

**WALL TOWNSHIP PLANNING BOARD
MINUTES - REGULAR MEETING
MUNICIPAL MEETING ROOM
SEPTEMBER 13, 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, Tobia, Farrell, Wilson, Kiley, first alternate Mueller, 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 the CJS application will be carried to October 25, 2004. New notice will be required. Peddlers Village will be carried to November 25, 2004. New notice will be required. Hermann will be carried to October 4, 2004. New notice will be required.

Attorney Middleton said Manasquan will not hear the Hermann application until at least November 2004. Chairman Braun said the Hermann application will be rescheduled.

CARRIED APPLICATIONS

MATT HAKIM – PB#41-2003 – 1744 Belmar Boulevard, Block 118.01, Lot 45, R-15 zone. Application complete: October 28, 2003. Applicant seeks an extension of time in order to perfect minor subdivision

No one was in attendance for the Hakim application.

JOSEPH RIORDAN– PB#10-2004 – 2401 Ramshorn Drive, Block 855, Lot 1, R-10 zone. Date application complete: June 3, 2004. Carried from July 12, 2004. Applicant requests permission to subdivide lot. Minor

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

Sworn by Reporter Arnone:

Michael Cannon, Architect
Nancy Riordan
Glenn Gerken, Engineer
Cheryl Bergailo, Planner

Attorney Middleton said this application is for a minor subdivision. Mr. Cannon has submitted a grading plan.

Entered into evidence:

- A-1 Minor Subdivision Plat prepared by Charles O'Malley dated May 18, 2004
- A-2 Monmouth County Board of Health letter dated June 10, 2004
- A-3 Monmouth County Planning Board letter dated August 23, 2004
- A-4 Grading Plan prepared by Benchmark Surveying & Engineering dated August 18, 2004

- PB-1 Planning review letter prepared by John Hoffmann dated June 25, 2004
- PB-2 Engineering review letter prepared by Glenn Gerken, Schoor DePalma, dated June 29, 2004
- PB-3 Engineering review letter prepared by Glenn Gerken, Schoor DePalma, dated September 10, 2004

Michael Cannon, Architect gave his qualifications which were accepted by the Board.

Attorney Middleton asked Mr. Cannon if he was retained to prepare a grading plan. Mr. Cannon said that is correct. Mr. Cannon said the property has a very steep slope to the rear of the property. It fronts on Ramshorn Drive. The garage will be on the low side of the property. We will work the grading around the structure. There will be a berm along the westerly line of the site. The water will go into the swale, around the side of the house and work its way out to the street. The same thing will be done on the easterly property line. There is an 8' height difference. Two retaining walls are needed. They will be 4' high and 7' from the house. Four dry wells are proposed.

Chairman Braun said he would like the walls on one lot, on the new lot. Attorney Rubino said if there is going to be a need for two walls we don't want them to go across the property line. The retaining walls need to be on one lot. Attorney Middleton said we can do that. Mr. Cannon said we can slide the house to the west.

Ms. Wilson said the new lot would be 1.02.

The application was open to the public.

Rosemary Kiernan, 1605 Myrtle Avenue, said she owns the lot right next door. She is concerned about the slope. She said she gets water in her basement. The drainage is very bad. She said her pool and fence are located there. She is concerned about the new construction overhang. She asked if the drainage was going to go toward the street and not onto her property. Attorney Middleton said the house will be 18' from the property line. Mr. Cannon will explain the berms and swales. Mr. Cannon said we are putting the gutters and leaders into the dry wells. It will go out toward the street. There will be less run-off from this site.

Chairman Braun said this will be a big improvement.

Attorney Rubino said prior to obtaining a construction permit they have to submit a final grading plan. Committeeman Tobia suggested that Mr. Gerken go over to the site and check

and make sure all the improvements are done prior to obtaining a construction permit.

Ms. Kiernan asked about the retaining wall. Mr. Cannon said they will be 4' high each. They will be less than 4' at each end.

Ms. Wilson asked if the applicant can comply with the Professional's review letters. Attorney Middleton said yes.

Ms. Wilson asked if the utilities exist. Attorney Middleton said they need to be installed.

Committeeman Tobia said any underground structures must be removed.

The application was closed to the public.

Ms. Wilson moved to approve the application for minor subdivision subject to payment of taxes and applicable assessments. The applicant will comply with the requirements of Monmouth County Board of Health and Monmouth County Planning Board. The applicant will comply with the review letters of Board Professionals. The retaining wall will be placed entirely on proposed lot 1.02. The grading plan will be approved prior to issuing of permits. The Township Engineer will review proposed lot 1.02 prior to issuing final Certificate of Occupancy. Any septic or any underground structures will be removed. Mr. Kiley seconded the motion which was unanimously approved by a roll call vote. (Ms. Wilson, Messrs. Kiley, Farrell, Luttmann, Mueller, Tobia and Braun voted yes.)

REVIEW AND RECOMMEND:

ORDINANCE NO. 25-2004 – Ms. Bergailo explained the ordinance. It has to do with hotels and convention centers. Ms. Bergailo read the change. “The site shall have direct access to a primary arterial road as designated in the Master Plan or, where the site is part of an approved or proposed planned commercial development; the local road network shall have direct access to a primary arterial road as designated in the Master Plan.” This is consistent with the Master Plan.

Ms. Wilson moved to recommend to the Township Committee that Ordinance No. 25-2004 be adopted. Mr. Farrell seconded the motion which was unanimously approved by a roll call vote. (Ms. Wilson, Messrs. Farrell, Kiley, Luttmann, Mueller, Tobia and Braun voted yes.)

MINUTES TO BE APPROVED

Ms. Wilson moved to approve the minutes of the Regular and Workshop Meetings of July 12, 2004 and August 2, 2004. Committeeman Tobia seconded the motion, which was unanimously approved by a roll call vote.

RESOLUTIONS TO BE MEMORIALIZED:

COMMERCIAL REALTY & RESOURCES– PB#29-2003
Block 913, Lots 25 & 35

Attorney Rubino read the resolution of approval. Mr. Luttman moved to adopt the resolution as read. Mr. Farrell seconded the motion, which was unanimously approved by a roll call vote. (Messrs. Luttman, Farrell, Tobia, Ms. Wilson and Mr. Braun voted yes.)

JOHN F. HAMIL – PB#10-2003

Block 151, Lot 32

Attorney Rubino read the resolution of approval. Mr. Farrell moved to adopt the resolution as read. Ms. Wilson seconded the motion, which was unanimously approved by a roll call vote. (Mr. Farrell, Ms. Wilson, Messrs. Luttman, Tobia and Braun voted yes.)

BROOK 35 PLAZA CONDOMINIUM ASSOCIATION – PB#8-2004

Block 276, Lot 26

Attorney Rubino read the resolution of approval. Mr. Luttman moved to adopt the resolution as read. Mr. Farrell seconded the motion, which was unanimously approved by a roll call vote. (Messrs. Luttman, Farrell, Mueller, Tobia, Ms. Wilson and Mr. Braun voted yes.)

Mr. Mueller stepped down on the Mueller resolution.

PAUL A. & JOAN A. MUELLER – PB#15-2004

Block 715, Lot 11

Attorney Rubino read the resolution of approval. Ms. Wilson moved to adopt the resolution as read. Mr. Farrell seconded the motion, which was unanimously approved by a roll call vote. (Ms. Wilson, Messrs. Farrell, Luttman, Tobia and Braun voted yes.)

There being no further business to come before the Board, a motion was made, seconded and unanimously approved to adjourn the meeting at 8:05 P.M.

Respectfully submitted,

Betty Schinestuhl
Recording Secretary