

**WALL TOWNSHIP PLANNING BOARD
MINUTES - REGULAR MEETING
MUNICIPAL MEETING ROOM
JANUARY 26, 2004**

Chairman Braun called to order the regular meeting of the Wall Township Planning Board at 7:35 P.M. Members present were Braun, Luttman, Thomson, Tobia, Morris, Farrell, Wilson, Rible, Kiley, Attorney Rubino, Engineer Gerken, Planner Bergailo, Planning Board Secretary Lang, Recording Secretary Schinestuhl and Court Reporter Arnone.

Chairman Braun announced the meeting was being held in accordance with the "Sunshine Law" and a resolution adopted on January 12, 2004.

SALUTE TO THE FLAG

Chairman Braun announced PRC will be rescheduled.

Captain Morris recused himself on the RDA Construction application.

NEW APPLICATIONS

RDA CONSTRUCTION MANAGEMENT – PB#12-2003 – 1308 & 1306 Atlantic Avenue, Block 297, Lots 4 & 5, R7.5 zone. Application complete: April 14, 2003. Applicant requests permission for an extension of time.

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

Attorney Middleton said this application was granted by the Board in June 2003. We went before the County and that took some doing. Approval was obtained in December 2003 from the County. Freehold Spoil Conservation District was waiting for that approval.

Chairman Braun said no variances were needed. He asked how long you would like the extension for. Attorney Rubino said 190 days.

Ms. Wilson moved to approve the application for an extension of time for 190 days. Mr. Rible seconded the motion which was unanimously approved by a roll call vote. (Ms. Wilson, Messrs. Rible, Farrell, Kiley, Luttman, Thomson, Tobia and Braun voted yes.)

MATT HAKIM – PB#41-2003 – 1744 Belmar Boulevard, Block 118.01, Lot 45, R-15 zone. Date application deemed complete: October 28, 2003. Applicant seeks permission to subdivide lot into two (2) conforming lots. Minor

Dennis J. Barrett, Esq. appeared for the applicant.

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

Ms. Wilson said referring to Mr. Gerken's review letter we would like the fence removed. Mr. Hakim said that is not his fence. Ms. Wilson said the Board will require that fence be removed. Ms. Wilson said when we grant a subdivision we try and clean up all the non-conformities. Attorney Rubino said we do that if the applicant's fence goes onto the neighbor's property but this is different. It is the neighbor's fence that goes onto the applicant's property. Deputy Mayor Thomson said the applicant may want to suggest to the neighbor that they put the fence on their property. Attorney Rubino said this Board cannot make the neighbor remove the fence. The applicant should ask the neighbor to remove it.

Attorney Barrett asked about the remarks in Mr. Hoffmann's letter stating this property being previously subdivided in 1984 and we need to request a waiver. Attorney Rubino said we will consider that at the end of the meeting.

Chairman Braun said the Board needs to improve this site. The driveway must be adjusted to conform with the 5' setback from the patio to the front. Ms. Wilson asked if it was possible to move the driveway to the other side. Chairman Braun said no.

Chairman Braun asked the members if they were ok with just moving the driveway from the patio back. Committeeman Tobia said from the bar-be-cue to Belmar Boulevard.

Attorney Rubino said, regarding the waiver, the applicant did not own the property in 1983. That waiver will not be necessary.

The application was open and closed to the public.

Attorney Rubino said, just for the record, when the applicant filed for relief there was no request for a variance so noticing was not necessary. The applicant did notice.

Ms. Wilson moved to approve the application for minor subdivision subject to payment of taxes and applicable assessments. The applicant must comply with requirements of Monmouth County Planning Board and Monmouth County Board of Health. The applicant shall comply with review letters of the Board Professionals. The driveway on lot 45.02 will be moved in front of the property west from Belmar Boulevard back to the house. The bar-be-cue pit/fireplace shall be removed. A waiver will be granted in order for the application to be considered a minor subdivision and not a major subdivision. The applicant must provide the Board with a letter to the neighbor asking them to remove the existing fence of applicant's property. Mr. Farrell seconded the motion which was unanimously approved by a roll call vote. (Ms. Wilson, Messrs. Farrell, Kiley, Luttmann, Rible, Thomson, Tobia and Braun voted yes.)

Captain Morris returned to the meeting.

WAYNE & ELAINE OSSENFORT – PB#42-2004 – 1817 South "N" Street, Block 72, Lot 60, R-10 zone. Date applicant deemed complete: October 31, 2003. Applicant requests permission to subdivide property into two lots. Both structures will be razed. Minor with

variances

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

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

Entered into evidence:

- A-1 Jurisdictional Items
 - A-2 Minor Subdivision Plan prepared by Benchmark Surveying and Engineering last revised October 10, 2003
 - A-3 Monmouth County Board of Health review letter dated November 18, 2003
 - A-4 Photo of existing homes
 - A-5 Photo of existing homes
 - A-6 Photo of existing homes
 - A-7 Photo of existing homes
 - A-8 Photo of existing homes
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- PB-1 Review letter from Glenn Gerken, Schoor DePalma, dated November 24, 2003
 - PB-2 Review letter from John Hoffman, Board Planner, dated November 14, 2003

Attorney Middleton said this is an application for a minor subdivision. The property is located on South "N" Street. A variance for lot area is required. Each lot will be 9,720 s.f. where 10,000 s.f. is required. There are two homes on the property now. It is a non-conforming use. Four variances were granted for the site. This application will clean up those variances. There will be two nice homes on the site. The applicant will comply with all review letters. The Board would like the applicant to make one conforming lot and one non-conforming. We will comply. The lot closest to the Township property will be the non-conforming one.

Ms. Wilson, referring to Mr. Gerken's review letter of November 24, 2003 Item 7, asked if an additional 35' will be paved. Attorney Middleton said yes.

Ms. Wilson, referring to Item 8 regarding the existence of a stream, are any permits required. Attorney Middleton said that will be addressed.

Sworn by Reporter Arnone:

Wayne Ossenfort
Glenn Gerken, Engineer
Cheryl Bergailo, Planner

Attorney Middleton asked Mr. Ossenfort if he was the applicant. Ms. Ossenfort said yes.

Attorney Middleton asked Mr. Ossenfort if he was planning to raze the existing two buildings. Mr. Ossenfort said yes.

Attorney Middleton said the Board Engineer asked that the street be improved. Will you do that? Mr. Ossenfort said yes.

Attorney Middleton asked if there was an existing stream to the rear of the property. Mr. Ossenfort said no. Attorney Rubino said the Board requires an absence or presence of wetlands. Attorney Middleton said ok.

Ms. Wilson asked what type of dwellings you are going to replace the existing ones with. Are they consistent with the neighborhood?

Entered into evidence:

A-9 Elevation of new homes

Mr. Ossenfort showed the Board an elevation showing the proposed homes. He said they will be consistent with the neighborhood.

Chairman Braun asked if they were pre-fab. Mr. Ossenfort said no.

Attorney Rubino asked if anyone is living in the existing homes now. Mr. Ossenfort said yes, they are both occupied.

Mr. Gerken said their engineer must submit a grading plan and the street extension plan. Attorney Middleton agreed.

Ms. Wilson, referring to Mr. Gerken's review letter Item 5, asked if the applicant will indicate the necessity of the existing masonry wall located at the southern end of the property and the effects of removing it. Attorney Middleton agreed.

The application was open and closed to the public.

Ms. Wilson moved to approve the application for minor subdivision subject to payment of taxes and applicable assessments. The applicant must comply with requirements of Monmouth County Planning Board and Monmouth County Board of Health. The applicant will comply with the review letters of the Board Professionals. All dwellings, sheds, concrete pads and masonry walls must be removed. Proposed lot 60.01 will be fully conforming, 10,000 s.f. Proposed lot 60.02 will be 9,440 s.f. The applicant shall extend the existing road in front of proposed lot 60.02 40' to meet the ordinance. The applicant shall obtain a letter from DEP for the absence or presence of wetlands. New homes must be consistent with Exhibit A-9, elevations of new homes. Deputy Mayor Thomson seconded the motion which was unanimously approved by a roll call vote. (Ms. Wilson, Messrs. Thomson, Farrell, Kiley, Luttmann, Morris, Rible, Tobia and Braun voted yes.)

Ms. Wilson recused herself on the 2643 Old Bridge Road application.

2643 OLD BRIDGE ROAD – PB#46-2003 – 2643 Old Bridge Road, Block 817, Lot 14, OP-10 zone. Date application deemed complete: December 31, 2003. Applicant seeks permission

to operate a funeral parlor. Site with variances

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

Timothy B. Middleton appeared for the applicant.

Entered into evidence:

- A-1 Jurisdiction Items
 - A-2 Preliminary & Final Major Site Plans prepared by Gilligan Engineer last revised December 29, 2003
 - A-3 Review letter from Monmouth County Board of Health dated January 12, 2004
 - A-4 Colored rendering of site plan
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- PB-1 Review letter from Cheryl Bergailo, Schoor DePalma, dated December 4, 2003
 - PB-2 Review letter from Glenn Gerken, Schoor DePalma, dated January 12, 2004
 - PB-3 Review letter from Joseph Rizzitello, Wall Fire Prevention, dated January 12, 2004

Sworn by Reporter Arnone:

Kevin Orender
Charles Gilligan, Engineer/Planner
Glenn Gerken, Engineer
Cheryl Bergailo, Planner

Attorney Middleton said this application is for a funeral home on Old Bridge Road. There is an existing building on site. No variances are generated by this application. There is a change in use. A site plan approval is required. The applicant is also requesting permission to build a small garage and erect a flag pole at the southerly portion of the site.

Chairman Braun said there was an ordinance passed by the Township Committee that allowed this type of use in the OB-10 zone.

Mr. Orender said he is the owner of the property.

Attorney Middleton asked if Mr. Orender operates a funeral home. Mr. Orender said yes.

Attorney Middleton asked if he was employed by Johnson-McGinley. Mr. Orender said yes.

Attorney Middleton asked if he held a license. Mr. Orender said yes issued in New Jersey and New York. Mr. Orender said he received his license in New Jersey in 2000. He received his license in New York in 1980. Mr. Orender said he is familiar with the business.

Attorney Middleton asked Mr. Orender to explain what the business entails. Mr. Orender said a family member would call him and at that time he would retrieve the body. He then makes arrangements with the family.

Attorney Middleton said at that point someone would go recover the body and bring it to the funeral home. Mr. Orender said yes. He would then meet with the family and go over the

arrangements. The family may consider cremation. If they do the body would be prepared to go to the crematory. You can also have a viewing with a cremation. They may also decide to have a memorial service at a later date at the funeral home or at a church.

Attorney Middleton asked if cremation is done off site. Mr. Orender said yes.

Mr. Orender said the body is prepared for visitation. There is a gathering of the family then we go to the church, then to the cemetery.

Attorney Middleton asked where the body will be prepared. Mr. Orender said on site. Attorney Middleton said the viewing is on site. Mr. Orender said yes. Attorney Middleton asked what time is visitation. Mr. Orender said usually 2:00 P.M. – 4:00 P.M. and 7:00 P.M. – 9:00 P.M. Some families prefer Sunday's from 1:00 P.M. – 5:00 P.M.

Chairman Braun asked if there is viewing after 9:00 P.M. Mr. Orender said no. Mr. Orender said the only way the funeral home would stay open after 9:00 P.M. is if the family stays.

Attorney Middleton asked about the A.M. Mr. Orender said never before 9:00 A.M. There is no visitation in the morning.

Attorney Middleton asked if services were ever done on site. Mr. Orender said he would rather services be done at a church but some families prefer it at the funeral home.

Chairman Braun asked how many affairs you can have at the same time. Mr. Orender said the funeral home has two viewing rooms.

Attorney Middleton asked how many viewings would you have a year. Mr. Orender said about 60 a year. Attorney Middleton said one or two a week. Mr. Orender said yes.

Attorney Middleton asked about the size of the viewing. Mr. Orender said usually 50 – 80 people. Attorney Middleton said they would come in over a 2 – 4 hour period. Mr. Orender said yes.

Attorney Middleton asked about parking. He asked if 79 spaces would be enough. Mr. Orender said that will be sufficient.

Attorney Middleton asked about deliveries. Mr. Orender said caskets will be delivered by a small box truck. The only other deliveries would be flowers. Attorney Middleton asked what time flowers would be delivered. Mr. Orender said usually between 10:00 A.M. and 12 noon. Caskets would be delivered around 10:30 A.M. Caskets are delivered on an as need basis.

Attorney Middleton asked Mr. Orender to explain Phase II. Mr. Orender said within a two year period he would like to add a garage, driveway and flag pole.

Chairman Braun asked when you get a call from the family it could be 2:00 A.M. would you go

and pick up the body and return at that time of night. When you add the garage you would load and unload in the garage. Mr. Orender said that is correct. Attorney Middleton said when you return you would enter from the rear of the site. Mr. Orender said from the south side of the building away from Route 70.

Attorney Middleton said you will plant shrubs, etc. Mr. Orender said yes.

Attorney Middleton asked Mr. Orender to explain the proposed garage. Mr. Orender said the garage will be 1,024 s.f. and a covered walkway will attach the garage to the building. There will also be a solid fence. It will shield the garage from the public. Landscaping will be around the fence. Attorney Middleton said that will be approved by the planner and engineer. Mr. Orender agreed.

Attorney Middleton asked about the refuse area. Mr. Orender said the refuse area will be in the parking lot. Attorney Middleton asked if the trash will be picked up by a private company. Mr. Orender said yes. Mr. Gerken asked where the refuse area is going to be. Mr. Orender said where the existing one is.

Chairman Braun asked about holding bodies. Mr. Orender said no refrigeration will be needed. The bodies will be prepared immediately. Attorney Middleton asked if the funeral home would be regulated by New Jersey. Mr. Orender said yes.

Mr. Luttmann said a landscape plan has not been submitted. Will you submit one? Attorney Middleton said one will be submitted with the revised plans.

Captain Morris asked about the procession. He asked if the lot would be sufficient. Mr. Orender said we will start in the parking lot. We would have someone hold traffic until the entire procession is out.

Charles Gilligan, Engineer/Planner, gave his credentials which were accepted by the Board.

Mr. Gilligan said the site is in the OP-10 zone. It is 2.49 acres. There are existing medical offices to the north. To the west is Route 70 and to the south is property owned by NJDOT. To the east is Old Bridge Road. A variance will be needed for lot area. The site contains 2.49 acres where 10 are required. Lot width is 446' where 500' is required. Lot depth is 270' where 500' is required. The front yard setback is 58' where 150 are required. Parking requirement is 59 spaces and we are proposing 79. If needed we have sufficient space to add more. The applicant has spoken to SMRSA and there is a permit to tie into sewer on Old Bridge Road. A two car garage is being proposed with a covered walkway to the main building. A sign is being proposed on Route 70. There is an existing sign on Old Bridge Road.

Attorney Middleton said there are variances existing. Mr. Gilligan said all the variances are existing. We do not have the ability to add property. The building is relatively new.

Attorney Rubino said you are meeting lot coverage and parking requirements. Mr. Gilligan said

yes. The lot is large enough to support the use we are proposing.

Attorney Middleton said the applicant will comply with all the items in Mr. Gerken's review letter with the exception of a bike rack. Chairman Braun said the Board stands fast on the bicycle rack. Attorney Middleton agreed.

Mr. Gilligan said, regarding Item 5 in Mr. Gerken's letter, the dumpster has been removed. The use will not generate a lot of garbage. The garbage will be stored in the garage. There will be a board on board, 6' high fence as a temporary shelter until the garage is built.

Mr. Gilligan said, referring to Item 3 in Mr. Gerken's letter regarding the curb, which is an existing condition. Mr. Gerken said it is ok.

Mr. Gerken asked is the sewer connection in Brielle. Mr. Gilligan said we have a letter from SMRSA. It is in Brielle. Mr. Gerken said you need to get approval from Brielle. Mr. Orender said we have permission from Brielle. Mr. Gerken asked to have a copy of that letter.

Attorney Middleton said Ms. Bergailo stated in her review letter a variance is required for the proposed free-standing sign. Ms. Bergailo said it appears you can have two free-standing and one building sign. The applicant is willing to comply with that. Mr. Orender said there is an existing sign on Old Bridge Road and another sign would be facing Route 70. It will be a free-standing sign. Chairman Braun asked if the township permits 25' high signs. Attorney Middleton said yes. Mr. Gilligan said the site is visible from Route 70. Chairman Braun said the Board is concerned about the sign being on Route 70. Committeeman Tobia said; comply with the township ordinance completely. Attorney Middleton said absolutely.

Mr. Gilligan said, referring to Ms. Bergaglio's review letter, an EIS has been submitted. We will submit a landscaping plan. Attorney Middleton said we are asking for a waiver that the landscape plan would not have to be prepared by an architect. Attorney Rubino said the landscape plan will be subject to Board planner review.

Mr. Gilligan said under Site Plan Issues we have revised the plan to show the correct setbacks. Phase II should be started in one year.

Chairman Braun asked if the garage archway will meet the building. Attorney Middleton said yes.

Committeeman Tobia said years ago there was a prior application that another building cannot be put on site. Do you waive that right? Attorney Middleton said yes, that approval is void.

The application was open to the public.

John Glaccum was sworn. Mr. Glaccum said his concern is safety issues. The traffic on Old Bridge Road goes out to Route 70, onto the streets of Brielle or onto the Route 35 intersection. The Route 35 traffic light is very short. There is a build up of traffic to get onto Old Bridge

Road. He asked if a traffic survey was done. Attorney Middleton said no.

Mr. Glaccum said the light at Old Bridge Road is green about 30 seconds. He said he did a little survey last Thursday. He said there is also going to be a 96 unit built at that intersection, The Monmouth. This will add a lot of extra traffic. He asked if the Wall Township Police Department can escort the procession onto Route 35. Captain Morris said we are allowed to get a procession out on the street. We can help. Attorney Rubino asked if a funeral procession can go through a red light. Captain Morris said only for emergencies. He said we can ask the State to check that light. We will ask the State to revisit that light. Chairman Braun said we already did that, about ten days ago. Deputy Mayor Thomson asked if the applicant will agree to work with Wall Township and Brielle. Mr. Orender said yes.

Chairman Braun said the Board did not ask for a traffic study because of the size of the project, because of the number of funerals he has a year. Funerals are generally at off peak times.

Attorney Rubino said funerals are usually not that long. If he has more than a certain number of cars he should have the Police Department there. Mr. Orender agreed.

Patricia Shoppel was sworn. Ms. Shoppel asked if anybody will be living at the funeral home. Attorney Middleton said no.

Ms. Shoppel asked about the signs. Chairman Braun said where you live you will be looking at the sign frame. You will not be able to see a sign face. Mr. Orender said there will be no light. Mr. Gilligan said it will face Route 70. It will not face the homes across Old Bridge Road.

The application was closed to the public.

Mr. Gerken said there are some areas of pavement that are in disrepair. He suggested they be repaired and put on the plans. Attorney Middleton agreed.

Mr. Luttman moved to approve the application for site plan subject to payment of taxes and applicable assessments. The applicant will comply with the requirements of Freehold Soil Conservation District, Monmouth County Planning Board and Monmouth County Board of Health. The applicant will obtain approval from DEP. The applicant will comply with Wall Township Affordable Housing Trust Fund and ADA requirements. The applicant will comply with the review letters of the Board Professionals. The applicant will comply with the review letter from Wall Township Fire Prevention. The applicant shall submit application for Subtitle 1 of Title 39. The applicant shall schedule a pre-construction meeting with Township Planner and Wall Township Police Department. Phase II shall be approved by Board Planner and Engineer. The applicant shall install a Knox Box system. Variances are granted. A letter terminating any prior approvals be submitted to the Board. Masonry dumpster enclosure is to be temporarily waived. Board on board fence is to be installed. Refuse will be stored outside until the garage is complete and then stored inside. The landscape plan shall be approved the Board Planner. Mr. Rible seconded the motion which was unanimously approved by a roll call vote. (Messrs. Luttman, Rible, Farrell, Kiley, Morris, Thomson, Tobia and Braun voted yes.)

BOARD OF EDUCATION - Chairman Braun said the Board reviewed the Board of Education plans. The Board recommends that there be more parking. Is parking allowed on neighboring streets? Deputy Mayor Thomson said yes. Chairman Braun said the Board of Education can go ahead with these plans. The Board will send a letter with recommendations and state we have reviewed the plans and we think it is poor planning not to have adequate parking. They should eliminate the parking on all the neighboring streets. Captain Morris said it is a serious problem.

BEL-AIRE – Chairman Braun said the County sent plans showing what will be done at Bel-Aire Golf Course. The County always does a good job. Committeeman Tobia said we should recommend additional landscaping along Allaire Road/Route 34.

There being no further business to come before the Board, a motion was made, seconded and unanimously approved to adjourn the meeting at 9:20 P.M.

Respectfully submitted,

Betty Schinestuhl
Recording Secretary