

**WALL TOWNSHIP PLANNING BOARD
MINUTES - REGULAR MEETING
MUNICIPAL MEETING ROOM
OCTOBER 4, 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, second alternate Manson, Attorney Rubino, Engineer Gerken, Planner Bergailo, Planning Board Secretary Lang, Recording Secretary Schinestuhl and Court Reporter Amone.

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 said the Hakim application is off for tonight. It will be carried to November 1, 2004. New notice is required. Wall Retail will not be heard tonight. It will be carried to November 1, 2004. Attorney Middleton said he waives the time limits. Chairman Braun said there will be revisions made and we will receive them in a timely manner. Committeeman Tobia said to revisit the application and comply. Chairman Braun suggested scheduling a TRC before the November 1, 2004 meeting date.

Richard Smith, Megill Road, said he was very confused about the notice regarding Wall Retail. It said 1310 Wyckoff Road. This is not correct. Attorney Rubino said they have the right block and lot numbers on the notice. They have to give notice to everyone within 200' of that property.

NEW APPLICATION

Mr. Manson recused himself on the Stuart application.

THOMAS H. STUART, JR. – PB#4-2004 – 1223 & 1228 Narrumson Road, Block 333, 337, Lots 34, 34.03, R-10 zone. Application complete: March 9, 2004. Carried from May 3, 2004 and June 7, 2004. Applicant seeks permission to subdivide lots, add a portion of lot 34.03 to lot 34 to create two conforming lots. Minor with variances.

Timothy Middleton, Esq. appeared for the applicant.

Attorney Middleton said this application was heard in May.

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

Entered into evidence:

PB-3 Engineering review letter prepared by Glenn Gerken, School DePalma, dated September

10, 2004

PB-4 Review letter prepared by John Hoffmann dated September 30, 2004

A-5 Jurisdictional Items

A-6 Monmouth County Planning Board letter dated June 8, 2004

A-7 Minor Subdivision plan prepared by Charles Surmonte revised June 16, 2004

Sworn by Reporter Arnone: Charles Surmonte,
Luis Perez
Glenn Gerken, Engineer
Cheryl Bergailo, Planner

Attorney Middleton gave an overview. Testimony was held at the last meeting regarding this application. Mr. Stuart owns lots 36 & 34. They are located on Narrumson Road. He has lived on lot 36 for over 30 years. Lot 34 is located to the east of lot 36. Over the years the zoning has changed. The lot became non-conforming. Lot 36 consists of 10,000 s.f. and lot 34 consists of 7,500 s.f. This is the biggest lot within a three block area. Three years ago Mr. Stuart obtained subdivision approval. Lot 34.01 was created. Lot 34.01 is very unusual. There is a house and detention basin behind it. Lot 34.03 is unusual. It is 25' wide. Right next to it is the fence for the detention basin. Lot 34.03 has been uncut and not maintained. The Board had concerns regarding several issues. The rear setback is 15'. The applicant has eliminated the 15' kitchen nook. There will be a 20' setback in the rear. The neighbor in the rear expressed concerns regarding the buffer. There was also discussion about drainage. All roof leaders will flow to Narrumson. There was also some concerns about the existing 25' swath. There would be a lot on two streets and that is not good planning. The plan was amended. The house was reduced and footprint was reduced. The applicant will supply a row of plantings in the rear. All bulk requirements will be met. We have a fully conforming lot.

Chairman Braun said the issues are if you made a conforming lot line the lot would be undersized so we have to create an irregular lot line. The Board hasn't granted undersized lots. Would the neighbor in the rear like to acquire the 25'? Chairman Braun said the Board is not sure they want to use all those pieces. This Board approved the subdivision and was very sensitive to the drainage. We cleaned up a lot of issues. When the Board looked at the open space it is a large lot and now you want to carve out another lot.

Attorney Middleton asked Mr. Perez if he was the builder. Mr. Perez said yes.

Attorney Middleton said the Board raised some concerns about the home. The proposed home was 15' off the property line. Mr. Perez agreed. Attorney Middleton said you went back to the drawing board. Mr. Perez said yes. He said he looked at the original design and made some modifications. We increased the rear setback. It is now 20'.

Attorney Middleton said from the corner of the property to the footprint, how close is that. Mr. Perez said 35'. We don't have a new footprint of the house. It will generally be the same. The house would be modified to fit the new building envelop. It would be very similar to what we presented previously.

Attorney Middleton said the Board was concerned about the buffering in the rear. Mr. Perez said they propose to put some plantings at the rear property line. They are planning aver vides.

Attorney Middleton said there were issues raised about the irregular lot line. That line does not run to Manito. Mr. Perez said it is about 45' short. Chairman Braun said if you cut that in half it would be easier to maintain. Attorney Middleton said the new proposed lot 36.01 and 34.03 the fence runs all the way to the end. There is a detention basin there. Chairman Braun asked who is going to maintain the 45' piece you are cutting off. Attorney Middleton said the neighbor in the rear. Chairman Braun said if you want to get rid of the irregular lot the neighbor would take that piece and we would be looking at an undersized lot. Attorney Rubino asked Mr. Gerken if that could be done. Mr. Gerken said the detention basin requires the maintenance. They have to also maintain the grounds. Committeeman Tobia said the owner of lot 34.03 was he made aware that he was responsible for that lot. He knew he had to maintain that. Attorney Middleton said the detention basin you can separate from the 25' swath. Chairman Braun said we don't think dividing the easement up solves anything. Mr. Surmonte said the lot would be 8,600 s.f. Chairman Braun said we can look at it as an undersized lot.

Mr. Kiley said you keep talking about the fence. Can it be moved or taking down? Attorney Middleton said not really. It is to keep the easement open.

Ms. Wilson asked if you can extend that line to lot 34.03. Chairman Braun said the problem with that was not messing with the maintenance of the basin. We want to keep the basin all on lot 34.03. What about moving the line just to the north end of the basin? Move just the property line of 34.01 to the west closer to the basin. Attorney Middleton said that fence is right on the line.

Ms. Wilson said the only way to have lot area is to create an irregular lot. Deputy Mayor Thomson said that is correct. Deputy Mayor Thomson asked if the applicant noticed for an undersized lot. Attorney Middleton said no.

8:20 P.M. the Board recessed.

8:35 P.M. the meeting resumed.

Attorney Middleton said we will come back. Chairman Braun said did you talk to the property owner of lot 29. Attorney Middleton said he will. He waived the time limits.

Attorney Rubino said this application will be carried to November 1, 2004.

Mr. Manson returned to the meeting.

RESOLUTIONS TO BE MEMORIALIZED

JOSEPH RIORDAN – PB#10-2004

Block 855, Lot 1

October 4, 2004

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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, Kiley, 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 8:40 P.M.

Respectfully submitted,

Betty Schinestuhl
Recording Secretary