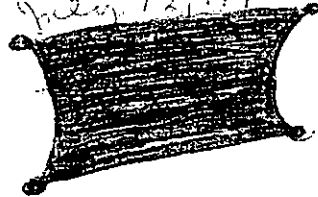


**BRICK,
TOWNSHIP
OF**
(Planning/Zoning)

See. Reso 20mp Reviews
 4-5 PM S.
 deemed Complete as of
 March 17, 1990.
 45 days for decision
 expires April 30, 1990
 Time Waived thru
 July 12, 1990 ~~long~~

June 27, 1990



4-9-91

Jates
 Insp Jend
 Del Del.

PA-1935-FMS-1190
 William James
 Block-1028, 1st 4
 10/5.01 Lots-18, 19, 20

LAND DEVELOPMENT APPLICATION

Filing Fee \$3,040.00

No X Yes ____ If yes, date - - Type Variance _____
Mo. Day Year
Approved _____ Disapproved _____

D. LOCATION: Austin Ave.

57 1068; 1068.01 4 & 18,19,20
Tax Map # Block(s) # Lot(s) #

Type of Road: Cul-de-sac Secondary
Minor X Major
Collector Arterial

Number of proposed streets w/names: (3) Three

Austin Avenue/Linnea Lane/Cajun Lane

Zone District:

Residential

R-5
R-7.5 X
R-10
R-15
R-20
R-R-1
R-R-2 (P.R.R.C. Option)
R-R-3 (P.R.R.C. Option)
R-M

Business

B-1
B-2
B-3
B-4

Other

H-S
PRWC

Office Professional/Light Industrial

O-P
O-P-T
M-1

E. DESCRIPTION OF PROPOSED USED:

1. Present Use Vacant

2. Proposed Use Single Family Residential Dwelling

3. No. of Lots/Units 51/50 Dwellings

4. Brief Description of Application Proposed 51 lot major
subdivision to construct 50 single family dwelling units

5. Lot Size:

	Frontage/Width	Depth	Sq. Feet	Acres
<u>Proposed</u>	<u>75' min</u>	<u>90</u>	<u>7500</u>	<u>0.17</u>
<u>Required</u>	<u>75</u>	<u>90</u>	<u>7500</u>	<u>0.17</u>

5A. Does Applicant Own Adjoining Property? Yes

6. Primary Building Setback Requirements:

	Front	Side	Front/Side	Rear
<u>Proposed</u>	<u>25'</u>	<u>6'</u>	<u> </u>	<u>15'</u>
<u>Required</u>	<u>25'</u>	<u>6'</u>	<u> </u>	<u>15'</u>

7. Accessory Building Setback Requirements:

	Side	Rear
<u>Proposed</u>	<u>N/A</u>	<u> </u>
<u>Required</u>	<u> </u>	<u> </u>

8. Height:

	Height	Stories
<u>Proposed</u>	<u>35' max</u>	<u>2 1/2 max.</u>
<u>Max. Allowed</u>	<u>35'</u>	<u>2 1/2</u>

9. Percent of Lot Coverage

<u>Proposed</u>	<u>30% max</u>
<u>Allowed</u>	<u>30%</u>

10. Gross Floor Area

<u>Proposed</u>	<u> </u> Sq. Ft.
<u>Min. Required</u>	<u>N/A</u> Sq. Ft.

11. Number of Parking Spaces: N/A

	Off Street	Loading
<u>Proposed</u>	<u> </u>	<u> </u>
<u>Min. Req.</u>	<u> </u>	<u> </u>

12. Basis for determining parking requirements: N/A

<u>Employees</u>	<u> </u>	<u>Units</u>	<u> </u>	<u>Seats</u>	<u> </u>	<u>Beds</u>	<u> </u>
<u>Courts</u>	<u> </u>	<u>Rooms</u>	<u> </u>	<u>Stalls</u>	<u> </u>	<u>Other</u>	<u> </u>

F. UTILITIES

1. Water: Will the applicant require new water supply in street? Yes ☒ No ☐

Is Municipal water supply available? Yes ☒ No ☐

Is water to be supplied from a well? Yes ☐ No ☒

Has application been made to the B.T.M.U.A.? Yes ☒ No ☐

Has application been approved? ☒ Denied ☐ Date 4/26/89
Comments _____

2. Sewerage: Will this application require new sewerage lines in street? Yes ☒ No ☐

Will this application require expansion of existing lines? Yes ☒ No ☐

Will this application require a septic system? Yes ☐ No ☒

3. Gas: Natural Gas ☒ Existing ☒ Above Ground ☐
Propane ☐ Proposed ☐ Below Ground ☒

4. Electric: Existing ☐ Above Ground ☐
Proposed ☒ Below Ground ☒

G. Has application been made to the Ocean County Planning Board? Pending
Approved ☐ Denied ☐ Date _____

H. Deed Restriction or Covenants? Yes ☐ No ☒
(If yes, attach copy)

I. Certificate of Taxes/Assessments paid to date attached? ☒
(Said certificate to be submitted with application for acceptance)

J. ARGUMENTS FOR VARIANCE: (To be completed by applicant)

Undue hardship consideration: _____

Negative Criteria: (To be completed for "D" variance & "Conditional Use" applications)

Special Reasons: (To be completed for "D" variance only)

Proposed building, structure or use thereof is contrary to Brick Zoning Ordinance in the following particulars (state articles & sections)

K. There must be a market value offer to sell or purchase all or part of adjoining property if applying for "C" variance, i.e. lacking square footage, width or depth & copy of said request, by certified mail, must be presented at the hearing.

L. List of maps, reports and other material accompanying application:
(Appropriate checklist must accompany all site plan and subdivision applications)

<u>NO.</u>	<u>DESCRIPTION OF ITEM</u>	<u>MO.</u>	<u>DAY</u>	<u>YR.</u>
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

M. LIST OF INDIVIDUALS WHO PREPARED PLANS:

1. Engineer	Charles W. Thomas, P.L.S., P.P.	840-1700
	<u>Name</u>	<u>Phone</u>
	McSweeney & Drewes, 1466 Route 88 West	
	<u>Address</u>	
	Brick, New Jersey 08724	
	<u>City, State & Zip Code</u>	

2. Architect		
	<u>Name</u>	<u>Phone</u>
	<u>Address</u>	
	<u>City, State & Zip Code</u>	

3. Site Planner		
	<u>Name</u>	<u>Phone</u>
	<u>Address</u>	
	<u>City, State & Zip Code</u>	

4. Attorney	John Paul Doyle	201-840-3600
	<u>Name</u>	<u>Phone</u>
	Doyle, Oles & Cucci, PO Box 1609	
	<u>Address</u>	
	Brick, New Jersey 08724	
	<u>City, State & Zip Code</u>	

N. AUTHORIZATION OF SIGNATURE (If applicant is a corporation)

This will certify that _____
Title _____ of (Corporation Name & Address) _____

who subscribed to the above application for development in the Township
of Brick has been authorized by this Corporation to do so.

Attest _____
Secretary (Corporate Seal) _____ Corporate Name _____

President

N.J.S.A. 40:55D-48.1 et seq. requires all corporations or partnerships
applying to a Planning Board or Board of Adjustment for permission to
subdivide a parcel of land into six (6) or more lots or applying for a
variance to construct a multiple dwelling of twenty-five (25) or more
family units or seeking approval of a site to be used for commercial
purposes to list:

- a) If a corporation - names and addresses of all stockholders
owning at least 10% of its stock of any class;
- b) If a partnership - names and addresses of the individual
partners having at least 10% interest in the partnership.

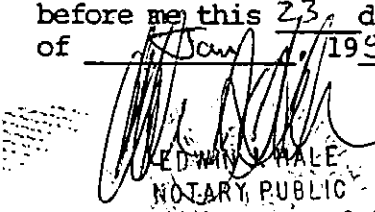
O. AFFIDAVIT OF APPLICANT:

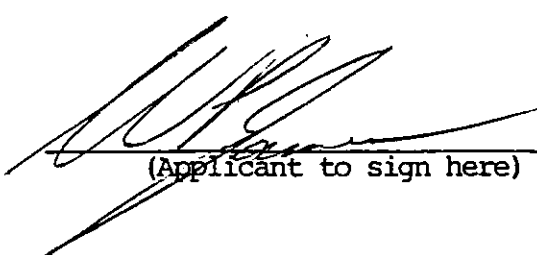
STATE OF NEW JERSEY

COUNTY OF OCEAN

William James of full age being duly sworn
according to law, on oath deposes and says, that all of the above
statements and the statements contained in the papers submitted
herewith are true.

Sworn and Subscribed to:
before me this 23 day:
of Dec, 1990:


EDWIN HALE
NOTARY PUBLIC
COMMISSION EXPIRES 9-8-92


(Applicant to sign here)

P. AFFIDAVIT OF OWNERSHIP:

STATE OF NEW JERSEY

COUNTRY OF ORIGIN

William James of full age being duly sworn according to law on oath deposes and says, that the deponent resides at 167 Cartagena Ave. in the Township of Brick in the County of Ocean and State of New Jersey that he is the owner in fee of all that certain lot, piece of land situated, lying and being in the municipality aforesaid, and known and designated as Block (s) 1068, 1068.01, Lot (s) 4; 18, 19 & 20 Street Address Austin Avenue

Sworn and Subscribed to
before me this 23 day
of Jan 1990

~~EDWIN J. HALL~~
~~NOTARY PUBLIC~~

COMMISSION EXPIRES 9-8-92

(Owner to Sign Here)

Q. AUTHORIZATION BY OWNER:

(If anyone other than above owner is making this application, the following authorization must be executed)

To the approving Board of the Township of Brick:

_____ is hereby authorized to make
the within application.

Dated: _____
_____ Owners Signature

R. ADDRESS ALL CORRESPONDENCE CONCERNING THIS APPLICATION TO:

(☒) Applicant (☐) Owner (☐) Attorney

Name and Firm Edwin J. Hale/McSweeney & Drewes

Address 1466 Route 88 West, Brick, New Jersey 08724

S. Witness for Applicant

Identifying letter to proceed name of witness:

S - Self/Relative N - Neighbor O - Other
T - Twp. Employee E - Expert

1.	_____	2.	_____
	Name		Name
3.	_____	4.	_____
	Name		Name
5.	_____		
	Name		

BRICK TOWNSHIP PLANNING BOARD
FINAL MAJOR SUBDIVISION APPROVAL

RESOLUTION: R-79-90

PAGE -1-

CASE: PB-1935-FMS-1/90

July 11, 1990

WHEREAS, William James, having a mailing address of 167 Cartagena Avenue, Brick, NJ 08723, has applied to the Brick Township Planning Board for final major subdivision approval pursuant to N.J.S.A. 40:55D-50; and

WHEREAS, proof of service as required by law upon appropriate property owners and governmental bodies has been furnished and determined to be in proper order; and

WHEREAS, a public hearing was held on June 27th, 1990 in the Municipal Building, at which time testimony and exhibits were presented on behalf of the applicant and all interested parties having been heard; and

WHEREAS, the Board makes the following factual findings and findings of law:

1. This property is designated as Block 1068, Lot 4 and Block 1068.01, Lots 18, 19 and 20 on the Municipal Tax Map.
2. The property is located in the R-7.5 zone.
3. The applicant was granted preliminary major subdivision approval with variances and design waivers by the adoption of Resolution R-136-89. The preliminary major subdivision approval granted the applicant the right to create fifty (50) residential building lots in the R-7.5 residential zoning district where residential dwelling units are a permitted use. A total of fifty-one lots were designated in the subdivision; however, the fifty-first lot was proposed to be dedicated to the Township as a detention basin and wetland area. This lot is designated on the

File - 2

James
Wayle
mcs/2

Itzsumma
Jonell
Bldg.
Eng.
Zoning

RESOLUTION: R-79-90

PAGE -2-

CASE: PB-1935-FMS-1/90

July 11, 1990

preliminary plat as Block 1068, Lot 4.

4. The Board's Engineer, T & M Associates, prepared a report to the Board dated May 15th, 1990 concerning the developer's compliance with the conditions in Resolution R-136-89. Also, a report dated May 23rd, 1990 was prepared concerning this application for final major subdivision approval. The Board hereby adopts the findings in both reports and incorporates those documents in this Resolution by reference.

5. The Board finds that the final major subdivision plans conform to the standards established by the Subdivision Ordinance for final approval, the conditions of the preliminary approval and the standards of the "Map Filing Law".

NOW, THEREFORE, BE IT RESOLVED, by the Brick Township Planning Board on this 11th day of July, 1990, that this application be approved subject to the following conditions:

1. The applicant shall comply with all standard Planning Board conditions for final major subdivision approval as set forth in attachment "A".

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

3. The applicant shall comply with all terms and conditions of Resolution R-136-89, which is incorporated in this Resolution by reference.

4. The applicant shall comply with all terms and conditions set forth in the Resolution Compliance Report of May 15th, 1990, except item 5b, and the report of May 23rd, 1990

RESOLUTION: R-79-90

PAGE -3-

CASE: PB-1935-FMS-1/90

July 11, 1990

prepared by the Board Engineer.

5. The applicant shall dedicate Lot 4 in Block 1068 to the Township so that this property may be used as a detention basin and wetland area.

SHAW
FINBL - ON
O.K.


RESOLUTION: R-79-90

PAGE -4-

CASE: PB-1935-FMS-1/90

July 11, 1990

MOVED BY: Mr. Cantillo

SECONDED BY: Mr. Scherer

VOTING IN AFFIRMATIVE: Mayor Zboyan Mr. Anderson

Mr. Cantillo Mr. Heslin Mr. Scherer Mr. Skirde Mr. Vespi

Mrs. LaDuke Mrs. Barlo

VOTING IN NEGATIVE:

ABSTAINING:

ABSENT: Councilwoman Fayad Mrs. Kazawic

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 adopted by the said Planning Board of the Township of Brick at a regular meeting held on the 11th day of July, 1990.

IN WITNESS WHEREOF, I have set my hand this 12th day of July, 1990.

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

ATTACHMENT "A"

BRICK TOWNSHIP PLANNING BOARD

STANDARD CONDITIONS FOR FINAL MAJOR SUBDIVISION APPROVAL

RESOLUTION: R-79-90

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CASE NO. PB-1935-FMS-1/90

July 11, 1990

1. Applicant shall obtain all approvals required by any Federal, State, County or Municipal agency having regulatory jurisdiction of this development. Upon receipt of such approval(s), the applicant shall supply a copy of the permit(s) to the Board. In the event that any other agency requires a change in the plans approved by this Board, the applicant must re-apply to the Brick Township Planning Board for approval of that change.

2. Applicant shall resubmit this entire proposal for re-approval should there be any deviation from the terms and conditions of this Resolution or the documents submitted as part of this application, all of which are made a part hereof and shall be binding on the applicant.

3. Applicant shall provide a statement from the Brick Township Tax Collector that all taxes are paid in full as of the date of this Resolution and as of the date of the fulfillment of any condition(s) of this Resolution.

IN PMS
file

RESOLUTION: R-79-90

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CASE NO. PB-1935-FMS-1/90

July 11, 1990

4. Applicant shall furnish a duplicate mylar of the filed map, certified by the applicant's engineer, to the Township Engineer.

~~5.~~ Applicant shall post a bond for the setting of monuments in accordance with the map filing law in an amount to be determined by the Township Engineer. Further, the applicant shall post an inspection fund for the verification of compliance with this requirement in an amount to be determined by the Township Engineer.

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

~~7.~~ A statement must be furnished by the Township Engineer indicating that all required improvements on the site have been approved, or in the alternative, a cash bond and performance guarantee have been posted with the Township Clerk in an amount sufficient to insure the completion of all required improvements. The amount of the cash bond and performance guarantee is to be determined by the Township Engineer. The performance guarantee is to be updated at six month intervals at the discretion of the Township Engineer.

~~8.~~ The depositing of a cash bond and performance guarantee shall not operate to discharge or release the applicant from the

RESOLUTION: R-79-90

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CASE NO. PB-1935-FMS-1/90

July 11, 1990

obligation and responsibility to cause required improvements to be installed and maintained as required by any applicable ordinance or other law. In the event the applicant desires to be released or otherwise transfer obligations and responsibilities to another party under the terms of the guarantees posted with the Township, the applicant shall make application to the Township Council seeking this permission.



PRINCIPALS OF THE FIRM ARE MEMBERS OF:

National Society of Professional Engineers
American Society of Civil Engineers
New Jersey Society of Municipal Engineers
Institute of Transportation Engineers
American Public Works Association
American Planning Association
American Congress on Surveying and Mapping
American Society for Testing and Materials
New Jersey Association of County Engineers
Urban Land Institute
National Recreation & Parks Association

March 30, 1990

Refer To Our File:

BKPB-0076

RECEIVED

APR 2 1990

BRICK TWP PLANNING BOARD

E. Joan Kull, Secretary
Brick Township Planning Board
401 Chambers Bridge Road
Brick NJ 08723

Re: James, William
Dorothy Estates
Final Major Subdivision
Block 1068, Lot 4, and
Block 1068.01, Lots 18, 19 and 20
First Review
PB - 1935 - PMS - 1/90

Dear Board Members:

I have received the plat for the final major subdivision of Dorothy Estates, prepared by McSweeney and Drewes. The plat consists of two sheets dated as follows:

<u>Sheet</u>	<u>Date</u>	<u>Latest Revision</u>
1	01-15-90	---
2	01-15-90	03-15-90

This application is for final major subdivision of an application which the Board granted conditional preliminary approval to on December 13, 1989. The application proposes subdivision of the referenced property into 50 residential building lots in the R-7.5 Residential Zoning District where residential dwelling units are an allowable use. A total of 51 lots are proposed with the fifty-first lot containing a proposed detention basin and wetland areas. The applicant is proposing to dedicate Lot 4 in Block 1068 to the Township.

Le: E. Joan Kull, Secretary
Brick Township Planning Board
Re: James, William - Block 1068 and Block 1068.01
First Review
PB - 1935 - PMS - 1/90

The Board granted the following waivers during the preliminary approval process:

<u>Item</u>	<u>Required</u>	<u>Waived</u>
Cul-de-sac at terminus of all dead-end streets	Yes	Southwesterly terminus of Auston Avenue
Street Jughandles	125 Ft.	45'± existing Hayes Avenue and proposed Maxwell Court
Stormwater Management	Post development runoff not to ex- ceed predevelopment	Increased runoff for Maxwell Court and Miller Avenue area.

I have reviewed the files and the final plat and find the following:

1. The applicant has not submitted revised preliminary major subdivision plans satisfying the conditions of the Resolution of Approval R-136-89. Revised preliminary major subdivision plans are required.
2. The applicant has not submitted proof that the NJDEP has approved the wetlands delineation as shown on the plat.
3. The applicant should submit proof that the NJDEP has approved the wetlands buffer area as shown on the plat.
4. Ocean County Planning Board approval is required.
5. It appears that a drainage easement has been added to the plat between Lots 18 and 19 in Block 1068.01 in an area where drainage does not exist on the construction plan. This should be explained. If drainage has been added, the drainage calculations should be revised and resubmitted.
6. It appears by the location of the drainage easements in Block 1068.03 have been relocated. Documentation on the changes in the drainage system should be provided.

Le: E. Joan Kull, Secretary
Brick Township Planning Board
Re: James, William - Block 1068 and Block 1068.01
First Review
PB - 1935 - PMS - 1/90

7. 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.
8. 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 6 month intervals at the discretion of the Township Engineer.
9. 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.
10. No soil shall be removed from the subject property without the written permission of the Brick Township Council.

The Board should not take any action on the Final Major Subdivision application until the conditions of the Preliminary Approval Resolution are satisfied.

If you have any questions or require additional information, kindly advise.

Very truly yours,

WPF:FMD:ah



WILLIAM P. FARRELL, JR., P.E., P.P.
BRICK TOWNSHIP PLANNING BOARD ENGINEER

TOWNSHIP OF BRICK

OCEAN COUNTY, NEW JERSEY

401 CHAMBERS BRIDGE ROAD • BRICK, NJ 08723

Joseph C. Scarpelli, Mayor

Township Council:

Steven N. Gucci — President

Stephen C. Acropolis

Kimberley S. Casan

Gregory S. Kavanagh

Kathy M. Russell

Tony G. Shupin

Frederick J. Underwood, Sr. Municipal Clerk



Planning Board

(732) 252-1045

Fax: (732) 252-6934

scarpelli@bricknj.us

NEW FOLDER _____

From: Judith Fox Nelson

Date:

7/31/02

Re:

Archive and reorganization of Planning Board Files

Case # 1935 James

Date of Approval July 11, 1990

Block 1068 Lot 4

The above referenced file has been cleaned out as and is ready to be re-filed.

The following files are turned over to Jeff Fabach for disposal

Affidavits ✓

Notice of decision ✓

Copies ✓

Correspondence ✓

Copies of checks and receipts ✓

Reports, drainage, environmental, traffic ✓

Other _____

William James
167 Cartagena Avenue
Brick, New Jersey 08723

McSweeney & Drewes
1466 Rt. 88 West
Brick, New Jersey 08724

John P. Doyle, Esq.
P.O. Box 1609
Brick, New Jersey 08724