance guarantees shall be provided in the form required by the Township of Brick.

I, (we) agree to deposit with the Clerk of the Township of Brick an amount to be determined by the Township Engineer, sufficient to cover a reasonable inspection charge.

(signature of applicant)

ROBERT VAN SICKLE, Agent for Applicant

STATE OF NEW JERSEY)
COUNTY OF OCEAN) SS.

AFFIDAVIT

I, ROBERT VAN SICKLE of full age, being duly sworn according

to law upon my oath depose and say that I reside at 2110 Hooper Ave

Toms River in the County of OCEAN State of NJ

and that I am the agent for applicant, Drum Point Plaza, a Partnership, and that the statements contained in this application and in the papers appended hereto are true.

Sworn to and subscribed
before me this 9th day
of March, 19 53

ROBERT VAN SICKLE

HENRIETTA AVALONE
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Feb. 24, 1955

BRICK TOWNSHIP PLANNING BOARD

RESOLUTION R-25-84

March 14, 1984

CASE NO. 1388

WHEREAS, application has been made by Drum Point Plaza, a partnership, for site plan approval on premises known as Lots 15 & 16, Block 547.A, and a request has been made for a waiver of sidewalks on said site; and

WHEREAS, the Planning Board having considered the application and plans filed with its secretary and having heard the witnesses and evidence and examined the exhibits of the parties in interest and having heard and considered the comments of the public on the 22nd day of February, 1984 and on the 14th day of March, 1984; and

In conjunction with this Resolution, the Board has made the following findings of the fact:

1. That the applicants are the contract purchasers of the premises.

2. That the property is in a B-2 zone.

3. That the proposed use is a permitted use within the zone.

4. That the applicant has proposed the site plan proposing two one-story buildings totalling 26,500 square feet for use as retail stores and a restaurant.

5. That the applicant has indicated the plan should be amended to provide a 1,525 square foot restaurant.

6. That the applicant has not demonstrated the need to waive sidewalks on Brick Boulevard and Drum Point Road, however, the applicant has demonstrated no necessity for sidewalks on the

Site
Drum Point
Plaza
Partnership
Brick
Boulevard
and
Drum Point
Road
Planning
Board

turn around side of the frontage of the site.

7. That the Planning Board has determined that there is a need to improve the rear portions of said building and the landscaping on same.

8. That the Planning Board has approved the amended landscaping plan as presented by the applicant.

9. That the Planning Board has determined that the sign as shown on the applicant's plan is in excess of 50 square feet.

10. That the Planning Board has determined that there is need for additional refuse containers on the premises.

11. That the Planning Board has determined that the landscape plantings atop the recharge trenches are not acceptable.

12. That the applicant is entitled to site plan approval, and the same can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Master Plan and Zoning Ordinance of the Township of Brick.

13. That the application, as submitted, conforms with the site plan ordinances of the Township of Brick.

NOW, THEREFORE, BE IT RESOLVED that the application of Drum Point Plaza for site plan approval of Lots 15 & 16, Block 547.A is hereby approved on this 14th day of March, 1984 subject to the following conditions:

1. Applicant shall comply with all standard Planning Board conditions for site plan approval set forth on Attachment "A".

2. Applicant shall comply with all representations and agreements made by applicant or applicant's representatives during the consideration of this application.

3. Applicant will provide sidewalks on Brick Boulevard and Drum Point Road, but no sidewalks are necessary on the frontage along the turn around.

4. Applicant will place decorative stone on the top of all recharge basins.

5. Applicant will provide an additional refuse facility in conjunction with the Township Planner for the determination of its location and type.

6. Applicant will amend the plan to reflect the 1,525 square foot restaurant.

7. Applicant will landscape in accordance with the latest landscape plan as presented.

8. Applicant will finish the rear portions of said buildings in a stucco or similar type finish to provide a more finished look to the building.

9. Sign on said site shall not exceed 50 square feet.

10. The applicant will provide water outlets for irrigation of the landscaping and planting areas on the aforesaid site.

11. The applicant will file a deed of consolidation of said lots.

6/13/84 Book 4213 - pg. 372
4/16/84 - pg 4196 - BK 98

Eng

Eng

Eng

Reid
7/2/84

Eng
Reddy

Ref. Version
by site plan
amendment
Eng

6/27/84
R-67-84

RESOLUTION R-25-84

Page 4

CASE NO. 1388

March 14, 1984

Moved By: Mr. Gunther

Seconded By: Mr. Metz

Voting in the Affirmative: Councilman Anderson

Mr. Cierzo Mr. Gunther Mr. Metz Mr. Vespi

Mrs. Cook Mr. Geller Mr. Scherer Mrs. Kenney

Voting in the Negative: _____

Abstaining: _____

Absent: Mr. Hayes Mayor Newman

CERTIFICATION

E. Joan Kull, Clerk to the Planning Board of the Township of Brick, County of Ocean, State of New Jersey, do hereby certify that the foregoing resolution was duly passed by the said Planning Board of the Township of Brick at a regular meeting held on the 14th day of March, 1984.

IN WITNESS WHEREOF, I have set my hand this 15th day of March, 1984.

E. Joan Kull
E. JOAN KULL, Clerk
Planning Board of the Township of Brick

ATTACHMENT A

STANDARD PLANNING BOARD CONDITIONS FOR SITE PLANS

RESOLUTION R-25-84

Page 5

CASE NO.

March 14, 1984

- ✓ 1. Applicant shall obtain certification by the Local Soil Conservation District of a plan for soil erosion and sediment control in accordance with Public Law 1975, Chapter 251, "Soil Erosion and Sediment Control Act."
2. All materials, methods of construction, and details shall be in conformance with the current Township of Brick "Engineering Specifications and Construction Details", available at the office of the Township Engineer.
3. Applicant shall obtain any other approvals with respect to submission to any other federal, state, county or municipal agency having jurisdiction over same. Upon receipt of the approval, the applicant shall supply a copy of said permit or permits to the Board. In the event that any other jurisdictional agency requires a change in the applicant's plans, the applicant must reapply to the Brick Township Planning Board for approval of that change.
4. Applicant shall resubmit this entire proposal should there be any deviation from this Resolution or the submitted documents which are hereby made a part hereof and shall be binding on the applicant.
- oK 5. Applicant shall supply evidence by way of a statement from the Brick Township Tax Collector that all taxes are paid to date at the date of the fulfillment of the conditions of this resolution.
- ✓ 1/2 oK 6. Applicant shall post an inspection fund with the Township Clerk in an amount to be determined by the Township Engineer.

RESOLUTION R-25-84

Page 6

CASE NO.

March 14, 1984

copy

7. Before the issuance of a building permit, the applicant shall furnish the Township Clerk with a performance bond in an amount to be determined by the Township Engineer. Said performance bond shall be updated on a six (6) month basis at the discretion of the Township Engineer.

8. No soil shall be removed from the site without the written approval of the Township Council.

BRICK TOWNSHIP PLANNING BOARD

RESOLUTION. R-64-84

June 27, 1984

CASE NO. 1388

WHEREAS, application has been made by John DeGeorge, a member of the partnership known as Drum Point Plaza, for an amended site plan for premises known as Block 547A, Lot 15 & 16 on the Township of Brick Tax Map and has requested a variance to allow an oversized sign comprising of 200 square footage, when 50 square feet is allowed; and

WHEREAS, proper service has been made upon all of the property owners within 200 feet of the premises in question and proper notice and publication has been made as required by New Jersey Statute and proper proof of service has been filed by the applicant with the Planning Board of the Township of Brick; and

WHEREAS, the Planning Board having considered the application and plans filed with its secretary and having heard the witnesses and evidence and examined the exhibits of the parties in interest and having heard and considered the comments of the public, if any, on the 13th day of June, 1984; and

In conjunction with this Resolution, the Board has made the following findings of the fact:

1. That the applicant is the owner of the premises.
2. That the property is located in the B-2 zone.
3. That the applicant was previously granted site plan approval to allow a sign of 50 square feet.
4. That the applicant has demonstrated that the 50 square feet is unreasonable for the site in that it would

be impractical to place the identification signs for all of the stores upon the premises.

5. That the sign, as proposed, is aesthetically pleasing and fits within the general intent and purposes of the zoning scheme.

6. That the applicant has agreed to reduce the height of the sign to the ordinance requirements.

7. That the applicant has agreed that no more than two lines per individual store sign will be allowed.

8. That the applicant has agreed that he will not place individual identification signs upon the buildings of 8 square feet as allowed by the ordinance.

9. That the variance can be granted without substantial detriment to the surrounding area and the public good and will not substantially impair the intent and purpose of the Master Plan and Zoning Ordinance of the Township of Brick.

NOW, THEREFORE, BE IT RESOLVED that the application of John DeGeorge, a member of the partnership known as Drum Point Plaza for an amended site plan for premises known as Block 547A, Lots 15 & 16 and a variance to allow an oversized sign comprising of 200' square footage when 50 square feet is allowed is hereby approved on this 27th day of June, 1984 subject to the following conditions:

Additional conditions of prior approval met R-25-84
1. Applicant shall comply with all standard Planning Board conditions for site plans set forth on Attachment "A".

2. Applicant shall comply with all representations and agreements made by applicant or applicant's representatives during the consideration of this application.

3. Applicant is granted amended site plan approval to increase the sign from 50 square feet to 200 square feet.

RESOLUTION R-64-84

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CASE NO. 1388

June 27, 1984

Moved By: Mrs. Cook

Seconded By: Mr. Geller

Voting in the Affirmative: Councilman Anderson

Mr. Cierzo Mr. Geller Mr. Vespi

Mrs. Cook Mr. Scherer Mrs. Kenney

Voting in the Negative: Mr. Gunther

Abstaining: _____

Absent: Mr. Hayes Mr. Metz Mayor Newman

CERTIFICATION

I, E. Joan Kull, Clerk to the Planning Board of the Township of Brick, County of Ocean, State of New Jersey, do hereby certify that the foregoing resolution was duly passed by the said Planning Board of the Township of Brick at a regular meeting held on the 27th day of June, 1984.

IN WITNESS WHEREOF, I have set my hand this 28th day of _____, 1984.

E. Joan Kull
E. JOAN KULL, Clerk
Planning Board of the Township of Brick

ATTACHMENT A

STANDARD PLANNING BOARD CONDITIONS FOR SITE PLANS

RESOLUTION R-64-84

Page 4

CASE NO. 1388

June 27, 1984

1. Applicant shall obtain certification by the Local Soil Conservation District of a plan for soil erosion and sediment control in accordance with Public Law 1975, Chapter 251, "Soil Erosion and Sediment Control Act."

2. All materials, methods of construction, and details shall be in conformance with the current Township of Brick "Engineering Specifications and Construction Details", available at the office of the Township Engineer.

3. Applicant shall obtain any other approvals with respect to submission to any other federal, state, county or municipal agency having jurisdiction over same. Upon receipt of the approval, the applicant shall supply a copy of said permit or permits to the Board. In the event that any other jurisdictional agency requires a change in the applicant's plans, the applicant must reapply to the Brick Township Planning Board for approval of that change.

4. Applicant shall resubmit this entire proposal should there be any deviation from this Resolution or the submitted documents which are hereby made a part hereof and shall be binding on the applicant.

5. Applicant shall supply evidence by way of a statement from the Brick Township Tax Collector that all taxes are paid to date at the date of the fulfillment of the conditions of this resolution.

6. Applicant shall post an inspection fund with the Township Clerk in an amount to be determined by the Township Engineer.

O.K.
See
Reso
R-25-84

RESOLUTION R-64-84

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CASE NO. 1388.

June 27, 1984

7. Before the issuance of a building permit, the applicant shall furnish the Township Clerk with a performance bond in an amount to be determined by the Township Engineer. Said performance bond shall be updated on a six (6) month basis at the discretion of the Township Engineer.

8. No soil shall be removed from the site without the written approval of the Township Council.

401 CHAMBERS BRIDGE ROAD • BRICK, NJ 08723

Other _____

LYNCH, CARMODY, GIULIANO & KAROL, P.A.

CONSULTING ENGINEERS • LAND PLANNERS • SURVEYORS

Thomas F. Lynch
Cornelius P. Carmody
Michael J. Giuliano, Jr.
John D. Karol

Donald M. Abbott
Brian S. Flannery
Thomas R. Hansen

December 19, 1983

Brick Township Planning Board
401 Chambers Bridge Road
Brick, N. J. 08723

Re: Case No. 83-0195-1388
Drum Point Plaza
Lots 15 & 16, Block 547A
Site Plan
First Review

RECEIVED

DEC 19 1983

BRICK TOWNSHIP PLANNING BOARD

Dear Board Members:

I have reviewed the plans entitled "Final Site Plan - Drum Point Plaza (Tax Lots 15 & 16 Block 547A)" prepared by Rush Engineering Co. consisting of 8 sheets, dated October 1983, and have the following comments.

The applicant intends to construct 2 one-story buildings, totalling 26,500 s.f. in the B-2 zone. Planned businesses include various retail stores and one 3,000 s.f. restaurant.

1. Ocean County Planning Board approval has not been indicated on the plan.
2. The intent of the landscape improvements is unclear. It is suggested the plan be revised to include more detail so that an accurate assessment of the amount and character of the planted areas can be performed.
3. The sign as proposed lies inside the required 15 ft. wide landscaped buffer along Brick Boulevard. As per the Landscaping provision, no use, activity, or sign shall encroach upon this buffer area. The sign should be relocated 4 ft. to the east.
4. All existing contours should be tied to a USC&G benchmark.
5. Parking stall dimensions for the proposed handicap stalls should be indicated on the plan. In addition, handicap ramps should be provided accessible by all handicap parking stalls.
6. The location of all proposed water and sewer lines should be added to the plan.
7. Although the applicant makes note of the power and direction of lighting, no lighting fixtures have been indicated on the plan.

ppp
Rush
Van Dinkle
Lowe
Chankalium

8. The applicant should submit drainage calculations verifying the ability of the proposed recharge trenches to handle the proposed storm water runoff.
9. The applicant has not addressed the issue of trash storage.
10. Any approval of this application should be contingent upon the filing of a deed of consolidation.
11. Pavement restoration details should be provided for Brick Blvd. and Drum Point Road.
12. The lot owner of Block 547 Lot 14 should be indicated on the plan.
13. Sidewalks have not been proposed along Brick Blvd. and Drum Point Rd.
14. The parking requirements for the restaurant should be adjusted to provide one stall for every four seats and one stall for every two customers.
15. The plan as submitted delineates a conflict between curbing and an existing manhole. It is requested that the curbing be realigned.
16. The outbound should be corrected to reveal a survey accuracy of 1:10,000.
17. The proposed driveways should be dimensioned to show a width of 25 ft.
18. The signature block for the Planning Board Engineer should be corrected.
19. The correct tax map sheet number should be added to the plan.
20. The lot depth as shown in the zoning parameters should be revised to delineate a provided depth of 460 ft.±.
21. The Board's attention is directed to Public Law 1975, Chapter 251, "Soil Erosion and Sediment Control Acts" which mandates that any approval granted be conditioned upon certification by the local Soil Conservation District of a plan for soil erosion and sediment control.
22. Further, as a condition of approval, the applicant shall post an inspection fund with the Township Clerk in an amount to be determined by the Township Engineer. Before the issuance of a building permit, the applicant shall furnish the Township with a performance bond in an amount to be determined by the Township Engineer. Said performance bond to be updated at six month intervals at the discretion of the Township Engineer.

23. The applicant is also made aware of the necessity to submit to and appear before, other local, state, and federal jurisdictional agencies for appropriate permits pertaining to this project.
24. No soil shall be removed from the subject property without the written permission of the Brick Township Council.

Very truly yours,



Michael J. Giuliano, Jr.
Planning Board Engineer

MJG:sjs