

BRICK, TOWNSHIP
OF
(PLANNING AND ZONING DEPT.)



LDS BR 10301163

BRICK TOWNSHIP PLANNING BOARD

RESOLUTION FOR APPROVAL OF SITE PLAN WITH WAIVER

RESOLUTION R-80-82

CASE NO. 1305

OCTOBER 27, 1982

WHEREAS, Application has been made by St. Dominic's Church of Brick Town, New Jersey, for approval of a site plan of lots 7 and 5, Block 1091, as shown on the Tax Map of the Township of Brick, in accordance with plan entitled "Addition to St. Dominic's, Lot 7, Block 1091", prepared by George W. Henn, Inc., dated May 21, 1982, with the latest revision date being June 5, 1982, sheet 1 and 2; and

WHEREAS, the applicant intends to add a proposed addition to the existing gymnasium along the north portion of the "gymnasium wing", with said proposed addition totalling 13,642 square feet; and

WHEREAS, the applicant seeks a waiver from the ordinance provision to provide soil boring logs and further seeks a waiver from the requirement to furnish curbing and sidewalks, and a further waiver as to the requirement to provide a buffer zone along the northerly property line which abuts residential apartments; and

WHEREAS, such proof of service as may be required by New Jersey Statutory and Municipal Ordinance requirements upon appropriate property owners and governmental bodies has been furnished to the Board; and

WHEREAS, the Board, after carefully considering the evidence presented by the applicant at the hearing of October 13, 1982, and of the adjoining property owners and general public and having reviewed the exhibits produced, the Planning Board has made the following factual findings:

*Tele - 2
St. Dominic
Henn
White
Crown
Gulion
Blaug
Chankaluk*

Applicant intends to add an addition to the existing gymnasium, with a total of 13,642 square feet. On the site, there presently exists a church and school with a gymnasium wing. The proposed use and addition is in compliance with the current zoning regulations and the 1982 Master Plan which designates the area (B-3 Zone) as quasi-public with a school permitted. The existing building and the proposed addition are in conformance with the required set backs for the B-3 Zone. The proposed lot coverage is below the maximum and the existing parking spaces are more than those required, including the additional building area as encompassed by this present application. The Planning Board, therefore, finds that it should grant its approval of this application for site plan approval; and

WHEREAS, the Planning Board has determined that the requested waivers are reasonable and within the general purpose and intent of the provisions for site plan review and if literal enforcement of the provisions of the ordinance were required, it would be impractical or exact undue hardship to the applicant because of the peculiar conditions pertaining to the lot in question for the following reasons:

Applicant seeks a waiver from the requirement that soil boring logs shall be submitted for review. However, considering the already developed nature of the site, the Planning Board finds that it should grant this waiver. Applicant further seeks a waiver from the requirement that buffering be provided in that the northerly property line abuts residential apartments. The Board finds that it should partially grant this waiver, subject to approval by the Township Shade Tree Commission with regard to the planting of trees along the northerly borderline facing the residential apartments across the street. The applicant further seeks a waiver from the requirement that it install curbing and sidewalks. The Planning Board finds that due to the terrain, no sidewalks or curbing shall be required along Van Zile Road and most of Old Squan Road. However, the Board finds that curbing and sidewalks should be required along Old Squan Road from the area of Center Drive to Folsom Drive (along the baseball field).

WHEREAS, the Planning Board is of the opinion, based upon the above factual findings, that said proposed site plan is such as would encourage development and design consistent with the Master Plan of the Township of Brick and should be approved;

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Brick that the application of St. Dominic's Church for site plan approval as per the map aforesaid, be on this 27th day of October, 1982, granted approval, subject, however, to the following conditions:

1. Applicant shall furnish a Deed for consolidation of Lots 5 and 7 into a single tract, to the Planning Board Attorney for his approval.

2. Applicant shall install a ramp for use by handicapped persons and shall also provide parking spaces for handicapped persons, subject to prior approval by the Township Engineer as to location.

3. Applicant shall supply, for the Board's approval, a site lighting plan.

4. Applicant shall furnish drainage calculations for review by the Planning Board Engineer, as well as data relating to soil absorption characteristics, certified by an approved professional engineer.

5. In addition to the foregoing conditions, all of the standard conditions as per Attachment "A" apply to this approval.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Brick that the applicant's request for a waiver as to the buffering is partially granted, subject to approval by the Township Shade Tree Commission, with regard to the planting of trees along the northerly borderline facing the residential apartments. Applicant's request for a waiver as to the furnishing of soil boring logs be and is hereby approved. Applicant's request for waivers as to sidewalks and curbing be and are hereby approved as to the area along Van Zile Road and most of Old Squan Road, but be and are hereby denied as to that portion along Old Squan Road from Center Drive to Folsom Drive (along the baseball field). The foregoing waivers and partial waivers are subject to all of the conditions aforesaid.

ATTACHMENT "A"

STANDARD PLANNING BOARD CONDITIONS FOR SITE PLANS

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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.

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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.

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Moved By: Mr. Hayes

Seconded By: Mr. Lomano

Voting in the Affirmative: Councilman Anderson

Mr. Gunther

Mr. Lomano

Mr. Lucci

Mr. Hayes

Mr. Metz

Mrs. Kenney

Voting in the Negative:

Ineligible to Vote:

Mrs. Cook

Mrs. Wiessel

Abstaining:

Absent:

Mr. Kadar

Mayor Kinnevy

CERTIFICATION

I, E. Joan Kull, Clerk to the Planning Board of the Township of Brick, County of Ocean, and 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 October, 1982.

IN WITNESS WHEREOF, I have set my hand this 28th day of October, 1982

E. Joan Kull

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