

**WALL TOWNSHIP PLANNING BOARD  
MINUTES - REGULAR MEETING  
MUNICIPAL MEETING ROOM  
SEPTEMBER 21, 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, Michael Clayton, Tim Clayton, Dominic DiRocco, Timothy Farrell, Mary Hearn, Todd Luttmann, George Newberry, first alternate Kristin Coman, second alternate George Bednarski, Attorney Hirsch, Engineer Rooney, Planner Bergailo, Planning Board Secretary Lang, Planning Board Recording Secretary Schinestuhl and Court Reporter Arnone. Member Addonizio 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.

**SALUTE TO THE FLAG**

Chairwoman Aromando announced the Route 70 Office application will be carried to November 9m 2998. New noticing is required.

**NEW APPLICATIONS**

Mr. Luttmann recused himself on the Chapman application.

**ANDREW CHAPMAN – PB#6-2009** – 2900 Garfield Street, Block 227, Lots 5 & 6, R-10 zone. Application complete: May 18, 2009. Applicant seeks approval to subdivide premises to create new residential building lot fronting on Garfield Street. Minor with variances.

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

Dwight Pittenger, Esq. appeared for the applicant.

Entered into evidence:

- A-1 Jurisdictional Items
- A-2 Minor subdivision plan
- A-3 Monmouth County Planning Board plan review dated May 26, 2009
- A-4 Jersey Central Power & Light plan review dated September 10, 2009
- A-5 Freehold Soil Conservation letter dated July 31, 2009
  
- PB-1 Engineering plan review prepared by Charles Rooney dated June 16, 2009
- PB-2 Planning plan review prepared by Cheryl Bergailo dated June 22, 2009
  
- A-6 Aerial photos showing subject property
- A-7 Rendering of series of photos of subject property

Sworn by Reporter Arnone:

Christine A. Cofone  
Andrew Chapman  
Cheryl Bergailo  
Charles Rooney

Attorney Pittenger asked Mr. Chapman where he lived. Mr. Chapman said he lives at 1307 Xanadu Lane. He has only lived there a few months. He used to live at 2900 Garfield Street.

Attorney Pittenger asked you are the subject of this application. Mr. Chapman said yes.

Attorney Pittenger said this is a minor sub-division with variances. Mr. Chapman said correct.

Attorney Pittenger said you own lots 5 and 6. Mr. Chapman said yes. The lots are along Garfield and Monmouth Boulevard. He said it is down the street from the First Aid Building. He said he purchased lot 6 in 1954 and lot 5 in 1962.

Mr. Chapman explained they are separate lots and he pays separate taxes.

Attorney Pittenger asked if he ever owned any other property adjacent. Mr. Chapman said no.

Attorney Pittenger said in 1964 there was a home on lot 6. Mr. Chapman said yes.

Attorney Pittenger asked did you purchase lot 5 as an investment. Mr. Chapman said yes.

Attorney Pittenger asked when the driveway was expanded. Mr. Chapman said in 1963 he built the garage and put in the driveway.

Attorney Pittenger asked if he made any improvements to lot 6. Mr. Chapman said no he just mows the lawn.

Attorney Pittenger said the lot lines are the same as on the tax map. Mr. Chapman said yes.

Attorney Pittenger asked if there were any variances for lot 5 or will it conform. Mr. Chapman said it will conform. Attorney Pittenger said all variances are for lot 6. Mr. Chapman said yes.

Attorney Pittenger said the pool is in the front yard setback. Mr. Chapman said everything he did he had inspected and approved.

Attorney Pittenger said you obtained permits and obtained final inspections. Mr. Chapman said yes.

Attorney Pittenger said you have lived there over 55 years how has the neighborhood changed. Mr. Chapman said gradual improvements. Generally the people have taken care of their properties. It is a nice neighborhood.

Attorney Pittenger asked if there was any vegetation on lot 5 worth saving. Mr. Chapman said nothing that can't be cut down.

Attorney Pittenger said in reviewing the planner's review letter is there anything you can't conform to. Mr. Chapman said he doesn't see any problems.

Attorney Pittenger asked about installing curbs and sidewalks. Mr. Chapman said there are none in the whole neighborhood. Attorney Pittenger said there are no curbs or sidewalks. Mr. Chapman said no there is just grass up to the road.

Chairwoman Aromando asked your lot 6 is located on the corner. Mr. Chapman said yes.

Chairwoman Aromando said because you are on a corner some of the setbacks are not complied with. Mr. Chapman said he understands.

Ms. Hearn said you said you will comply with the planners review letter what about the engineer's review letter. Attorney Pittenger said the only comments had to do with the installation of curbs and sidewalks.

Attorney Hirsch said you will comply except for curbs and sidewalks. Attorney Pittenger said yes all other items can be satisfied.

Christine Cofone gave her credentials which were accepted by the Board.

Attorney Pittenger asked if she was familiar with the neighborhood. Ms. Cofone said yes. She explained it is a well-established and well-maintained neighborhood. There are no curbs or sidewalks. You can see significant investment going on. Using A-6 she showed the subject property. Within a five mile radius there are a significant number of corner lots that do not meet area. Twenty one lots do not conform and five do. Lot 5 will be completely conforming.

Attorney Pittenger said you have some photos of the area surrounding this lot including a pool in one of the front yards. Ms. Cofone said she took the photos. It is a non-conforming corner lot with a non-conforming pool. It is very difficult to see that pool because of the screening. The vegetation does an excellent job of screening the pool.

Attorney Hirsch asked what other variances are needed. Ms. Cofone said there are four needed for lot six, area, coverage, driveway and garage side yard setbacks. The others relate to the existing conditions on the property.

Chairwoman Aromando said the pool is not conforming because he has two front yards. The 6' fence is in the front yard because he has two front yards. Ms. Cofone said right.

Attorney Pittenger asked if this would be positive for the neighborhood. Ms. Cofone said population density would be consistent with the zoning and desirable environment.

Attorney Pittenger said would the granting of this be a detriment to the surrounding neighborhood. Ms. Cofone said no negative impact on the public good. No substantial detriment what-so-ever. It is consistent with what is in the area today.

Attorney Pittenger asked if there would be an impact on the Master Plan. Ms. Cofone said no it is consistent with the Master Plan and density.

Chairwoman Aromando said the entire area does not have sidewalks or curbs. Since that entire area doesn't have them do you see any detriment? Mr. Rooney said he does not. He said as far as he knows the town is not planning any curbs or sidewalks.

The application was open and closed to the public.

Ms. Hearn asked regarding the engineer's review letter will you conform accept for the curbs and sidewalks. Attorney Pittenger said yes and the project will be map deeded. He said they will comply with T & M's review letter and the planners review letter. The lot numbers will be changed as per the assessor.

Ms. Hearn moved to approve the application. Curbs and sidewalks do not need to be installed. Variances are granted. The applicant will comply with the review letters of the Board Professionals. Mr. Farrell seconded the motion, which was unanimously approved by a roll call vote. (Ms. Hearn, Messrs. Farrell, Bednarski, M. Clayton, T. Clayton, Ms. Coman, Messrs. DiRocco, Newberry and Ms. Aromando voted yes.)

Mr. Luttmann returned to the meeting.

Mesdames. Coman and Hearn recused themselves on the Home Mark Homes application.

### **CARRIED APPLICATION**

**HOME MARK HOMES – PB#7-2009** – 2406 Highway 34, Block 813, Lot 7, LB-20 zone.

Application complete: June 8, 2009. Carried from July 13, 2009. Applicant requests permission to construct a new office building 2,995 s.f. with related site improvements. Site with variances.

Mark R. Aikins, Esq. appeared for the applicant.

Entered into evidence:

- A-3 Site plan consisting of four sheets prepared by Kurtz Engineering last revised September 9, 2009
- A-4 Stormwater Management report prepared by Kurtz Engineering last revised September 9, 2009

PB-4 Planning plan review prepared by Cheryl Bergailo dated September 17, 2009

PB-5 Engineering plan review prepared by Charles Rooney dated September 21, 2009

Attorney Aikins said we pretty much covered everything but the Board wanted us to go over some things.

Chairwoman Aromando said Mr. Torareto testified that there will be two full-time and two part-time assistants. Mr. Torareto said that is correct.

Chairwoman Aromando said you also testified a financial committee meets about once a month. Mr. Torareto said we rotate offices. Chairwoman Aromando asked how many people in attendance. Mr. Torareto said between 25 – 30.

Chairwoman Aromando said we were discussing possibly reducing the parking lot but it doesn't appear that is possible. Attorney Hirsch asked how many cars. Mr. Torareto said 3 – 4 people in a car maybe 12 – 15 cars. Mayor Clayton asked how often. Mr. Torareto said once a month. Our meetings are scheduled throughout the state. Mayor Clayton asked how often at this facility. Mr. Torareto said maybe twice a year. Attorney Aikins explained 18 parking spaces are proposed and 15 are required. It is not an overwhelming amount of parking. Chairwoman Aromando said if you didn't need all 18 spots you could leave more trees. It was our understanding you would only have about four people but have meetings once a month. Attorney Aikins said we can build 15 so it complies and green bank the remaining three. Chairwoman Aromando said just bank those last three. Attorney Aikins agreed.

Chairwoman Aromando said the last three would be closest to the street so you can keep as many trees as possible. Attorney Aikins agreed those are the furthest from the building. Chairwoman Aromando said you are going to bank three unless needed.

Deputy Mayor Newberry asked about the light pole. Are you going to eliminate that? Mayor Clayton said do you think we should eliminate it. Attorney Aikins said we will do all the installation and have the Land Use Office decide.

8:47 P.M. the fire alarm went off. Everyone left the building.

8:55 P.M. the meeting resumed.

Chairwoman Aromando asked if we remove those spots are you going to keep some of those larger trees. Attorney Aikins said he would work with the engineer to save those trees.

Chairwoman Aromando said being you are taking those spots out could you slide those lights down. Deputy Mayor Newberry said he would yield that to the engineer. Mr. Rooney said if we removed two on the southeast side they can move it over to the last space. On the northwest side it depends on the amount of trees that will be cleared. I would like to meet with the applicant's engineer. Attorney Aikins said William Kurtz will meet with Mr. Rooney.

Chairwoman Aromando said you are removing two spaces from the south side and one from the north side. The lights will be placed depending on what the engineer decides. Deputy Mayor Newberry said that is fine.

Chairwoman Aromando asked Mr. Rooney if he was looking for some test results. Mr. Rooney said the soil borings were not submitted to us. I have no comments on the design. As they do not have the 1' clearance it may have to be reconfigured. Attorney Aikins said they are 1' above. Mr. Kurtz will show that. If not we will redesign.

Chairwoman Aromando said the free-standing sign you want it on 34. Attorney Aikins said there is some confusion. The sign will be moved from 34 to Paynters Road.

Mr. Rooney asked for the size of the sign. Attorney Aikins said it will meet the requirements. It will not exceed the zoning.

Chairwoman Aromando said the trash enclosure will have a privacy fence around it. She asked Mr. Rooney and Ms. Bergailo if they had anything outstanding. Ms. Bergailo said just additional landscaping. Attorney Aikins said they will comply with that. He also stated they will comply with Mr. Rooney's review letter.

Chairwoman Aromando said the basement will be restricted just to mechanicals. Attorney Aikins said yes there will be no occupancy. Attorney Hirsch said deed restrict that. Attorney Aikins agreed.

Mr. Rooney said he needs a little more information on the sign. Mr. Torareto said they are just looking for a very small sign. Deputy Mayor Newberry said the sign is to show the numbers and the names. Mr. Torareto said it will show Probation Association of New Jersey. Chairwoman Aromando said nothing larger than 10 – 15 s.f. Attorney Aikins said originally a 3 X 3 sign was proposed. The height will be about 5' above the surface. Chairwoman Aromando said no larger than 15 s.f. and no higher than 7'. Attorney Aikins said that sounds fine. Attorney Hirsch asked about lighting the sign. Attorney Aikins said just a back light.

Chairwoman Aromando asked about the entrance on 34. Attorney Aikins read an e-mail and said he met with DOT representative Mazharparoya. He does the reviews. He advised that based on the flow of traffic the property would be granted limited access on 34. There would still be a need for an entrance on Paynters.

The application was open and closed to the public.

Mr. Farrell moved to approve the application subject to payment of taxes and applicable assessments. The applicant will comply with the requirements of Freehold Soil Conservation District and Monmouth County Planning Board. The applicant will comply with Wall Township Affordable Housing Trust Fund. The applicant shall comply with the review letters of the Board Professionals, Wall Township Water/Sewer Engineer and Wall Township Fire Prevention. Variances are granted. The applicant shall erect a fence around the trash enclosure. The applicant will install 15 parking spaces and bank three. The applicant will remove two on the southeast side along with one of the lights and one parking space on the northeast side. The applicant shall work with the Board Engineer regarding tree plan. Stormwater management will comply. Design with borings will comply with Mr. Rooney and State ordinances. The sign will

be moved from 34 on to Paynters Road. It will be no larger than 15 s.f. The light will shine away from the residents. The basement will be for mechanicals and storage only, no occupancy. Entrance will be on Paynters Road. Attorney Hirsch said the applicant must submit a detailed lighting plan. Mr. Rooney said the lights will be relocated not removed. Mr. Luttmann seconded the motion, which was unanimously approved by a roll call vote. (Messrs. Farrell, Luttmann, Bednarski, T. Clayton, M. Clayton, DiRocco, Newberry and Ms. Aromando 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 9:05 P.M.

Respectfully submitted,

Betty Schinestuhl  
Recording Secretary