

BRICK, TOWNSHIP OF (PLANNING AND ZONING DEPT.)



LDS BR-PZ 10503882

BRICK TOWNSHIP PLANNING BOARD
PRELIMINARY AND FINAL SITE PLAN
WITH WAIVER

RESOLUTION R-57-98

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CASE NO. PB-2102-ASP-4-5/98

July 8, 1998

WHEREAS, FEDERAL REALTY INVESTMENT TRUST, having a mailing address of 1626 East Jefferson Street, Rockville, MD 20852-4091 has made application to the Brick Township Planning Board for preliminary and final site plan approval with a waiver pursuant to N.J.S.A. 40:55D-46, -50 and -51; 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 24, 1997 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 known and designated as Block 468, Lots 1-9, 10.01-10.03; Block 671, Lots 2, 4, 8, 11 and 12 as shown on the official tax map of the Township of Brick.

2. This property is located in the B-3 highway business zone.

3. The applicant is proposing to make certain revisions to Brick Plaza in accordance with plans entitled "Amended Preliminary and Final Major Site Plan of Brick; Township of Brick, Ocean County, New Jersey", Sheet Nos. 3, 7, 14 and 25, dated 1/10/94 and revised to 6/11/98; prepared by Schoor DePalma. The revisions are to finalize construction details for the Ethan Allen Furniture Store retail area and for

*File-2
Fed Realty
Montenegro
Schoor DePalma
Doyle
Curley
Gibson
Eng. &
Zoning
B.F.S.
COAH*

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Buildings M and P located in the southwesterly portion of the site. The plans do not cause any change in the existing square footage of the plaza which is over 400,000 square feet or in the footprint of the buildings. The plan as submitted shows certain minor modifications from the approved plan with respect to parking stalls, loading dock area, handicapped parking and reductions in net impervious area around the building. Parking would continue to be far in excess of that required.

4. Lynch, Giuliano and Associates prepared a report to the Board dated June 10, 1998. The Board hereby adopts the findings in that report and incorporates said document in this resolution by reference.

5. Michael P. Fowler, Municipal Planner, prepared a report to the Board dated June 23, 1998. The Board hereby adopts the findings in that report and incorporates that document in this resolution by reference.

6. The Bureau of Fire Safety prepared a report to the Board dated June 17, 1998. This report updated the May 22, 1998 report of the Bureau after which certain appropriate revisions were made to the plans. The Board hereby adopts the findings in those reports and incorporates said documents in this resolution by reference.

7. The applicant requests a waiver from the submission of architectural plans. Given that, the changes are minimal and do not impact square footage of the entire plaza nor any significant site plan consideration such as traffic, drainage, parking, landscaping or buffering. It is reasonable to grant this waiver and it is so granted.

8. The applicant has complied with the requirements of the Site Plan Ordinance and the overall development plan for this property constitutes an appropriate improvement and is consistent with the intent and purpose of the Municipal Development Ordinance.

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NOW, THEREFORE , BE IT RESOLVED by the Brick Township Planning Board on this 8th day of July, 1998 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 Attachment "A".
2. The applicant shall comply with all representations and agreements made by the applicant or its attorney during the presentation of this case.
3. The applicant shall comply with the following terms and conditions proposed in the report of Lynch, Giuliano and Associates dated June 10, 1998: 4, 6, 7, 8, 9 and 10.
4. The applicant shall comply with the following terms and conditions proposed in the report of Michael P. Fowler dated June 23, 1998: V: A (excluding the last two sentences), B, D, E and F.
5. Two handicapped parking spaces serving the Ethan Allan store shall be relocated to directly across from the main access for the Ethan Allan entrance.

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MOVED BY:

Mr. Haney

SECONDED

BY: Mr. Aiello

VOTING IN THE

AFFIRMATIVE: Mr. Aiello Mr. Cevasco Mrs. Fox

Mr. Haney Mr. Kelly Mrs. LaDuke Mr. Petoia Mrs. Paxton

VOTING IN THE

NEGATIVE:

INELIGIBLE TO

VOTE: Councilwoman Fayad

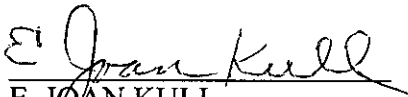
ABSTAINING:

ABSENT: Mr. Palmieri Mr. Scherer

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 8th day of July, 1998.

IN WITNESS WHEREOF, I have set my hand this 10th day of July, 1998.


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 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.

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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 VB (Mandatory Development Fees) of Chapter 190 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.