

BRICK, TOWNSHIP
OF
(PLANNING AND ZONING DEPT.)



LDS BR 10502826

BRICK TOWNSHIP PLANNING BOARD

MINOR SITE PLAN APPROVAL

RESOLUTION R-46-96

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CASE NO. PB-2102-MSP-6/96

July 11, 1996

WHEREAS, Federal Realty Investment Trust, having a mailing address of 4800 Hampden Lane, Suite 500, Bethesda, Maryland 20814, has applied to the Brick Township Planning Board for minor site plan approval pursuant to N.J.S.A. 40:55D-70C; and

WHEREAS, proof of service as required by law upon property owners and governmental bodies has been furnished and determined to be in proper order; and

WHEREAS, a public hearing was held on June 26, 1996 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. The property is designated as Block 671, Lots 2, 4, 8, 11 and 12 on the Municipal Tax Map.

2. The property is located in the B-3 Highway Development Zone.

3. The applicant proposes to construct a 1200 square foot management office and maintenance garage adjacent to the existing "Nobody Beats The Wiz" building. The garage, which measures 24 ft. by 50 ft. and is 15 ft. high will be attached to the western side of the existing "Nobody Beats The Wiz" building. The location is within the service and utility area to the rear of the grouping of stores between Steinbach's and the Wiz.

4. Lynch, Giuliano & Associates prepared a report to the Board dated June 26, 1996. The Board hereby adopts and

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incorporates that document in this Resolution by reference.

5. Michael P. Fowler, Municipal Planner, prepared a report to the Board dated June 26, 1996. The Board hereby adopts the findings in that report and incorporates that document in this Resolution by reference.

6. The Bureau Chief/Fire Official prepared a report to the Board dated June 19, 1996. The Board adopts the findings in that report and incorporates that document in this Resolution by reference.

7. The Traffic Safety Officer prepared a report to the Board dated June 17, 1996. The Board adopts the findings in that report and incorporates that document in this Resolution by reference.

8. No variances or waivers were requested.

9. The applicant has complied with the requirements of the Site Plan Ordinance and the overall development plan for this property constitutes a substantial upgrading of the property and is consistent with the intent and purpose of the Municipal Development Ordinance. Accordingly, the Board finds that the relief requested can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Township Zoning Ordinance or Master Plan.

NOW, THEREFORE, BE IT RESOLVED by the Brick Township Planning Board on this 11th day of July, 1996, that this application be approved subject to the following conditions:

1. The applicant shall comply with the terms and conditions in the report of Lynch, Giuliano & Associates, more

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particularly as follows:

Item 5. - The applicant will relocate the existing down spouts.

Item 6. - The applicant will relocate the 2-inch water service.

Item 7. - The applicant will safeguard the utility connections.

2. The applicant shall comply with all conditions proposed in the report of Michael P. Fowler dated June 26, 1996.

3. The applicant shall comply with all of the conditions proposed in the report of the Traffic Safety Officer dated June 17, 1996.

4. The applicant shall comply with all of the conditions proposed in the report of Bureau Chief/Fire Official dated June 19, 1996.

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MOVED BY Mr. Scherer

SECONDED BY: Mrs. Fox

VOTING IN THE AFFIRMATIVE: Mrs. Fox Mr. Reo

Mr. Bruno Mr. Aiello Mr. Scherer

VOTING IN THE NEGATIVE: _____

DISQUALIFIED FROM VOTING: Councilman Cantillo

INELIGIBLE TO VOTE: _____

ABSTAINING: _____

ABSENT: Mr. Heidrick Mrs. LaDuke Mr. Petoia Mr. Underwood

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 11th day of July , 1996.

IN WITNESS WHEREOF, I have set my hand this 16th day of July , 1996.

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 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

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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 VB (Mandatory Development Fees) of Chapter 190 of the Code of the Township of Brick.