

**TOWNSHIP OF WALL  
ZONING BOARD OF ADJUSTMENT  
MINUTES OF THE REGULAR MEETING  
HELD IN THE MUNICIPAL MEETING ROOM  
NOVEMBER 3, 2004**

The Regular Meeting of the Wall Township Board of Adjustment was called to order by Chairman Clayton at 7:30 P.M. Members present were Chairman Michael Clayton, Vice Chairperson Mary DeSarno, Jim Gray, Anthony Rembiszewski, Wayne Palmer, first alternate Bob Kerr, second alternate Ray Slocum, Attorney Hirsch, Planning Coordinator Roberta Lang, Recording Secretary Betty Schinestuhl, Engineer Hoover and Reporter Arnone.

**SALUTE TO THE FLAG**

Attorney Hirsch 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.

**NEW APPLICATIONS**

**CASE #BA30-2004** – Date application complete: August 16, 2004

**APPLICANT:** THOMAS MCKENNA

**PROPERTY:** 2804 Garfield Road, Block 206, Lot 13, R-7.5 zone

**RELIEF REQUESTED:** Bulk

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

Sworn by Reporter Arnone: Thomas McKenna

Mr. McKenna said he was told to give testimony on the impact to the neighboring properties.

Entered into evidence:

A-1 Plot Plan

Mr. McKenna said he made a copy of the plot plan for everyone. He said he would like to put an addition on the back of his house. It is zoned too small for the addition. He explained he cannot build up because of his health. He has to go out. He has lived in his home for 14 years. He has three children. He said he needs more space.

Chairman Clayton said the addition will be 12' X 36'. Mr. McKenna said it is 12 X 35.4'.

Chairman Clayton asked what the rooms are going to be. Mr. McKenna said the right side ties into my kitchen. The kitchen opens to a dining room. We will be adding a game room. They are not separate. They run into one another.

Chairman Clayton asked how close lot 14 is to your property. Mr. McKenna said 35' from the left side of my house. The lot next door is 42' to the rear of my building with the addition. On the right it is 42' to their house. My addition would be coming in with the house to the right.

Attorney Hirsch said the addition that extends to the rear is staying within the setbacks. The house on lot 14 that house is setback behind your house. If you draw a line from that house to the addition there would be 35' between them. Mr. McKenna said that is correct.

Mr. McKenna said there are fir trees that are about very high and encloses the left side of my yard. There is complete coverage on the left. Those trees are not on my property. They belong to my neighbor's. They run from the beginning of my house all the way to the rear.

Mr. Kerr asked if there was going to be a deck. Mr. McKenna said yes but he does not know what size it would be. The pool is gone and the deck gone. Mr. Kerr asked Mr. Hoover if the deck would add to impervious coverage. Mr. Hoover said it depends on the materials. Mr. McKenna said the same material as the deck was. Mr. Hoover said no additional impervious coverage.

Chairman Clayton said the addition in the rear toward lot 14 will be 7' from the property line. He asked if there was any reason he could not meet the setbacks. Mr. McKenna said he was just matching the rest of the house. The trees are about 7' on the other side of my property line.

Attorney Hirsch said the addition is 35.4'. Mr. McKenna said yes. Attorney Hirsch asked Mr. McKenna to initial the correction on the application. Mr. McKenna initialed the correction.

Mr. Slocum said the existing driveway does it go toward the back or stop at the end of the house. Mr. McKenna said it stops where the deck used to be.

Mr. McKenna said he has a 6' fence totally around the property. The useable driveway goes half way to the house.

Mr. Slocum asked if Mr. McKenna was going to put back the pool. Mr. McKenna said no.

Attorney Hirsch asked if the fence met the setbacks. Mr. McKenna said yes. Attorney Hirsch asked what type of fence. Mr. McKenna said a 6' stockade fence.

Mr. Hoover asked about the capability of the utilities. Mr. McKenna said he has 100 amp service.

Mr. Hoover asked what he uses to heat his home. Mr. McKenna said gas. Mr. Hoover asked if that service will be sufficient. Mr. McKenna said he checked with a friend and he said it was over capable for the size of the building.

Mr. Hoover asked if there would be any bathrooms added. Mr. McKenna said no.

Mr. Hoover said you are re-doing the kitchen. Mr. McKenna said no he is just doing a shell.

Chairman Clayton said the pool is no longer there. Mr. McKenna said correct.

The application was open and closed to the public.

Mr. Gray moved to approve the application for a 12' X 35.4' X 8' single story addition. Mr. Kerr seconded the motion, which was unanimously approved by a roll call vote. (Messrs. Gray, Kerr, Mrs. DeSarno, Messrs. Palmer, Rembiszewski, Slocum and Clayton voted yes.)

**Case #31-2004** – Date application complete: September 9, 2004

**APPLICANT:** GINA & THOMAS NOBES

**PROPERTY:** 2125 Highway 35 South, Block 733, Lot 15, HB-80 zone

**RELIEF REQUESTED:** Use

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

Patrick D. Healy, Esq. appeared for the applicant.

Sworn by Reporter Arnone:                      Thomas Nobes

Entered into evidence:

A-1    Survey

Attorney Healy said the property is used for mixed use. The resident has a framing shop. There is a recreation room which is part of the art gallery.

Mr. Nobes said he uses the recreation room as part of the business now so he has very little room. We really need the space. We have a big backyard. I have lived there for 27 years. He said he lives in the house and runs the business.

Attorney Hirsch said you are proposing to construct a deck. Mr. Nobes said a sunroom.

Attorney Hirsch said you are taking the existing deck down and building a new deck and sunroom. Mr. Nobes said yes.

Attorney Healy said the sunroom is pre-fab. It has glass sliding doors on both sides. They look like a natural part of the house. The colors match the house.

Attorney Hirsch asked if it was heated. Attorney Healy said it is called a three season room. It does have insulation. If you have a real cold winter you probably cannot use it.

Attorney Hirsch said the deck is going to be 30' X 18' and the enclosure will be 30" X 18'. Attorney Healy said they are the same size. It meets all setback requirements. The applicant just wants to make it a little nicer.

Chairman Clayton said it will be used for residential. Mr. Nobes said yes.

Attorney Hirsch said the residence and commercial are separate. Attorney Healy said it is one structure.

Mr. Slocum asked if this requires a foundation. Attorney Healy said the deck is the foundation. Mr. Slocum asked if it sets on posts. Attorney Healy said it does. Chairman Clayton said pier footings. Attorney Healy said yes.

Mr. Hoover said the material will match the existing structure. Attorney Healy said yes. We will put on shingles to match the house. It gives it a much nicer look.

The application was open and closed to the public.

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

**RESOLUTIONS TO BE MEMORIALIZED:**

ADAM BELLOFATTO – BA#20-2004  
Block 324, Lot 32

Gray/Palmer

JOSEPH DUBICKI – BA#30-2004  
Block 348, Lot 11

DeSarno/Palmer

RONALD GLYNN – BA#24-2004  
Block 280, Lot 46

Gray/Palmer

SEELEY EQUIPMENT AND  
SUPPLY COMPANY – BA#25-2004  
Block 913, Lot 13.01

Rembiszewski/DeSarno

JOANNE GILMARTIN – BA28-2004  
Block 60, Lot 93

DeSarno/Palmer

**ANNUAL REPORT**

Mr. Rembiszewski moved to approve the Annual Report. Mr. Palmer seconded the motion, which was unanimously approved.

**MINUTES TO BE ADOPTED:** Mr. Gray moved to approve the minutes of the study session and regular minutes of September 1, 2004. Mr. Palmer 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 8:10 P.M.

November 3, 2004

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Respectfully submitted,

Betty Schinestuhl  
Recording Secretary