

Attorney Hirsch asked if the entire footage was off by the 3". Mr. Dixon said just the depth of the garage.

Mr. Slocum asked Mr. Johnson to go over why this happened. Mr. Johnson went over it.

The application was open and closed to the public.

Mrs. DeSarno moved to approve the application as applied for. Mrs. Morrissey seconded the motion, which was unanimously approved by a roll call vote. (Mesdames DeSarno and Morrissey, Messrs Kerr, Rembiszewski, Palmer, Gray and Clayton voted yes.)

CARRIED APPLICATION

CASE #BA30-2004 – Date application complete: August 11, 2004

APPLICANT: JOE DUBICKI

PROPERTY: 2567 High Point Road, Block 348, Lot 11, R-10 zone

RELIEF REQUESTED: Bulk

Attorney Hirsch said at the last meeting there was a problem with noticing. One property owner has been served. We will accept service. It is okay to proceed.

Sworn by Reporter Arnone: Joe Dubicki

Mr. Dubicki said the Land Use Officer said he is over on impervious coverage by 1.9% and he had to apply for a variance. It is 190 s.f. over.

Chairman Clayton asked if the work was already done. Mr. Dubicki said yes.

Attorney Hirsch asked for the size of the pool and concrete. Mr. Dubicki said it is a 16' X 36' pool. It has 3' of concrete around it. There is an additional concrete patio. Attorney Hirsch asked how big the patio is. Mr. Dubicki said it is 19" X 16". Attorney Hirsch said the original plan had no patio. Mr. Dubicki said that is correct. Chairman Clayton asked if there were any other areas where he could make up the impervious coverage. Mr. Dubicki said no.

Mrs. Morrissey said the property is fenced in so nobody can see it anyway. Mr. Dubicki said that is correct. Mrs. Morrissey said she went out and looked at the property and she has no problem with this.

Mr. Gerken said the building coverage is okay.

Mr. Dubicki said he did install drainage around the pool area to collect the water.

The application was open and closed to the public.

Mrs. Morrissey moved to approve the application as applied for. Mr. Kerr seconded the motion, which was unanimously approved by a roll call vote. (Mrs. Morrissey, Messrs Kerr, Rembiszewski, Palmer, Gray, Mrs. DeSarno and Mr. Clayton voted yes.)

NEW APPLICATIONS

CASE #BA-29-2004: Date application complete: July 30, 2004

APPLICANT: JAN & HOLLY KOKES

PROPERTY: 2613 River Road, Block 886, Lot 20, R-30 zone

RELIEF REQUESTED: Bulk

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

Timothy B. Middleton, Esq. appeared for the applicant.

Sworn by Reporter Arnone: Jennifer Beahn, Planner
Jan Kokes

Entered into evidence:

- A-1 Existing and proposed floor plan (plot plan)
- A-2 Photo exhibit consisting of four photos

Attorney Middleton said the applicant is seeking permission for building and lot coverage. They are over by 1.7%. The property is located on River Road. There is an existing house on the property. The applicant proposes to tear down the house and build a two-story English Tudor type home. The shed will stay. There is a 5' overhang on the garage that is an English Tudor tradition.

Ms. Beahn said the existing home will be demolished and a two-story English Tudor will be constructed. The home will be 6,027 s.f. We exceed building and lot coverage by 1.7%, 673 s.f. There will also be a breezeway. The 5' overhang has some columns. She said in her opinion this will enhance the esthetics. There is a substantial buffer along both property lines. There is no detriment to the surrounding properties. The front is buffered with heavy landscaping. There are several neighbors here tonight that are in favor of this application.

Attorney Hirsch said this is an oversized lot. Attorney Middleton said the lot is 39,081 s.f. and 30,000 s.f. is required.

Chairman Clayton asked how close the house on lot 21 to the property line is.

Entered into evidence:

- A-3 Aerial taken in 2002 by DEP

Ms. Beahn said lot 21 is about 25' off the property line. Mr. Gerken said it is 20'.

Chairman Clayton asked about the house on lot 19. Ms. Beahn said that is closer to the property line, about 18'.

Attorney Hirsch asked for the proposed setback. Ms. Beahn said they meet all setbacks. The closest is 26' to the property line. Mr. Gerken said that is the closest. The garage is 26' when you get to the house it is about 38'.

Attorney Middleton said all requirements are met.

Mrs. Morrissey asked for the height of the proposed structure. Ms. Beahn said about 32'. The lot slopes down.

Mrs. Morrissey asked if Freehold Soil Conservation District approval is required. Attorney Middleton said it is not required.

Mr. Kerr asked if this will impact the existing buffering. Attorney Middleton said no.

Mr. Gerken asked, the existing water and sewer, will you use those or go out into the street. Attorney Middleton said they will use the existing services.

The application was open to the public.

Robert Taff, 2611 River Road, said the breezeway and shed would have more impact on him. He is in support of this application. It will be a magnificent home.

Kate Cummins, 2614 River Road, said this will be an enhancement to the neighborhood. She said she is in support of this application.

Mr. Kerr moved to approve the application as applied for. Mr. Palmer seconded the motion, which was unanimously approved by a roll call vote. (Messrs Kerr, Palmer, Rembiszewski, Mrs. Morrissey, Mr. Gray, Mrs. DeSarno and Mr. Clayton voted yes.)

CARRIED APPLICATION

CASE #20-2004 – Date application complete: July 13, 2004. Carried from September 1, 2004

APPLICANT: ADAM BELLOFATLO

PROPERTY: 1115 Minnesink Road, Block 324, Lot 32, R-7.5 zone

RELIEF REQUESTED: Bulk

Attorney Hirsch said the Board previously accepted jurisdiction. Ms. Lang said there was a noticing problem. Attorney Hirsch said they had the same problem as the previous application. The problem was rectified. The Board has jurisdiction to proceed.

Sworn by Reporter Arnone: Adam Bellofatlo

Entered into evidence:

- A-1 Photo of above ground pool and deck
- A-2 Photo taken standing on deck
- A-3 Photo of the pool and fence
- A-4 Photo from the side

Mr. Bellofatlo said he asked his neighbors if they had a problem if he put up a fence and they had no problem. He said he felt if he put it up he would have a little more security.

Attorney Hirsch said the pool is 5' from the rear property line. Mr. Bellofatlo said 5' 6".

Attorney Hirsch said the neighbor's pool is lined up with your pool. Mr. Bellofatlo said yes.

Attorney Hirsch said the fence is on three sides. Mr. Bellofatlo said there are four sections of fence and a gate. It is on two sides, like an L. The other sides have an open railing fence which faces the house.

Attorney Hirsch said the fence sits on top of the pool deck, how high. Mr. Bellofatlo said it is 54". Attorney Hirsch said and on top of that you have a 5' 10" fence. Mr. Bellofatlo said correct. Attorney Hirsch said so it is 124" from the ground. Mr. Bellofatlo said correct.

Chairman Clayton said the nearest house behind you how close is that to the property line. Mr. Bellofatlo said about 40'. Chairman Clayton said how about the house to your left. Mr. Bellofatlo said about 17' to his property line.

Chairman Clayton asked if he got permits for the pool and deck. Mr. Bellofatlo said yes. Chairman Clayton asked if the plans indicated the fence. Mr. Bellofatlo said no. He said he asked if there was a height requirement. The Land Use Office told him no. Chairman Clayton said the permits just stated the railings. Mr. Bellofatlo said correct.

Chairman Clayton asked if you can notice the fence from the rear. Mr. Bellofatlo said yes. He said he did not just put it up he asked his neighbors and they had no problems.

Mrs. Morrissey asked if the neighbor had a 6' privacy fence. Mr. Bellofatlo said the pool deck is above the fence.

Mr. Gray asked how Mr. Bellofatlo came to realize he needed a variance. Mr. Bellofatlo said somebody from the town called and said he needed a variance.

Mr. Gray, to Mr. Gerken, said he had a permit to build a deck with a railing. How high can you build a deck? Mr. Gerken said some structures have decks on the second story.

Mr. Gray said if it was a railing without a privacy fence it would be 36". He asked Mr. Bellofatlo instead of the deck why not have your fence on the grass. Mr. Bellofatlo said because it is an above ground pool. It works out better with a deck.

Chairman Clayton asked if Mr. Bellofatlo considered putting in some plantings 5' – 6'. Mr. Bellofatlo said they are 6' now. Chairman Clayton said the problem is you are on a hill. It tends to stick out more when you drive by. Mr. Gerken said it is simply an esthetic issue. Mrs. Morrissey said the yard is much utilized.

The application was open and closed to the public.

Mr. Gray said it looks inappropriate. He does not see a solution for it.

Mrs. Morrissey moved to deny the application. She said just to keep the safety railing. Mr. Bellofatlo said it does not look that bad. Mrs. Morrissey said it looked like barricades. Chairman Clayton asked about a 3' fence. Mr. Gerken said that would be okay. Mr. Bellofatlo said that would defeat the purpose. Mr. Gray asked how high the fence is. Chairman Clayton said the fence is 5' 10" on a deck that is 54". Mr. Gray seconded the motion. (Mrs. Morrissey, Messrs Gray, Kerr, Rembiszewski, Palmer, Mrs. DeSarno and Mr. Clayton voted yes.) The application was denied.

The Board recessed at 8:32 P.M.

The meeting resumed at 8:45 P.M.

NEW APPLICATION

CASE #BA25-2004 – Date application complete: July 26, 2004

APPLICANT: SEELY EQUIPMENT

PROPERTY: 1325 Highway 34, Block 913, Lot 13.01, OR-10 zone

RELIEF REQUESTED: Use

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

David Shaheen, Esq. appeared for the applicant.

Attorney Shaheen said Seely has been in operation since 1988. The operation uses large pieces of equipment. The equipment is stored on the site. It is stored along the north side of the property. The purpose of this application is to enclose the equipment. We are proposing to construct a 15,975 s.f., one-story metal warehouse building.

Sworn by Reporter Arnone:

Kenneth F.X. Schlatmann, Engineer/Planner
Frederick Kniesler, Planner
Clink Koch

Entered into evidence:

- A-1 Rendering of site plan
- A-2 Photo of area where proposed building will be placed
- A-3 Photo of area where proposed building will be placed

Mr. Schlatmann gave his qualifications which were accepted by the Board. Mr. Schlatmann will testify only as an engineer.

Mr. Schlatmann said A-1 is a copy of Sheet 2 of the plan. The project is located at 1301 Route 34. The site contains a single structure that is used by Seely. There is a display area along Route 34. The north paved area and gravel area in the rear is used for storage of the large equipment. The rear is wetlands. We received approval from DEP for LOI. It was submitted. The construction of this structure will relocate the stored product from the north. This area will be cleared and then used as parking. The front parking area will remain as it is. We will re-stripe it and put in handicap parking. We are proposing to extend the two wings. There will be no additional personnel. We are just lengthening the building. There is a minor access point that will be utilized. No large vehicles will be going to the storage facility. The building will be steel. The only utility in the building will be electricity. The whole area is surrounded by wetlands. It is heavily wooded. The photos were taken from south to north.

Attorney Shaheen said where the storage building is going on the north section that is used for outside storage. Mr. Schlatmann said yes.

Attorney Shaheen asked what the benefit to bringing the equipment indoors is. Mr. Schlatmann said so it does not get damaged. It needs to be retreated prior to be putting on the trucks. The equipment would be protected from the weather.

Attorney Shaheen said there are some temporary storage containers that will be removed. Mr. Schlatmann said yes.

Attorney Shaheen said the display area is not being impacted by this. Mr. Schlatmann said no. It is not part of the application.

Attorney Shaheen asked Mr. Schlatmann to go through the engineer's review letter.

Attorney Hirsch said the construction of the new building that will house everything that is on the northern area. Mr. Schlatmann said yes.

Mr. Kerr said this will not house the vehicles. Mr. Schlatmann said that is correct.

Mrs. Morrissey said the six bays on the side and five in the rear can they be extended out toward the front. Mr. Schlatmann said no that is the existing office and showroom area.

Mrs. Morrissey asked what is in the five drums in the rear. Mr. Koch said they are empty.

Mrs. DeSarno asked about the display area and trucks. Mr. Koch said we display our construction equipment. Those are not in for repair.

Mrs. DeSarno asked if they rent equipment. Mr. Koch said no.

Chairman Clayton asked what the distance around the perimeter to the wetlands is. Mr. Schlatmann said about 15'.

Chairman Clayton said he has concerns about access for fire trucks. Mr. Schlatmann said they have some area that extends beyond the 18'. On the west side we maintain a 50' access lane. The likelihood of a steel structure catching fire is slim. We will comply with the 18' access. Chairman Clayton said there will be no access from the north. Mr. Schlatmann said no.

Chairman Clayton asked about clearing the wetlands. Mr. Gerken said you would have to get a permit to do that. If you have other ways of getting to the site the permit would be nil. Most of the materials are non-combustible. There is no gas supply. As long as there is a 15' access you would not want to drive a fire truck next to those buildings. Mr. Schlatmann said we would be knocking 6' off the building. Chairman Clayton said this building is 216' deep and there is only one access. Mr. Schlatmann said we would be willing to modify the building to provide the 18' access around the building. Chairman Clayton said the drive will support the weight. Mr. Schlatmann said the equipment is being brought in and out on a regular truck. Based on my experience there would be no problem.

Mrs. DeSarno said in your front parking area is there any equipment in the parking area. Mr. Koch said no.

Mrs. DeSarno asked what about on the west side. Mr. Koch said they are all customer trucks. We did have equipment there before but it has been moved. Mr. Gerken said on the north side of the building where you have those brackets and shelves is that all going to be parking and not storage. Mr. Schlatmann said they will be remarking the area on the north side for deliveries. It will be maintained for employee parking. There will be some larger spaces to store client's vehicles.

Mrs. DeSarno said your company is Seely. Mr. Koch said Seely Equipment and Supply.

Mrs. Morrissey said there is a plow on the front of the property. Mr. Koch said yes it is up against the building.

Ms. Bergailo asked where on the site will there be outside storage. Mr. Schlatmann said in the approved parking area adjacent to Route 34 that would only be client's vehicles. All equipment will be stored within the proposed storage shed. Mr. Koch said the outside storage will be reduced.

Mr. Kniesler gave his credentials which were accepted by the Board.

Mr. Kniesler said this is a unique operation. There is only one bulk variance needed. There is no change in that portion of the site. A use variance is needed. The use will be the installation of

equipment and storage of existing equipment. There will be no change in the number of employees and no change in the hours, just cleaning up. The site is located in the OR-10 zone. There is a two-story building in front. This building will not be seen from the roadway because of screening and landscaping. This property has HB200 zone across the street. It is a non-residential use. There is no noise. This site is sufficient for the expansion. It will clean up the site. This will make the site more visibly pleasing. This can be created without substantial impact to the public.

Chairman Clayton said on page 2, Section 3 of Schoor DePalma's letter regarding storage can you give testimony as to whether the purpose of the new building is to store equipment that is currently stored outdoors. Also he is concerned with the display area. Where is some of the outdoor storage going to be? Mr. Kniesler said if you are heading south on Route 34 you really don't see the property until you get to where the new equipment is located. The new building will be located behind the building to the north. You will really not see this addition at all.

Chairman Clayton said the south portion of the property, where there is a large display area, can that be reduced. Mr. Kniesler said what about additional landscaping. Attorney Hirsch there was a lot of discussion about the buffering before. They want people to see the equipment. Ms. Bergailo asked Chairman Clayton what area he was talking about. Chairman Clayton said the south area along Route 34. Ms. Bergailo said additional plantings could be planted there. The Board did previously give approval for that as a display area.

Mrs. DeSarno said there is an area on the map showing storage containers. What is in those containers? Mr. Kniesler said large heavy metal parts.

Mr. Slocum asked if the deliveries will be going to the back of the building. Mr. Schlatmann said they are made along the north side of the building. Mr. Slocum asked how they will get to the back of the building. Mr. Schlatmann said by forklift. There is general storage, client equipment and the equipment that gets mounted and the display area. The storage of vehicles that are not displayed are getting ready to be serviced and located on the south side of the building. That whole area will be re-lined. The area where we said there would be no storage will be a queuing area. Mr. Slocum said deliveries will be made to the front and Seely will move it to the storage area. Mr. Schlatmann said yes.

Chairman Clayton said maybe some additional landscaping will help. Attorney Shaheen agreed. Chairman Clayton said we will leave the additional landscaping up to Ms. Bergailo. Ms. Bergailo said that area will be reserved just for display. It is not stock piling.

Chairman Clayton said what about our Engineer's report. He asked if there was anything they could not comply with. Mr. Gerken said they already went over everything at the TRC. Mr. Schlatmann said they went over most of it at the TRC. The most important issue was parking. There was a comment regarding parking spaces in the front. We are proposing to re-stripe them. The other issue was the loading zone. We will provide that information. The area to the south side of the building the parking striping will be removed. There will be appropriate circulation around the building. We will traffic stripe that.

Attorney Hirsch asked if there was anything in Mr. Gerken's report that they cannot comply with. Mr. Schlatmann said they can comply with Mr. Gerken's letter. Mr. Gerken said they have given us the LOI. They answered the utility questions. They identified everything. They will be able to comply.

Attorney Hirsch asked about the Stormwater Management report. Mr. Schlatmann said after the TRC we came to the conclusion it will be handled by the on-site drainage ditch. Mr. Gerken said there was a response letter dated September 27, 2004 where they explained a lot of the issues from the TRC. Mr. Gerken said he was satisfied.

Attorney Hirsch asked Ms. Bergailo if there were any issues that we did not cover. Ms. Bergailo said the waiver of the EIS, she has no objections.

Chairman Clayton asked about ADA requirements. Mr. Gerken said they are re-stripping them. Mr. Schlatmann said the location of fire lane was directed by the Fire Company. Mr. Schlatmann said they will also provide "No Parking Fire Lane" signs. He said they will comply with the review letter from Wall Township Fire Prevention.

Chairman Clayton asked if the color of the proposed buildings will match the old one. Mr. Schlatmann said yes. They will be earth tones. Chairman Clayton asked if the roof will match. Mr. Schlatmann said they will blend in.

Mrs. Morrissey asked if the Board should be concerned about the drums. Mr. Kniesler said they are sealed drums.

Mrs. DeSarno asked what the height of the new building is. Mr. Schlatmann said about 18' on the eave.

Mrs. DeSarno said on the foot print it shows the removal of the storage containers. Are they going in the warehouse? Mr. Schlatmann said they will be removed from the site. What is stored inside will be in the warehouse.

Mrs. DeSarno said in the staking area how long will the plows be outside. Mr. Kniesler said about a week. Mrs. DeSarno asked how many will be there at one time. Mr. Kniesler said he can't answer that. In the winter there maybe 15 - 20, in the summer there may be one. Mrs. DeSarno asked if there will be enough room or will it be cluttered. Mr. Kniesler said there will be enough room.

Mr. Gray said Glendola Fire Company asked for a new fire hydrant on site, will that be provided. Mr. Schlatmann said there is nothing there that can burn. There will be no water to the structure. To run a hydrant to the back of the building is unnecessary. There is a hydrant in the front.

Chairman Clayton asked if the new building will contain a sprinkler system. Mr. Schlatmann said no. They don't need sprinklers. Chairman Clayton said over 12,000 s.f. a sprinkler is required. Mr. Schlatmann said if water has to be brought in we will install the hydrant.

Attorney Shaheen said, regarding the landscaping issue, the display area has ten cypress trees and a few crab apples. We will double up those cypresses. Attorney Hirsch asked Attorney Shaheen to define the area. Attorney Shaheen said the southerly most 100' of the display area.

The application was open and closed to the public.

Mrs. DeSarno said she would like to make a condition that nothing be stored on the paved area other than vehicles. The staging area to the north will have no more than (15) fifteen pieces of equipment stored while waiting for installation.

Mr. Kerr moved to approve the application subject to Mrs. DeSarno's conditions. The applicant shall submit revised landscaping plans which shall be approved by the Board planner. Attorney Hirsch said the resolution will also include the applicant must comply with the Professional's review letters including the fire hydrant issue. Mr. Kerr said there shall also be an 18' clearing area around the proposed new warehouse. Chairman Clayton said there shall be no storage of vehicles in the building. Mr. Rembiszewski seconded the motion which was unanimously approved by a roll call vote. (Messrs Kerr, Rembiszewski, Palmer, Mrs. Morrissey, Mr. Gray, Mrs. DeSarno and Mr. Clayton voted yes.)

RESOLUTIONS TO BE MEMORIALIZED:

- LAWRENCE J. LEMING – #BA23-2004
Block 853, Lot 29.01 Morrissey/Clayton
- RICHARD OXLEY – #BA22-2004
Block 41, Lot 2 Morrissey/Clayton
- MICHAEL MISNER - #BA-19-2004
Block 64, Lot 14 Clayton/Kerr
- MICHAEL & STACEY EDWARDS - #BA-33-2004
Block 252, Lot 1 Kerr/Clayton
- SHARON P. SMITH - #BA-18-2004
Block 826, Lot 8 Morrissey/Gray
- TERRANCE HEGAL - #BA21-2004
Block 340, Lot 15 Kerr/Clayton
- OMNIPOINT COMMUNICATIONS - #BA37-2003
Block 917.01, Lot 27 Gray/Kerr

MINUTES TO BE APPROVED

Mr. Gray moved to approve the minutes of the Regular and Workshop meetings of July 21, 2004 and August 4, 2004. Chairman Clayton seconded the motion, which was unanimously approved by a roll call vote.

October 6, 2004

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There being no further business to come before the Board, a motion was made, seconded, and unanimously approved to adjourn the meeting at 10:15 P.M.

Respectfully submitted,

Betty Schinestuhl
Recording Secretary