

**TOWNSHIP OF WALL
ZONING BOARD OF ADJUSTMENT
MINUTES OF THE REGULAR MEETING
HELD IN THE MUNICIPAL MEETING ROOM
FEBRUARY 4, 2004**

The Regular Meeting of the Wall Township Board of Adjustment was called to order by Chairman Clayton at 7:35 P.M. Members present were Chairman Clayton, Vice Chairperson Mary DeSarno, Dominick Cinelli, Wilma Morrissey, Anthony Rembiszewski, Jim Gray, Wayne, Palmer, first alternate Bob Kerr, second alternate Ray Slocum, Attorney Rubino, Planning Coordinator Roberta Lang, Recording Secretary Betty Schinestuhl, Engineer Gerken, Planner Bergailo and Reporter Arnone.

SALUTE TO THE FLAG

Attorney Rubino announced that all requirements under the Open Public Meetings Act had been complied with for this meeting and read the purposes of the Board of Adjustment.

Chairman Clayton announced Omnipoint is being carried to April 7, 2004. No new noticing is required.

CARRIED APPLICATIONS

CASE #BA11-2003 – Date application complete: April 14, 2003. Carried from May 21, 2003, July 16, 2003, September 17, 2003, November 12, 2003 and December 17, 2003.

APPLICANT: MARTELLI DEVELOPMENT CORPORATION

PROPERTY: 1615 Highway 34, Block 917.01, Lot 19, OP-2 zone

RELIEF REQUESTED: Bulk/Use/Site

Attorney Rubino reviewed the file and stated the Board had jurisdiction to proceed.

Entered into evidence:

- A-1 Jurisdictional Items
 - A-2 Preliminary and Final Site Plan prepared by Two River Engineering last revised March 13, 2003
 - A-3 Plan review letter from Monmouth County Planning Board
 - A-4 EIS prepared by Two River Engineering dated January 28, 2003
 - A-5 Stormwater Management Report prepared by Two River Engineering dated June 3, 2003
 - A-6 Architectural Plans prepared by Michael J. Monroe last revised February 3, 2003
-
- BOA-1 Review letter prepared by Glenn Gerken, Schoor DePalma, dated May 19, 2003
 - BOA-2 Review letter prepared by Cheryl Bergailo, Schoor DePalma, dated May 1, 2003
 - BOA-3 Review letter prepared by Wall Township Fire Prevention dated May 2, 2003
 - BOA-4 Wall Township Environmental Advisory Committee review letter dated April 19, 2003

BOA-5 Wall Township Police Department review letter dated April 29, 2003

BOA-6 Review letter prepared by Cheryl Bergailo, Schoor DePalma, dated September 6, 2003

BOA-7 Board of Fire Commissioners review letter dated September 12, 2003

Ron Gasiorowski, Esq. appeared for the applicant.

Attorney Gasiorowski said this is an application to construct three buildings. We are seeking a use variance. We are seeking a retail use. We have reviewed the Master Plan. The application before you is in keeping with the sites around it. Our traffic engineer is not here tonight.

Sworn by Reporter Arnone:

Steven Mitchell
Michael Monroe, Architect
Glenn Gerken, Engineer
Cheryl Bergailo, Planner
Sal Martelli

Mr. Martelli said there will be less of a traffic impact with this.

Mr. Stephen Mitchell, Engineer, gave his qualifications which were accepted by the Board.

Mr. Mitchell said he is familiar with this project and has worked on it.

Attorney Gasiorowski asked when Mr. Mitchell was retained. Mr. Mitchell said about 1½ years ago.

Attorney Gasiorowski asked if Mr. Mitchell visited the site. Mr. Mitchell said yes. Attorney Gasiorowski asked if he was familiar with the existing ordinances. Mr. Mitchell said yes. Attorney Gasiorowski asked if Mr. Mitchell was familiar with the zone. Mr. Mitchell said yes. Attorney Gasiorowski asked if he has worked with shopping centers before. Mr. Mitchell said yes.

Entered into evidence:

A-7 Colored rendering of Sheet 6

Attorney Gasiorowski asked if Mr. Mitchell had reviewed Schoor DePalma's review letter of May 19, 2003. Mr. Mitchell said yes. He asked if Mr. Mitchell discussed the review letter with Mr. Gerken. Mr. Mitchell said yes. He asked if Mr. Mitchell has corrected some of the items on the plan. Mr. Mitchell said not at present. Attorney Gasiorowski asked if there was anything in the review letters that he could not comply with. Mr. Mitchell said no. He asked if he could comply with all the recommendations. Mr. Mitchell said yes.

Mr. Mitchell said the property is located on Route 34. It is south of the Belmar Boulevard intersection. To the west of the property is Wyckoff Road. To the south is a storage facility.

Attorney Gasiorowski asked how much frontage is on Route 34. Mr. Mitchell said about 900'.

Mr. Mitchell explained the applicant is proposing to construct three buildings.

Attorney Gasiorowski said there appears to be a driveway in the rear of the property. Mr. Mitchell said it is on Wyckoff Road.

Mr. Mitchell said the proposed building to the south will be a 20,000 s.f. office building. It will be two story. It will be 80' from the ROW on Route 34. Parking will be around the building. There will be traffic circulation. It will be office space only.

Mr. Mitchell said the next building, in the center, will hold a restaurant and contain office space. The office space will be above the restaurant. The warehouse will be to the rear and will only be one story. Mr. Mitchell explained there will be 3,400 s.f. of retail space, 3,250 s.f. for a restaurant and a second story of 5,000 s.f. The warehouse will be 8,350 s.f. Mr. Mitchell explained the third building will be to the south. It will be similar to the center building. It will house just retail and office space.

Mr. Gasiorowski said the applicant is seeking variances including use. Mr. Mitchell said the applicant is seeking one bulk variance. Attorney Rubino said a side yard setback and buffer variance is also needed. Mr. Mitchell said the side yard setback variance has been resolved. Attorney Gasiorowski said a 50' side yard setback is required. Mr. Mitchell said we will provide 50'. We have revised the plans. Mr. Gerken said the applicant has revised the plans.

Attorney Gasiorowski said a variance is needed for buffer. He said the site is adjacent to a residence which is not in a residential zone. Mr. Mitchell said that is correct. Attorney Gasiorowski said other than use we are asking for a variance for buffer. Mr. Mitchell said that is correct.

Attorney Gasiorowski said the property fronts on Route 34. What type of highway is Route 34? Mr. Mitchell said there are two lanes going north and two lanes going south.

Mr. Mitchell said there will be one egress and one ingress off of Route 34. They will be 30' wide. Circulation will be provided around the parking lot. Vehicles will go straight back to the warehouse. Traffic can go right or left. The warehouse will have offices above.

Mr. Mitchell explained to the south of the property there are wetlands and buffer associated with that. There is space for a detention basin along Route 34. There will be a small basin at the rear of the property. There will be landscaping throughout.

Attorney Gasiorowski asked if application has been made for LOI. Mr. Mitchell said it was submitted. They lost it and it has been re-submitted.

Attorney Gasiorowski asked if all the requirements of the zone have been satisfied. Mr. Mitchell said yes.

Mrs. DeSarno said on the map where the applicant is showing the residential area on the access road going out to the left there is an existing dwelling. Is it a house? Attorney Gasiorowski said he doesn't know. Mrs. DeSarno said it is a business. Lot 23 has an existing dwelling on it that is

a business. Lot 26 also has a building on it. Attorney Rubino asked if the plans have been revised. Attorney Gasiorowski said when he comes back he will bring a large aerial showing the surrounding lots.

Mr. Gray asked if there was going to be a gate on that lot going toward Wyckoff Road. Mr. Mitchell said yes. Attorney Gasiorowski said the thought was that the resident there might like the gate for security. That is flexible. If there is no need for it we will leave it like it is.

Mr. Gray asked what the reason to have a long driveway is. Mr. Gerken said we will be hearing from the traffic engineer. He said anyone wanting to go out to Route 34 would have to use that road.

Mr. Gray asked where the 10' buffer between the site and the residence is on the map. Mr. Mitchell showed where it was on the map and said beyond the 10' buffer is the detention basin. Mr. Gray asked how wide the detention basin is. Mr. Mitchell said 30' – 50' wide. Mr. Gray said there is 40' – 50' between the residence and the paved driveway. Mr. Mitchell said about 78'. Attorney Rubino said the buffer variance is just along the back roadway. Mr. Gerken said it is on the southwest side. Attorney Rubino said they are providing 10' where 25' is required. Mr. Gerken said that is correct.

Chairman Clayton asked if the basin went into the wetlands. Mr. Mitchell said the basin is within the buffer not in the wetlands. Chairman Clayton asked how much into the buffer. Mr. Mitchell said about 25'.

Chairman Clayton asked if the fencing around the proposed detention basins will be added to the plans. Mr. Mitchell said yes.

Chairman Clayton asked if a suitable access way for detention basin maintenance will be provided and details put on the plans. Mr. Mitchell said yes. Mr. Gerken said before the applicant comes back we can get a lot of these items cleared up. Attorney Gasiorowski said he will schedule a meeting with Mr. Gerken. At the next meeting those things will be cleared up.

Chairman Clayton, referring to page 8 of Mr. Gerken's review letter, said the entrances for the two office buildings do not match between the site plans and architectural plans. Will this be revised? Attorney Gasiorowski said yes.

Chairman Clayton said the Board of Fire Commissioners asked that emergency access lanes around each warehouse or depressed curbs and grass pavers be provided. Mr. Mitchell said we will provide that.

Attorney Gasiorowski said his traffic expert will be at the next meeting. Ms. Bergailo said it would be helpful if she had a traffic report before the next meeting. Attorney Gasiorowski said he will provide it.

Mrs. DeSarno asked if there will be access from Wyckoff Road. Attorney Gasiorowski said yes.

Salvatore Martelli was sworn.

Mrs. DeSarno asked if the home in the back was sold. Mr. Martelli said it has been vacant.

Maynard Margeson, Brick, said he has owned block 917.01, lot 34 since 1966. Mr. Margeson asked about the clearing of trees. He said he understands there was no permit to clear the trees. Mr. Mitchell said he doesn't know of any clearing of trees.

Chairman Clayton asked if an LOI had been received. Mr. Mitchell said no. Chairman Clayton said you have not heard from DEP showing wetlands, etc. Mr. Gerken said everything is shown on the plans.

Mr. Margeson said he is not against building. He said his problem is what was done so far. Attorney Gasiorowski said they will be meeting with the engineer this week and maybe some of the problems could be eliminated.

Mr. Margeson said they use a portion of the site to get their trucks in. Mrs. DeSarno asked if they have a ROW to bring their trucks in now. Mr. Margeson said the site was landlocked. Many years ago they were suppose to put a road in there.

Paul Scott, block 917.01, lot 20, said he has two young boys and his concerns are the trucks. Will the applicant be willing to block the driveway off and come in through Route 34? Attorney Gasiorowski said he cannot address that now. Chairman Clayton asked if a fence was proposed. Attorney Gasiorowski said yes.

Mr. Gray asked Mr. Scott if his home was the blue one. Mr. Scott said yes. Mr. Gray said the driveway is to the south of you. Mr. Scott said yes.

Mr. Scott asked where the drainage basin will be. Mr. Mitchell said the basin will be along Route 34. Mr. Scott asked if the water will run off toward Wyckoff Road. Mr. Mitchell said the basin should only flow into the wetlands.

Richard Smith, 5019 Megill Road, said the map is a little primitive. He said he is familiar with the road. He asked if it belonged to the property. Mr. Mitchell said yes. Attorney Gasiorowski said the property includes that road.

Mr. Smith said he is concerned about the road. Attorney Gasiorowski said it is not for public use. This is just another method of ingress and egress. Chairman Clayton asked if they can have that driveway be a through road. Mr. Gerken said it is not a straight run through.

Michael Monroe, Architect, gave his credentials which were accepted by the Board.

Mr. Monroe said the applicant is seeking a use variance.

Entered into evidence:

A-8 Colored rendering of proposed building.

Mr. Monroe said the rendering shows what the buildings will look like. Mr. Monroe said some revisions have been made. The applicant is proposing a two story office building. The rendering shows the color scheme. The height is 35'. The front of the building will be 200'. Attorney Gasiorowski said they originally proposed retail space on the first floor it will now be office space. Mr. Monroe said at the next meeting he will bring new renderings.

Attorney Rubino said the north building complies. Attorney Gasiorowski said it is totally compliant to everything.

Mr. Cinelli said you are proposing a 200' long building with two stories. Mr. Monroe said that is correct.

Mr. Cinelli said the rendering is not correct. Mr. Monroe said that is correct.

Mr. Cinelli said parking would be in front. Mr. Monroe said in front and around. There looks to be about 100 spaces.

Chairman Clayton asked Mr. Gerken if he received the revisions for this building. Mr. Gerken said yes and it is conforming.

Attorney Gasiorowski said the buildings will be mirror images. Mr. Monroe said yes. Mr. Monroe said the right building will have a cafe'.

Attorney Gasiorowski said when he comes back he will have new exhibits.

Entered into evidence:

A-9 Rendering of Building No. 2

Chairman Clayton said this application will be carried to April 21, 2004.

Attorney Gasiorowski waived the time limits.

Attorney Rubino said no further noticing is required.

MINUTES TO BE ADOPTED: Mr. Gray moved to approve the minutes of the study sessions and regular minutes of October 1, 2003, October 15, 2003, November 5, 2003 and November 12, 2003. Mrs. DeSarno seconded the motion, which was unanimously approved.

There being no further business to come before the Board, a motion was made, seconded, and unanimously approved to adjourn the meeting at 9:00 P.M.

Respectfully submitted,

Betty Schinestuhl
Recording Secretary