

BRICK, TOWNSHIP
OF
(PLANNING AND ZONING DEPT.)



LDS BR-PZ 10302567

RESOLUTION: R-66-92

CASE NO. PB-2056(1995 MS)-PSP/FSP-7/92 October 28, 1992

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 in the municipal building on October 14, 1992, 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. The property is designated as Lots 18, 18.02 and 18.03, Block 1170 on the municipal tax map.
2. The property is located in the H-S zone.
3. The applicant proposes to construct a 140 bed nursing facility on a 9.44 acre site in the Hospital Support zone. The

Title - 2
 Med. Gen. O.C.
 Gayle
 Lippencutt
 Itzsumma
 Jorrell
 Oleg
 Eng - 2
 Zorling
 O.F.S.
 S.T.C.

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proposed nursing facility is a permitted use and the application requires no variances.

4. The Board's Engineer, T & M Associates, prepared a report to the Board dated August 14, 1992. The Board hereby adopts the findings in that report and incorporates that document in this Resolution by reference.

5. The following design waivers have been applied for:

<u>Item</u>	<u>Required</u>	<u>Provided</u>
Traffic report	Yes	No
Environmental Impact Statement	Yes	No

6. The applicant's engineer reviewed the report of T & M Associates, and stipulated that the applicant would comply with all comments and requirements in that report. Further, the applicant agreed to comply with the recommendations of the Shade Tree Commission in its report dated August 20, 1992.

7. The Board finds the design waivers applied for may be granted because:

(a) Although a formal traffic report was not submitted, the applicant's traffic engineer provided testimony relative to the operation of this site and its interrelationship with the hospital campus. The expert witness concluded that the on-site parking and circulation patterns will provide safe and

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adequate access to the facilities, and that the sharing of the ingress and egress with the hospital onto Jack Martin Boulevard will provide safe access to the nursing home facility.

(b) Considering the development of adjacent properties by the Medical Center of Ocean County or its affiliates, the Board finds that an environmental impact study is unnecessary. The Board has been provided on previous occasions with testimony relative to the development of this area, and it is unnecessary to require a supplemental study to review the impact of this development.

8. The applicant has complied with the requirements of the site plan ordinance and the overall development plan for this property is consistent with the intent and purpose of the municipal development ordinance. Accordingly, the Board finds that the relief requested can be granted without any detriment to the public good and that this development is compatible with the intent and purpose of the municipal zoning ordinance and master plan.

NOW, THEREFORE, BE IT RESOLVED, by the Brick Township Planning Board on this 28th day of October, 1992, that this application be approved subject to the following conditions:

1. The applicant shall comply with all standard Planning Board conditions for site plan approval as set forth on

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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 hearing.

3. The applicant shall comply with all conditions proposed in the Board's engineering report of August 14, 1992.

4. The applicant shall submit a deed of easement to the Planning Board Attorney for review and approval to insure the continuance of hospital parking on part of this site and to insure that the development of the remaining portion of this property will not interfere with the site improvements supporting the nursing home facility.

5. The parking area at the southwest corner of the site shall not be used by employees working on shifts between 6 P.M. to 6 A.M.. Employees working on shifts between 6 P.M. and 6 A.M. shall park at the northeast corner of the site (south of the access road to Jack Martin Boulevard).

6. Plantings shall be added to the south of the parking area serving the hospital to discourage pedestrian traffic between the hospital and nursing facility parking lots at the northwest corner of the site (south of the access road to Jack Martin Boulevard). Also, buffer plantings shall be added at the south side of the building. These improvements shall be

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subject to the review and approval of the Board Engineer.

7. The traffic control island within the easterly access driveway, as shown on the site plan, may be removed and the applicant shall provide striping in its place in accordance with Brick Township standards.

8. The applicant shall comply with all requirements set forth in the report of the Shade Tree Commission dated August 20, 1992.

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MOVED BY: Mrs. Barlo

SECONDED BY: Mr. Wylie

VOTING IN THE AFFIRMATIVE: Mayor Zboyan Mr. Anderson

Councilman Cantillo Mr. Heslin Mr. Jordan Mrs. LaDuke

Mr. Wylie Mrs. Barlo

VOTING IN THE NEGATIVE: _____

INELIGIBLE TO VOTE: _____

ABSTAINING: _____

ABSENT: Mr. Vespi Mr. Heidrick

CERTIFICATION

I, E. JOAN KULL, Clerk of 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 28th day of October, 1992.

IN WITNESS WHEREOF, I have set my hand this 30th day of October, 1992.

E. Joan Kull
E. JOAN KULL
Clerk of the Planning Board

ATTACHMENT "A"

BRICK TOWNSHIP PLANNING BOARD

STANDARD CONDITIONS FOR SITE PLAN APPROVAL

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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 N.J.S.A. 4:24-39 et seq., commonly known as the "Soil Erosion and Sediment Control Act."

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

3. 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 reapply to the Brick Township Planning Board for approval of that change.

4. Applicant shall resubmit this entire proposal for re-approval should there be any deviation from the terms and

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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.

5. 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.

6. Prior to the issuance of a construction permit, the applicant shall furnish the Township Clerk with a cash bond and performance guarantee in an amount to be determined by the Township Engineer.

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

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