

**TOWNSHIP OF WALL
ZONING BOARD OF ADJUSTMENT
MINUTES OF THE REGULAR MEETING
HELD IN THE MUNICIPAL MEETING ROOM
MARCH 18, 2009**

The Regular Meeting of the Wall Township Board of Adjustment was called to order by Chairwoman DeSarno at 7:30 P.M. Members present were Chairwoman DeSarno, Vice Chairwoman Morrissey, Jim Gray, Ray Slocum, Kevin Orender, first alternate Mary-ellen Draper, Attorney Cramer, Planning Coordinator Roberta Lang, Recording Secretary Betty Schinestuhl, Engineer Gerken and Reporter Arnone. Messrs. Bloom and Morris were not in attendance.

SALUTE TO THE FLAG

Attorney Cramer 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.

Chairwoman DeSarno said the Fore application will be carried to May 6, 2009.

Attorney Cramer asked Mr. Grasso to tell the Board what was on the revised plot plan. Mr. Grasso said basically what we have done is made an attempt to move the house forward. We brought the fence to the corner of the house and then to the rear so we have some landscaping buffer. However, because of Mr. Rizzitello's letter we have to have a meeting with him.

Attorney Cramer said some thought will be given to taking down the fence from the house to the ROW. That will make it more available for emergency responders. Also speak about taking the detached garage and adding that to the house. Make it a two car garage. The Board has asked Mr. Gerken and Mr. Rizzitello to sit down and speak with you about a revised plan. Mr. Grasso said he would like to be able to attend that meeting. Attorney Cramer said we are trying to schedule a meeting with the Fire Marshall. He told Mr. Beckman to get in touch with Mr. Grasso to see when that meeting will occur.

Attorney Cramer said this application will be carried to May 6th. No need to re-notice. Mr. Grasso waived the time limits.

Chairwoman DeSarno said the Squan River application will be carried to April 1, 2009. No re-noticing will be required.

NEW APPLICATION

#BOA2-2009 – Date application complete: January 8, 2009.

APPLICANT: JOHN J. DEPALMA

PROPERTY: 1725 Bayshore Court, Block 167, Lot 1, R-10 zone

RELIEF REQUESTED: Bulk

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

Entered into evidence:

- A-1 Jurisdictional Items
- A-2 Boundary survey prepared by Thomas H. Stuart dated April 24, 1990
- A-3 Survey which has been amended by hand by John J. DePalma
- A-4 Series of photos

Sworn by Reporter Arnone: John J. DePalma
Glenn Gerken

Mr. DePalma said he is trying to complete a deck. The deck portion off the back is 10' x 18'. There is another portion of the deck on the side. It is almost the same size.

Chairwoman DeSarno asked for the size of the deck in the rear. Mr. DePalma said 10' X 18'. Then there is a patio going onto another 10' X 18' deck.

Chairwoman DeSarno asked how many feet from the rear property line. Mr. DePalma said the back is on an angle. At the widest point it is 9.5' and then it scales down to 4.9'. The rear property line is on an angle. The requirement is 10'.

Attorney Cramer said if approved tonight you are going to have to provide an as-built survey after construction.

Mr. DePalma said the deck was started while he was away. He said he had to stop construction.

Chairwoman DeSarno asked how the neighbors feel about this. Mr. DePalma said he told them all and they are fine with it.

Mr. DePalma explained the decks are just framed out. All work has stopped and everything has been covered.

Chairwoman DeSarno said the one deck, next to lot 4, is that your landscape neighbor. In the rear it looks pretty open. Mr. DePalma said he was told he can work with someone in the town regarding landscaping. Attorney Cramer said you will provide a landscape plan. Mr. DePalma said yes.

Mrs. Morrissey asked if that is a kitchen door that goes out to the back. Mr. DePalma said when you go in that door you go right and go into the kitchen you go straight and you go downstairs.

Mrs. Morrissey said the neighbor behind you seems like he uses the side. You are close to him. You just go out that door and you have a walkway. The deck should be lower to the ground. Mr. DePalma said he would have to have steps to the ground. If he can put steps there he would lower the deck.

Mr. Gray said at the back of your house you are very close to the 10'. He said he has no problem with the deck on the side. If the boardwalk was not there and it was pavers you would not need a variance for that. You would be coming in front of us for inches. The issue is that boardwalk. Leave the deck the way it is. Don't do the boardwalk just put in pavers.

Mrs. Morrissey said and then landscape the neighbors.

Mr. Gerken said we are talking about the deck staying just the way it is. Mr. Gray said just get rid of the boardwalk. Leave the front and side decks the way they are. Then put pavers there. Then we are just looking at two decks.

The application was open and closed to the public.

Mr. Gray moved to approve the application subject to removal of the boardwalk deck portion of the application leaving the two raised decks as in the application. The applicant shall increase the buffering in the rear. Mrs. Morrissey seconded the motion, which was unanimously approved by a roll call vote. (Mr. Gray, Mrs. Morrissey, Mrs. Draper, Messrs. Orender, Slocum and Mrs. DeSarno voted yes.)

CARRIED APPLICATION

#BOA35-2008 – Date application complete: December 18, 2008. Carried from February 18, 2009 and March 4, 2009

APPLICANT: ARTHUR OCHSE

PROPERTY: 1614 18TH Avenue, Block 85, Lot 9, R-20 zone

RELIEF REQUESTED: Bulk

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

Entered into evidence:

A-1 Jurisdictional Items

A-2 Survey of property prepared by Robert J. Raba dated July 19, 2006

BOA-1 Engineering plan review prepared by Glenn Gerken dated February 3, 2009

BOA-2 Planning review prepared by John Hoffmann dated February 4, 2009

Sworn by Reporter Arnone: Arthur Ochse
Glenn Gerken

Mr. Ochse said he is looking for permission to use the second story of his garage as a place to do his artwork.

Chairwoman DeSarno asked about heat. Mr. Ochse said there will be heat. There is electric there already.

Chairwoman DeSarno said no water, no bathroom. Mr. Ochse said no.

Chairwoman DeSarno said it will be used for personal use only. Mr. Ochse said yes.

Attorney Cramer asked if there will be a kitchen. Mr. Ochse said no.

Chairwoman DeSarno asked about the height. Mr. Ochse said it is an 18' high building. Chairwoman DeSarno said you would leave that open. Mr. Ochse said the height of the room is 8' in the middle and then it tapers down on the sides.

Chairwoman DeSarno asked about windows. Mr. Ochse said in the back there is one and we added a window in the front.

Chairwoman DeSarno asked about the stairway. Mr. Ochse said it is interior. He said he doesn't use the garage so it is just open space. Upstairs there is no storage. The neighbors say it looks great.

Attorney Cramer said you are not expanding the garage. Mr. Ochse said no exterior work.

Mrs. Morrissey said personal artwork? Do you show your work? Mr. Ochse said yes he does but he won't be using it as a showroom. It is just for him to do work.

Mr. Gray asked if he will be using it for art shows. Mr. Ochse said no.

Mr. Gerken said he has no problem with this. No changes in the exterior what-so-ever.

The application was open and closed to the public.

Mrs. Morrissey moved to approve the application. Mr. Slocum seconded the motion, which was unanimously approved by a roll call vote. (Mrs. Morrissey, Mr. Slocum, Mrs. Draper, Messrs. Gray, Orender and Mrs. DeSarno voted yes.)

RESOLUTIONS TO BE MEMORIALIZED

RON & KERRI CHRISTIE - #BOA34-2008

Block 880, Lots 26 & 26.01

Gray/Orender

JAMES FOGLIO - #BOA36-2008

Block 880, Lot 27

Morrissey/Gray

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.

Respectfully submitted,

Betty Schinestuhl