

**WALL TOWNSHIP PLANNING BOARD
MINUTES - REGULAR MEETING
MUNICIPAL MEETING ROOM
FEBRUARY 23, 2009**

Chairman Aromando called to order the regular meeting of the Wall Township Planning Board at 7:40 P.M. Members present were Ralph Addonizio, Laurie Aromando, second alternate George Bednarski, Michael Clayton, Timothy Clayton, first alternate Kristin Coman, Dominick DiRocco, Timothy Farrell, Mary Hearn, Todd Luttmann, Attorney Hirsch, Engineer Rooney, Planner Bergailo, Planning Board Secretary Lang, Planning Board Recording Secretary Schinestuhl and Court Reporter Arnone. Committeeman Newberry was not present.

Chairwoman Aromando announced the meeting was being held in accordance with the "Sunshine Law" and a resolution adopted on January 12, 2009.

Chairwoman Aromando announced Summit Wall is going to be carried to March 16, 2009. They re-noticed for tonight so re-noticing is not required.

SALUTE TO THE FLAG

CARRIED APPLICATION

MR. & MRS. ROBERT ELSEY - PB#17-2008 – 1801 Allenwood Road, Block 762, Lots 28 & 29, R-40 zone. Application complete: August 14, 2008. Carried from January 12, 2009. Applicant requests minor subdivision approval. Minor

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

Ray Bogan, Esq. appeared for the applicant.

Attorney Bogan stated the applicant is proposing to subdivide the lot. Access will be from the existing driveway. It is located at 1802 Allenwood Road.

Sworn by Reporter Arnone:

Robert Elsey
Tracey Elsey
Ray Carpenter
Charles Rooney

Entered into evidence:

- A-1 Jurisdictional items
- A-2 Plan for minor subdivision prepared by Acre Survey Company last revised February 5, 2009. Architectural plan prepared by Richard Grasso last revised May 19, 2008
- A-3 Freehold Soil Conservation plan review dated November 20, 2008
- A-4 Monmouth County Planning Board plan review dated November 24, 2008
- A-5 Monmouth County Board of Health plan review dated December 1, 2008

A-6 NJDEP plan review dated September 8, 2008

A-7 SMRSA letter dated November 24, 2008

PB-1 Engineering plan review prepared by Charles Rooney dated December 17, 2008

PB-2 Planning review prepared by John Hoffmann dated January 5, 2009

PB-3 Bureau of Fire Prevention plan review dated November 21, 2008

PB-4 Bureau of Fire Prevention plan review dated February 9, 2009

PB-5 Bureau of Fire Prevention plan review dated February 18, 2009

PB-6 Planning review prepared by John Hoffmann dated February 20, 2009

PB-7 Engineering plan review prepared by Charles Rooney dated February 20, 2009

A-8 Colored rendering of subdivision plan

Attorney Bogan said he does not have a copy of the engineer's review letter dated February 20, 2009. He said he does not have a copy of the planner's review letter of February 20, 2009 either. He was given copies.

Ray Carpenter gave his credentials which were accepted by the Board.

Attorney Bogan asked Mr. Carpenter if he had the opportunity to review T & M's letter of February 20, 2009. Mr. Carpenter said yes just now. Attorney Bogan asked Mr. Carpenter to go through the letter. Explain the nature of the application.

Mr. Carpenter said the site contains 3½ acres. There is one acre of wetlands. It almost subdivides the property in half. There is an existing house at the rear of the property. We are proposing a lot that will front on Allenwood Road. The two lots will be using a common driveway. We are not asking for the house to be constructed at this time. The proposed house will be 30" X 40".

Attorney Bogan asked about the modifications on A-8. Mr. Carpenter said the darker green area is heavily wooded, the light green is grass and the gray area is existing. It also shows the gravel driveway.

Attorney Bogan asked about the existing dwelling. Mr. Carpenter said it sits to the rear of the site.

Attorney Bogan said they need a cross easement driveway for ingress and egress. Mr. Carpenter said yes.

Mr. Carpenter said the wetlands start at the bottom of the property to the limits of the driveway to the back of the property and back and then circles to the front. We asked for a transition waiver.

Attorney Bogan asked Mr. Carpenter if he can submit a copy of the plans referred to in the LOI for the wetlands determination. Mr. Carpenter said yes.

Attorney Bogan, referring to Mr. Rooney's review letter of February 20, 2009, said they can comply with 3.3, 3.4, 3.5 and 3.6.

Mr. Carpenter said, referring to 3.7, you are asking that the 9' wide strip along Allenwood Road be dedicated as a ROW to match the ROW to the east and west. Being that this front lot has wetlands we would rather it an easement instead of a dedication. Mr. Rooney said you have enough room to the rear to expand lot 28.02. Lot 28.01 is undersized. With a lot line adjustment they can meet the area for 28.02. Mr. Carpenter agreed.

Mr. Carpenter said, referring to 3.8, there are sidewalks to the south and none to the north. We are asking for a waiver for curbs and sidewalks. Curbs and sidewalks are a lot for a minor subdivision. There is 370' of frontage. You would have to widen the road about 8'.

Chairwoman Aromando said we discussed this in workshop and it is a requirement. To the south you have Central School and there is a concern for safety. The kids do not have any where to walk when coming from school. Just because of the schools it is a major concern. We are asking for sidewalks, curbs and road widening.

Mr. Easley said he has lived there his whole life. The house across the street does not have sidewalks. He said he is not trying to build a giant development. Others have been granted without sidewalks. What you are asking me to do will cost a lot of money. The new house by the Grange building does not have sidewalks.

Chairwoman Aromando said without having sidewalks would the kids be able to walk on the property. Mr. Rooney said it would certainly be compromised. If regraded and cleared they would.

Mr. Luttmann said the applicant said they would do additional grading in that area. Mr. Rooney said they would need clearing and grading done.

Chairwoman Aromando said our concern is children walking in the street.

Mr. Rooney said curbing and road widening should be done. The curb should be connected. Sidewalks there is a continuance to the south and west of the property but none to the north.

Chairwoman Aromando asked if there was a safety issue. Captain Clayton said how much traffic do you have by your house? Mrs. Elsey said the children are not permitted to walk to school. They are picked up by the bus. The children do not walk to school. From Central School to the daycare they are bused. Captain Clayton said they are bused to Central School that is why there is no crossing guard there. Chairwoman Aromando said put in curbing and widen the road. Grade the property so the children do not have to walk in the street.

Mr. Elsey asked you want me to put sidewalks to the south. Mr. Rooney said to the south. Match the alignment of the curb from the south to your property. The same with the sidewalks extending from the south of your property across your frontage.

Chairwoman Aromando said you have curbs on either side of you. Your curbing would have to come from the north and south and meet. Your property is 5' – 6' onto the lot. Mr. Elsey asked if they are to be curbs and sidewalks or just curbs. Chairwoman Aromando said if you put in the curbs pull back the property to match the other curbs and clear so the children will have grass to walk on. Mr. Elsey agreed.

Chairwoman Aromando said we will require curbing and not the sidewalks. Widen the easement 9' to match the north and south side. Take trees down so people can walk on the grass. Mr. Rooney said there may also be some grading needed.

Attorney Bogan said they will comply with item 3.9 and 3.10 it is hypothetical as long as they comply with the ordinance.

Attorney Hirsch said have the architect show us that the house can be constructed without going into the buffer. Mr. Carpenter said we have to submit a plot plan to conform to all requirements. Attorney Hirsch said there is no encroachment onto the buffer. Mr. Carpenter said correct. Chairwoman Aromando said the house will fit in the footprint. Mr. Carpenter said it will be a 30' X 40' house. We were asked to submit preliminary plans that could be put on this site. Mr. Rooney said he did not see the architectural. The house on the plans cannot be constructed without going into the buffer. One corner of the house is in the buffer. It is not possible to build what was submitted. Mr. Carpenter said he came up with a 30' X 40' house. They may come back with an "L" shaped or "U" shaped house that fits on this property. When submitting the plot plan it will have to comply with the ordinance.

Attorney Hirsch said at the TRC you showed something on the plan showing parking so they would not be in the road. The Board has several concerns with the shared driveway and one of the concerns is the parking area. With the garage underneath the house you have more parking. That will be a condition.

Attorney Bogan said would you agree that the rendering should show that the proposed dwelling is not going into the buffer. Mr. Carpenter said we can revise the plans that show it will not go into the buffer area. Parking will be exactly as shown on this plan.

Chairwoman Aromando said the Board's concern is parking. Mr. Rooney said they have a 40' X 40' parking area. Mr. Carpenter said 2½ - 3 parking spaces are required for a house of this nature. Three to four cars can fit there and we are planning on a garage under the house.

Chairwoman Aromando said the Board's concern is you may not build the same house. Keep a gravel driveway. No parking along the easement. Mr. Carpenter said he understands. He agrees to off street parking. He agrees to six cars or whatever the Board needs.

Attorney Hirsch asked are you willing to commit that there will be a 40' X 40' parking area. Mrs. Hearn said if we make it part of the condition a certain number of parking spaces be provided and the house footprint stay a minimum of 5' from the buffer. Attorney Bogan said that is acceptable. Mrs. Hearn said she is asking for four legal parking spaces. Attorney Hirsch said a

normal house only has to have two off street parking spaces. The issue here is the shared driveway. Attorney Bogan said they agree to four spaces outside the garage. Attorney Hirsch said and the footprint no closer than 5' from the buffer. Attorney Bogan said agreed.

Attorney Bogan said they will submit items in 3.11 and regarding 3.12 we will remove the encroachment.

Chairwoman Aromando said the driveway will be 18' wide. Mr. Carpenter said yes.

Mr. Rooney said by the existing house where the existing turn around is there is an encroachment to the property to the north. It extends pass this property owner. Mr. Carpenter said they will remove the encroachment.

Mr. Rooney said there is a 25' required buffer. Mr. Carpenter said we are asking for some relief on the buffer. The adjacent property is a cemetery.

Attorney Bogan said item 3.13 is an exhibit. We will comply.

Chairwoman Aromando asked if they have any issues with anything in Mr. Hoffmann's review letter. Attorney Hirsch sad we are going to need easements for water/sewer lines and an agreement regarding the shared driveway.

Mr. Carpenter explained they are asking for a variance because the driveway is within 5' of the property line. If we did not have the situation with the wetlands we would not be asking for this. 33% of the property is wetlands.

Chairwoman Aromando said another thing that needs to be discussed is the septic system. Mr. Carpenter said they are on site at the present time. Stormwater will be provided to both houses.

Attorney Hirsch asked you can comply with everything. Mr. Carpenter said yes.

The application was open and closed to the public.

Mr. DiRocco moved to approve the application for minor subdivision subject to payment of taxes and applicable assessments. The applicant will comply with the requirements of Freehold Soil Conservation District, Monmouth County Planning Board, Monmouth County Board of Health, NJDEP and NJDOT. The applicant will comply with Wall Township Affordable Housing Trust Fund and ADA requirements. The applicant will obtain a tree removal and soil remove permit. The applicant shall comply with the review letters of the Board Professionals. Variances are granted. The applicant shall extend curbing and widen the roadway. The applicant shall provide clearing for residents to walk. The applicant shall provide cross easements for common driveway and maintenance plan. The applicant shall provide four parking spaces adjacent to the house and garage parking. The footprint shall be limited to no closer than 5' from the buffer. The applicant shall provide a 9' ROW along Allenwood Road. The applicant shall provide a gravel driveway 18' wide. Mayor Clayton seconded the motion, which was approved by a roll

call vote. (Messrs. DiRocco, M. Clayton, Addonizio, T. Clayton, Mesdames. Coman, Hearn, Mr. Luttmann and Ms. Aromando voted yes. Mr. Farrell voted no.)

MINUTES TO BE APPROVED

Mr. Luttmann moved to approve the minutes of the Regular and Workshop Meeting of January 26, 2009. Mayor Clayton seconded the motion, which was unanimously approved by a roll call vote. Mr. Luttmann moved to approve the minutes of the Regular and Workshop Meeting of February 2, 2009. Mr. Addonizio seconded the motion, which was unanimously approved by a roll call vote.

RESOLUTION TO BE MEMORIALIZED

GEORGIANA DEBENEDICTIS – PB#18-2008

Block 840, Lots 25 & 28

Attorney Hirsch read the resolution of approval. Mr. Addonizio moved to adopt the resolution as read. Mr. Luttmann seconded the motion, which was unanimously approved by a roll call vote.

There being no further business to come before the Board, a motion was made, seconded and unanimously approved to adjourn the meeting at 8:35 P.M.

Respectfully submitted,

Betty Schinestuhl
Recording Secretary