

**AMENDED FINAL SITE PLAN**

**OCEAN MEDICAL CENTER**

**Block: 1170 Lot: 18 & 18.02**

**Property Address: 425 Jack Martin Boulevard**

Resolution - **R-24-16**  
Application No.: PB-2769-A-2-FSP- **5/16**

**RESOLUTION OF MEMORIALIZATION OF THE**

**BRICK TOWNSHIP PLANNING BOARD**

**AMENDED FINAL SITE PLAN APPROVAL**

**WHEREAS, Ocean Medical Center**, of 425 Jack Martin Boulevard, Brick, New Jersey 08724 has made application to the Brick Township Planning Board for Amended Final Site Plan Approval for Block 1170 Lots 18 and 18.02 on the Township Tax Map pursuant to N.J.S.A. 40:55D-46, -50, and -60; to upgrade the electrical switch gear service, remove two sheds, install a 11 foot by 50 foot concrete pad and install conduit; 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 August 10, 2016 in the Brick Township Municipal Building at which time testimony was given and certain exhibits hereinafter described were presented on behalf of the applicant and all interested parties having had an opportunity to be heard; and

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

This property is designated as Lots 18 and 18.02 in Block 1170 on the Municipal Tax Map of the Township of Brick and is located between Jack Martin Boulevard and New Jersey State Highway 88, Brick, New Jersey and is commonly known as the Ocean Medical Center.

Ocean Medical  
Dewberry  
Zager  
ARH  
Hensel  
Building  
Eng.  
Zoning

2. The property in question is located in the hospital support zone. The proposed use is a permitted use. The Ocean Medical Center has previously received site plan approval and continues in operation.

3. Albert Zager, Esq. represented Ocean Medical Center as its attorney and called as witnesses, Richard Epstein, the Vice President of Operations of Ocean Medical Center, and Christopher Cirrotti, PE & PP of Dewberry Engineering, Inc., to offer expert testimony regarding this application.

4. Mr. Epstein explained the reason for the requested Amended Final Site Plan Approval. In his position with Ocean Medical Center he seeks to increase the reliability of electrical service to the hospital to modify from the single source feed presently servicing the hospital facility to a dual source feed. The proposal will bring in electricity from State Highway Route 88 and provide a dual feed to service the hospital. The applicant has worked with Jersey Central Power and Light to design this secondary electricity feed to the facility. If approved this proposed second source of electricity would be supplied by a separate substation from the current source of electrical feed to the facility.

5. Mr. Christopher Cirrotti testified and referred to sheet C100 of the Amended Site Plan to explain that the electrical feed would come off Route 88 through three poles. The electrical feed would run through lot 14.01 via an easement with the wiring being underground with three junction boxes. The proposed construction would consist of a 50 foot by 11 foot concrete pad for the electrical box in a masonry wall 5 foot in height. The engineer indicated that evergreen planting would be added to the site.

6. As to the technical review set forth in the Board Engineer's July 6, 2016 report, the applicant through its witnesses and attorney indicated it would:

- Put in signature blocks on the plan (ARH paragraph B-1).
- An easement would be granted by the owner of lot 14.01, Block 11.70, which is a related company to Ocean Medical Center; the easement would be prepared by the applicant and approved by the attorney for the Planning Board (see ARH paragraph C).
- A CAFRA permit is pending because of the slight increase impervious surface, and the applicant agreed that CAFRA approval would be a condition hereof (ARH paragraph D).
- Testimony was offered indicating that lighting in the area would be adequate (ARH paragraph E-1).
- The Jersey Central Power and Light Company requires the linear aerial wire and a new riser pole as depicted on the plan which is acceptable to the Board (ARH paragraph E-2).
- The applicant's engineer indicated that the electrical service running through the drainage basin would be just off of the conservation easement and reconstructed with conduits that can go under water. The plan would be amended to show "water-tight" in the area of the basin (ARH paragraph E-3).
- The applicant agreed through its witnesses to comply with the recommendations contained in ARH paragraphs 4 through 7 of Mr. Wilkinson's July 6, 2016 report.
- The applicant provided adequate testimony that the 8 foot high barrier surrounding the equipment would be satisfactory for sound attenuation (ARH paragraph E-8).
- The applicant through its witnesses indicated would comply with paragraphs 9 and 10 of section E of the ARH report.

7. The applicant's witnesses moreover addressed the August 5, 2016 report from Michael Fowler regarding this application. In response to the Comments V. in Mr. Fowler's report the applicant offered the following:

- The recommendation of paragraph A would be added to the plan.
- The recommendation of paragraph B can be complied with by the applicant agreeing to provide a mix of species with a caveat that Department of Environmental Protection would not permit Blue Spruce or Leyland Cypress; otherwise the applicant would work with Mr. Fowler to achieve appropriate plantings.
- The applicant through its engineer indicated that in response to paragraph C the electrical switch gear would be surrounded on four sides two existing and two new as depicted on the plan, and that they would add a solid fence on the West side to the plan.
- The applicant adequately addressed the concerns in paragraphs D and E of Mr. Fowler's report.
- The applicant indicated that the CAFRA application is pending approval.

8. Through the course of testimony, it was revealed that three trees would be removed and one was proposed to be planted. The applicant agreed to put in additional trees to make up for the loss of caliper of trees being removed.

9. The applicant indicated that the Brick Township Municipal Utilities Authority, by way of a June 30, 2016 letter, indicated it had no interest in this application.

10. In addition to the aforementioned reports from Mr. Wilkinson as the Board Engineer and Mr. Fowler as the Board's Planner, the Board also received and shall maintain in its file the following reports:

- A) June 23, 2016 Land Development Application Review from Township Engineer, Elissa C. Commins, PE, Land Development Application indicating no comments on the application;
- B) June 2, 2016 correspondence from Brick Township Bureau of Fire Safety authored by Bureau Chief, Kevin C. Batzel indicating that the site plan has been reviewed and accepted.

11. One member of the public, a resident at 160 Walter Road addressed the Board concerning the application. When she determined through questioning that there would be no effect on her road as a result of these proposed electrical switch gear improvements, she has no objection to the application.

12. Having heard the testimony of the applicant and its professionals as well as the Board's own professional staff, the Board does in fact find and determine and accept the testimony of the applicant's engineer in support of the request for the Amended Final Site Plan.

13. Accordingly, for the reasons referenced above and as set forth on the record, the applicant's engineer and the board's professional staff, the Board finds that the Amended Final Site Plan Approval should be granted, and same can be granted without substantial detriment to the public good and will not substantially impair the intent and purposes of the zone plan, zoning ordinance or the master plan of the Township of Brick.

**NOW, THEREFORE, BE IT RESOLVED** by the Brick Township Planning Board on this \_\_\_\_ day of \_\_\_\_\_, 2016 that the application for Amended Final Site Plan approval is hereby granted subject to the following conditions:

1. Evergreen plantings would be added to the Plan.
2. Signature blocks would be placed on the plan.
3. The applicant shall produce an acceptable Deed of Easement from the owner of

lot 14.01, Block 1170.

4. The conduits for the electrical service shall be placed in a “water-tight” conduit and same shall be noted on the plan.

5. The duct bank detail shall show a minimum clearance of 3 inches on all faces of No. 3 rebar.

6. The applicant may consider a lower compressive strength of concrete and add in air entrainment and fibre-reinforcement.

7. A separate set of details shall be provided for trenching inside the basin area, as noted in the ARH correspondence with a typical section added to the plans (paragraph E 6 of the ARH letter).

8. Plantings shall be added to the plan satisfactory to the Board’s Planner.

9. The applicant shall add a solid fence on the West side of the electrical switch gear.

10. The applicant must submit proof of payment of all currently due taxes to the Brick Township Planning Board.

11. The applicant must post all bonds and guarantees as required and recommended by this Board and the Township Board Engineer. Moreover, the applicant must post all required engineering and inspection fees.

12. All representations and statements made by the applicant, as well as the applicant’s representatives and witnesses, shall be considered and deemed to be relied upon by the Board in rendering this decision and to be an express condition of this Board’s actions in approving the subject application. Any misstatement or misrepresentation, whether by mistake or change in circumstance, shall be deemed a breach of this condition of approval and shall

subject this application to further review on this Board's own motion.

13. In the event the Planning Board determines that it reasonably relied upon any misstatement or misrepresentation, then and in that event any approvals previously given may be rescinded and any improvements at the time in place on the premises in question shall not be in compliance with the ordinances of the Township of Brick.

14. The applicant must comply with all conditions contained in the Board Engineer's report by Theodore Wilkinson, PE of Adams, Rehmann & Heggan dated July 6, 2016, and the Township Planner, Michael Fowler's report dated August 5, 2016, as noted herein and revised in accordance with the testimony elicited, and the understandings reached, as set forth above.

15. No building permit shall be issued until the Board Secretary confirms that the Planning Board professional fees have been paid in full. In the event a building permit is issued and there are outstanding Planning Board professional fees, a stop work order will be filed against the applicant/contractor until all professional fees have been paid.

16. In the event there is an existing violation, the applicant shall have thirty (30) days from the date the applicant is notified in writing of the violation to correct the violation. Failure to correct the existing violation within the time prescribed will result in the issuance of a summons.

17. The applicant must comply with all conditions outlined in Schedule A attached hereto.

18. The applicant shall apply for and receive approvals from all other municipal, county, state and federal agencies having regulatory jurisdiction over this development as may be required.

**BE IT FURTHER RESOLVED** that the Planning Board Secretary shall cause notification of this favorable Resolution to be published in an official newspaper of the Brick Township within ten (10) days of the adoption of this Resolution.

Certified copies of this Resolution shall be forwarded to the applicant, the Township Construction Official, Zoning Officer and all other parties in interest.

PB-2769-A-2-FSP-8/15  
Ocean Medical Center

August 24, 2016

VOTE ON MEMORIALIZATION

MOVED BY: J. Lambusta

SECONDED BY: R. Gross

VOTING IN THE AFFIRMATIVE: B. Clayton, J. Marra, R. Gross, K. Aiello  
J. Lambusta, G. Osipovitch

VOTING IN THE NEGATIVE:

INELIGIBLE: J. Catalano, Councilman Halloran, C. Occhiogrosso,  
M. McMahon

IN-CONFLICT:

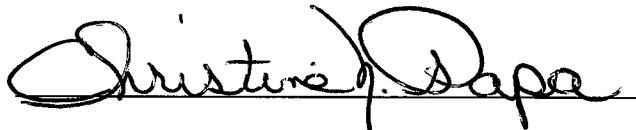
Absent: B. Cooke

ABSTAINING:

PRESENT BUT NOT VOTING:

CERTIFICATION

I, CHRISTINE N. PAPA, Clerk/Secretary to the Planning Board, Township of Brick, County of Ocean, State of New Jersey, do hereby certify that I am duly authorized to certify Resolutions. I certify that the foregoing Resolution was adopted by the Planning Board of the Township of Brick at a regular meeting held on the 24<sup>th</sup> day of August, 2016.

A handwritten signature in black ink, reading "Christine N. Papa", written over a horizontal line.

CHRISTINE N. PAPA, Clerk/Secretary

Planning Board/Board of Adjustment

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 submit 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.
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.

9. The applicant shall comply with all provisions and pay all fees established under Article VI (Mandatory Development Fees) of Chapter 245 of the Code of the Township of Brick.

10. For all residential uses the subdivider or site plan applicant shall provide for a trash receptacle.

11. In order to insure uniformity of trash receptacles and compatibility with the automatic trash collection system, all trash can receptacles required herein shall be obtained from the Township of Brick.

12. Applicant shall provide proof of application for Title NJSA 39:5 A-1 to the Planning Board.