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PLANNING BOARD TOWNSHIP OF BRICK
RESOLUTION FOR FINAL SITE PLAN APPROVAL

WITH WAIVERS

Resolution R-17-81

Dated: March 25, 1981

Case: #1123

WHEREAS, application has been made by Allstate Waterproofing, Inc., a corporation of the State of New Jersey for final approval of a site plan of Block 1170, Lot 24-1 as shown on the Tax Map of the Township of Brick, which premises are in a B-2 zone, in accordance with the map prepared by Shepherd Engineering, and entitled "Site Plan, Lot 24-1, Block 1170" dated August 22, 1980, with latest revision dated January 20, 1981; and

WHEREAS the applicant seeks a waiver of the parking requirements having provided eight spaces while the ordinance requires twenty-one, & in addition the applicant seeks a waiver of the requirements for construction of concrete sidewalks and curbs along Burrsville Road, and the construction of concrete curbing around the access drive and parking areas of the onsite improvements, and

WHEREAS, such proof of service as may be required by N. 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 on March 11, 1981 and of the adjoining property owners and general public, and having reviewed the exhibits produced, the Planning Board has made the following factual findings:

SEE FACTUAL FINDINGS ATTACHED HERETO

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*Title - 2
Allstate
Shepherd Eng
Crosby
Hudson
Blag
Chankalan*

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WHEREAS, the Planning Board has determined that the requested waivers except as to curbing and sidewalks along Burrsville Road 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 ordinances 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:

SEE REASONS FOR WAIVERS ATTACHED HERETO

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AND WHEREAS, the Planning Board is of the opinion based upon the above factual findings that the 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 Allstate Waterproofing, Inc., be on this March 25, 1981, granted subject, however to the following conditions:

1. Ocean County Planning Board approval to be indicated on plan.
2. 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".
3. All materials, methods of construction, and details to be in conformance with the Township of Brick

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"Engineering Specifications and Construction Details"

4. Applicant shall not expand the amount of square footage devoted to vehicle storage (13,800 sq. feet) or material storage (3,500 sq. feet) or office space (700 sq. feet) without resubmission to the Planning Board for further review, and shall not rent out space.

5. That the detail, shown on the Plan, referring to typical driveway cross-section shall be revised to indicate six inches of compact road gravel to be Type 2, Class A.

6. Applicant should obtain any other approvals with respect to submission to any other federal, state, county; or municipal agency having jurisdiction over same. Upon receipt of 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.

7. 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.

8. Applicant to supply evidence by way of a statement from the Brick Township Tax Collector that all taxes are current as of the date of the fulfillment.

9. That the applicant shall provide curbing to set-off the parking area and place curbing and sidewalks on the plan along Burrsville Road.

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10. The applicant shall post an inspection fund with the Township Clerk in an amount to be determined by the Township Engineer.

11. That 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 to be updated on a six (6) month basis at the discretion of the Township Engineer.

Moved by: Councilwoman Butler

Seconded by: Mr. Hayes

Voting in the Affirmative: Councilwoman Butler

Mrs. Cook

Mr. Nappe

Mr. Hayes

Mrs. Wiessel

Mr. Kadar

Mr. Metz

Mr. White

Voting in the Negative: _____

Ineligible to Vote: Mr. Gunther

Ineligible to Vote: _____

Abstaining: _____

Absent: _____

C E R T I F I C A T I O N

I, E. JOAN KULL, Clerk of 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 25th day of March, 1981.

IN WITNESS WHEREOF, I have set my hand this 26th day of March, 1981.

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

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FACTUAL FINDINGS

Applicant seeks approval for the construction of buildings with a total of 18,000 square feet of floor area with 13,800 square feet of the 18,000 square feet to be utilized as vehicle storage, 3,500 square feet to be used as material storage and 700 square feet to be used for office space, all for applicants waterproofing business. The property involved currently maintains an existing non-conforming use, an existing building utilized as a residence, which use is prohibited in this zone (B-2). However, the Planning Board has determined that the applicant can seek site plan approval, without the requirement of a use variance, as no extension of the nonconforming use (the residence) is contemplated as a part of the application. The Plan submitted shows that the majority of the storm water runoff from the buildings and paved parking area will drain to low areas in the front yard of the subject property, which low area will act as a storm water recharge basin, which plan is acceptable to the Planning Board as the entire site is classified as Lakehurst Sand by the Soil Conservation Service, which soil possesses a very fast percolation rate.

REASONS FOR WAIVERS

1. Applicant seeks a waiver of the parking requirements having provided eight (8) parking spaces while the Ordinance requires twenty-one (21). The Board finds that eight (8) spaces are adequate in view of the use of the buildings primarily for vehicle and material storage, and

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that the character of the business (waterproofing of buildings) requires few employees on site and few customers to visit the premises.

2. Applicant also seeks a waiver from the requirement for sidewalks and curbs along Burrsville Road which the Board finds it can not grant in view of the fact that sidewalks and curbs are necessary and needed.

3. The applicant further seeks a waiver of the requirement for concrete curbing around the access drive and parking area. The Board feels that a waiver as to the curbing around the access drive is warranted in view of the fact that such curbing would interfere with the run-off of the water from the buildings and paved area. The Board does not feel that the waiver should be granted as to the parking area as that area should be set-off by curbing.