

BRICK TOWNSHIP PLANNING BOARD
RESOLUTION FOR APPROVAL OF SITE PLAN WITH WAIVERS

RESOLUTION R-84-83

CASE NO. 1350

November 9, 1983

WHEREAS, application has been made by John Kropke for final approval of the site plan of Lots 21-24, Block 821-22 as shown on the Tax Map of the Township of Brick in accordance with a plan entitled "Site Plan, Lots 21 through 24, Block 821-22" prepared by Anderson, Ballis & Lindstrom Associates, Inc., dated April 18, 1983, with the latest revision date being September 28, 1983; and

WHEREAS, the applicant proposes to construct a two-story retail store/professional office building in a B-1 Zone, consisting of a total of 4,800 square feet; and

WHEREAS, the applicant seeks waivers from the ordinance requirements with regard to buffering; parking within 20 feet of the right-of-way line; distance of proposed driveway from an intersection; number of parking spaces required; indicating upon the plan the horizontal location with size, location, grade and direction of flow for all storm sewers and utilities within 200 feet of the subject site; and further seeks a waiver from the requirement that two driveways not be installed unless there is a minimum of 300 feet of frontage; 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 27, 1983, and of the adjoining property owners and general public and having reviewed the exhibits produced, the Planning Board has made the following factual findings:

Applicant seeks approval to construct a two-story retail store/professional office building in the B-1 Zone. The proposed building is to be 40 feet by 60

Site-2
Kropke
B-1
Boyle
Jensen
Kilian
Blay
Kilian
Jensen

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feet, containing a total of 4,800 square feet of space (2,400 square feet on the first floor and 2,400 square feet on the second floor). The proposed site has dimensions of 100 feet by 150 feet for a total of 15,000 square feet. The Planning Board finds that the proposed size of the building is an over utilization of the site and is a direct cause of the request for waivers from the parking and buffering requirements. The Planning Board finds that it should not approve the application as made, but, if the applicant reduces the size of the building to 40 feet by 55 feet, thus reducing the total square footage of the building, including the second floor, by 400 square feet, then the Board would approve the application. Applicant has provided in its plan a total of 17 parking spaces, while with the present size building, 20 spaces would be required. Applicant has also requested a waiver as to buffering in that, by its plan, it provides 10 feet of buffering with a six foot high stockade fence while a 15 foot wide buffering with 5 feet of landscape screen is required by the ordinance. Applicant also shows a free-standing sign which must be eliminated from the Plan; and

WHEREAS, the Planning Board has determined that if the applicant amends its application to a two story building with dimensions of 40 feet by 55 feet that said plan would more closely adhere to the ordinance requirements and that the Planning Board would find that the total plan is within the general purpose and intent of the provisions for site plan review and that it could grant the waivers requested in that it would then find that literal enforcement of the provisions of the ordinance 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:

The applicant seeks a waiver from the buffering requirement in that the plan provides 10 feet of buffering with a six foot high stockade fence, while 15 feet wide, 5 foot landscape screen is required; and applicant further seeks a waiver from the requirement with regard to parking distance from the right-of-way line in that applicant provides 5 feet on Fort Street, while 20 feet are required; and further seeks a waiver from the requirement with regard to the distance of driveways from intersections in that applicant provides 77± feet while 100 feet are required; and applicant seeks an additional waiver with regard to parking spaces in that 17 spaces have been provided while 20 are required; and further seeks a waiver from indicating upon its plan the horizontal location with size, location, grade and direction of flow for all storm sewers

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and utilities within 200 feet of the subject site; and further seeks a waiver with regard to construction of two access driveways in that 300 feet minimum are required while applicant only has a total lot frontage of 149.60 feet. The Board finds that if the proposed two story building is reduced to dimensions of 40 feet by 55 feet (total of 4,400 square feet), then it should approve the requested waivers; and

WHEREAS, the Planning Board is of the opinion, based upon the above factual findings, that said proposed site plan, as amended above by the Planning Board, 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, as amended by the Planning Board in this Resolution, of John Kropke for site plan approval per the map aforesaid, as amended by this Resolution, be on this 9th day of November, 1983, granted approval, subject, however, to the following conditions:

1. Standard Planning Board conditions for site plan approval as contained on Attachment A attached hereto and made a part hereof.
2. Applicant shall submit to the Planning Board attorney for his review and approval a Deed of Consolidation for Lots 21 through 24, Block 821-22. The filing of said approved Deed of Consolidation is a specific condition of this approval.
3. The building to be constructed upon the site shall be of the dimensions not to exceed 40 feet by 55 feet for a total of 4,400 square feet on the proposed two story building.
- ✓ 4. Applicant will submit an amended plan in conformity with the terms and conditions of this resolution.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Brick Township Planning Board that the requested waivers with regard to buffering; parking within 20 feet of the right-of-way line; distance of proposed driveway from intersection; number of

November 9, 1983

parking spaces required; indicating upon the plan the horizontal location with size, location, grade, and direction of flow for all storm sewers and utilities within 200 feet of the subject site; and from the requirement that two driveways not be installed unless there is a minimum of 300 feet of frontage, be and are hereby granted for the reasons set forth above and subject to the conditions set forth above.

Moved By: Mr. Gunther

Seconded By: Mr. Metz

Voting in the Affirmative: Councilman Anderson

Mr. Cierzo	Mr. Gunther	Mr. Metz	Mr. Vespi
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Mrs. Cook	Mr. Geller	Mr. Scherer	Mrs. Kenney
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Voting in the Negative:

Abstaining:

Absent: Mayor Newman

Ineligible to Vote: Mr. Hayes

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 9th day of November, 1983.

IN WITNESS WHEREOF, I have set my hand this 14th day of November, 1983.

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

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.

Incl
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RESOLUTION R-84-83

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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.

BRICK TOWNSHIP PLANNING BOARD

EXTENSION OF SITE PLAN APPROVAL

RESOLUTION R-88-85

September 11, 1985

CASE NO. 1350

WHEREAS, application was previously made by John Kropke for final site plan approval for Lots 21-24, Block 821-22, Brick Township Tax Map, together with waivers which application was approved by Resolution No. R-84-83 on November 9, 1983; and

WHEREAS, the applicant has requested an extension of this site plan approval for a period of one (1) year pursuant to N.J.S.A.40A:55D-52; and

WHEREAS, the Planning Board has considered this request, and has determined that this request is reasonable under the circumstances;

NOW, THEREFORE, BE IT RESOLVED that the request of John Kropke for a one (1) year extension of final major site plan approval together with waivers on Lots 21-24, Block 821-22, Brick Township Tax Map, is hereby granted for a period of one (1) year from November 9, 1985 until November 9, 1986.

MOVED BY: Mr. Gunther

SECONDED BY: Mr. Scherer

VOTING IN THE AFFIRMATIVE: Mr. Cervasco

Mr. Geller Mrs. Hartman Councilman Scarpelli Mr. Vespi

Mr. Gunther Mr. Hayes Mr. Scherer Mr. Taubenkimel

VOTING IN THE NEGATIVE: _____

ABSTAINING: _____

ABSENT: Mr. Cierzo Mayor Newman

INELIGIBLE TO VOTE: _____

RESOLUTION R-88-85

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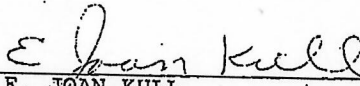
CASE NO. 1350

September 11, 1985

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 11th day of September, 1985.

IN WITNESS WHEREOF, I have set my hand this 12th day of September, 1985.


E. JOAN KULL
Planning Board of the Township of
Brick

BRICK TOWNSHIP PLANNING BOARD
EXTENSION OF SITE PLAN APPROVAL

RESOLUTION R-61-87

April 22, 1987

CASE NO.: 1350

WHEREAS, application was previously made by John Kropke for final site plan approval for Lots 21-24, Block 821-22, Brick Township Tax Map, together with waivers which application was approved by Resolution No. R-84-83 on November 9, 1983; and

WHEREAS, the applicant previously obtained an extension of this site plan approval for a period of one year until November 9, 1986 and the applicant has requested a further one year extension until November 9, 1987 pursuant to N.J.S.A. 40:55D-52; and

WHEREAS, the Planning Board has considered this request, and has determined that this request is reasonable under the circumstances;

NOW, THEREFORE, BE IT RESOLVED that the request of John Kropke for a one (1) year extension of final major site plan approval together with waivers on Lots 21-24, Block 821-22, Brick Township Tax Map, is hereby granted for a period of one (1) year from November 9, 1986 until November 9, 1987.

File 2
Kropke
A.B.L.
Doy/e
PJOC Contracting
Martone
G. L. Lano
Bldg
Eng - 2
Zoning

RESOLUTION R-61-87

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CASE NO.: 1350

April 22, 1987

MOVED BY: Mr. Scherer

SECONDED BY: Mr. Cevasco

VOTING IN THE AFFIRMATIVE: Mr. Cevasco Mr. Gunther

Mr. Mangarelli Councilman Scarpelli Mr. Kazawic

Mr. Scherer

VOTING IN THE NEGATIVE: _____

ABSTAINING: _____

ABSENT: Mr. Clerzo Mr. Gunther Mrs. Hartman Mayor Newman
Mr. Vespi

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 22nd day of April, 1987.

IN WITNESS WHEREOF, I have set my hand this 28th day of April, 1987.

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

BRICK TOWNSHIP PLANNING BOARD
EXTENSION OF SITE PLAN APPROVAL

RESOLUTION R-21-88

February 24, 1988

CASE NO.: 1350

WHEREAS, application was previously made by John Kropke for final site plan approval for Lots 21-24, Block 821-22, Brick Township Tax Map, together with waivers which application was approved by Resolution No. R-84-83 on November 9, 1983; and

WHEREAS, the applicant previously obtained an extension of this site plan approval for two periods of one year until November 9, 1987 and the applicant has requested a further one year extension until November 9, 1988 pursuant to N.J.S.A. 40:55D-52; and

WHEREAS, the Planning Board has considered this request, and has determined that this request is reasonable under the circumstances;

NOW, THEREFORE, BE IT RESOLVED that the request of John Kropke for a one (1) year extension of final major site plan approval together with waivers on Lots 21-24, Block 821-22, Brick Township Tax Map, is hereby granted for a period of one (1) year from November 9, 1987 until November 9, 1988.

File-2
Kropke
AOL
Shayle
Mortone
Deleina
Bella
any-2
Young

RESOLUTION R-21-88

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CASE NO. 1350

February 24, 1988

MOVED BY: Mr. Gunther.

SECONDED BY: Councilman Scarpelli

VOTING IN THE AFFIRMATIVE: Mr. Cevasco Mr. Geller

Mr. Gunther Mrs. Hartman Mr. Mangarelli Councilman Scarpelli

Mr. Kazawic

VOTING IN THE NEGATIVE

ABSTAINING:

ABSENT: Mr. Cierzo Mayor Newman Mr. Vespi Mr. Scherer

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 24th day of February, 1988.

IN WITNESS WHEREOF, I have set my hand this 29th day of February, 1988.

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

BRICK TOWNSHIP PLANNING BOARD
EXTENSION OF SITE PLAN APPROVAL

RESOLUTION R-61-87

April 22, 1987

CASE NO.: 1350

WHEREAS, application was previously made by John Kropke for final site plan approval for Lots 21-24, Block 821-22, Brick Township Tax Map, together with waivers which application was approved by Resolution No. R-84-83 on November 9, 1983; and

WHEREAS, the applicant previously obtained an extension of this site plan approval for a period of one year until November 9, 1986 and the applicant has requested a further one year extension until November 9, 1987 pursuant to N.J.S.A. 40:55D-52; and

WHEREAS, the Planning Board has considered this request, and has determined that this request is reasonable under the circumstances;

NOW, THEREFORE, BE IT RESOLVED that the request of John Kropke for a one (1) year extension of final major site plan approval together with waivers on Lots 21-24, Block 821-22, Brick Township Tax Map, is hereby granted for a period of one (1) year from November 9, 1986 until November 9, 1987.

File-2
Kropke
A.B.L.
Doyle
PJ D Contracting
Martone
Giuliano
Bldg
Eng - 2
Zoning

RESOLUTION R-61-87

PAGE TWO

CASE NO.: 1350

April 22, 1987

MOVED BY: Mr. Scherer

SECONDED BY: Mr. Cevasco

VOTING IN THE AFFIRMATIVE: Mr. Cevasco Mr. Gunther

Mr. Mangarelli Councilman Scarpelli Mr. Kazawic

Mr. Scherer

VOTING IN THE NEGATIVE: _____

ABSTAINING: _____

ABSENT: Mr. Cierzo Mr. Gunther Mrs. Hartman Mayor Newman
Mr. Vespi

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
22nd day of April, 1987

IN WITNESS WHEREOF, I have set my hand this
28th day of April, 1987.

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