

**WALL TOWNSHIP BOARD OF ADJUSTMENTS
MINUTES – STUDY SESSION
CONFERENCE ROOM B
SEPTEMBER 19, 2018**

Members present –Mr. Addonizio, Mr. Dorrer, Ms. Hearn, Mr. McBarron, Mr. Morris, Ms. Morrissey, Mr. Slocum, Attorney Cramer, Mr. Zahorsky, Ms. Coyne, Mr. Taylor, Mr. Gerkin, Ms. O’Sullivan and Ms. Meehan.

Members absent – Chairwoman DeSarno and Mr. Gray

I. BOA #21-2018 Shawn Clayton & Amy Clayton – Ms. Hearn discusses the application with the Board.

II. BOA #19-2018 George Mueller – an interpretation of the resolution from 1/14/15. Mr. Taylor discusses the application. Ms. Coyne discusses her position.

III. BOA#15-2018 Tesla Motors LLC – Mr. Morris discusses the application with the Board. Mr. Taylor discusses the application and clarifies questions of the Board.

IV. Resolution – BOA #14-2018

V. Minutes for 9/5/18

Vice Chairwoman Morrissey asked if anyone had anything further to add. Nothing else was added.

The meeting adjourned at 7:30 p.m.

Respectfully submitted,

Lindsay Meehan
Recording Secretary

**WALL TOWNSHIP BOARD OF ADJUSTMENTS
MINUTES – REGULAR MEETING
MUNICIPAL MEETING ROOM
SEPTEMBER 19, 2018**

Members present –Mr. Addonizio, Mr. Dorrer, Ms. Hearn, Mr. McBarron, Mr. Morris, Ms. Morrissey, Mr. Slocum, Attorney Cramer, Mr. Zahorsky, Ms. Coyne, Mr. Taylor, Mr. Gerkin, Ms. O’Sullivan and Ms. Meehan.

Members absent – Chairwoman DeSarno and Mr. Gray

I. Vice Chairwoman Morrissey opens meeting at 7:30 p.m.

- A. Salute to flag
- B. Attorney Cramer recites Open Meetings Act
- C. Roll Call

II. **BOA #23-2018 5005 Realty, LLC** carried to 10/17/18 with noticing required (1:20)

III. **BOA #21-2018 Shawn Clayton & Amy Clayton** Block 273 Lot 13.05 1279 Bradford Run, R-30 Zone, Application deemed complete 7/18/18 Applicant proposes construction of a pool and associated decking to rear of existing single-family home. Bulk (1:42)

- A. Mark in evidence (2:32)
- B. Swear in Mr. Clayton and Mr. Katz (4:27)
- C. Attorney Raymond Bogan discusses the application (5:00)
- D. Mr. Clayton testimony (5:41)
- E. Questions from the Board (14:16)
 - 1. Ms. Morrissey questions the 6’ fence
 - 2. Discuss the tree clearing to put in the pool – taking out about 11 to 12
 - 3. Will be submitting an as-built
 - 4. Any drainage should be mitigated to satisfaction of engineer
- F. Mr. Zahorsky and Ms. Coyne are satisfied with the testimony to their letters (16:52)
- G. Questions of Mr. Katz, builder of pool (21:01)
- H. Ms. Hearn motion to approve **BOA #21-2018 Shawn Clayton & Amy Clayton** with the following conditions (22:44):
 - 1. screening of the pool equipment per ordinance
 - 2. zoning and building permits obtained for the existing hot tub
 - 3. any negative drainage to be mitigated
 - 4. as-built plan with zoning chart
- I. 2nd Mr. Addonizio (23:48)

- J. Roll Call: Ms. Hearn, Mr. Addonizio, Mr. Morris, Mr. Slocum, Mr. Dorrer, Mr. McBarron, and Vice Chairwoman Morrissey

IV. BOA #19-2018 George Mueller Block 819 Lots 17 & 18 1915 & 1917 Atlantic Ave OR-5 Application Deemed Complete 6/8/18 Applicant is requesting an interpretation of the resolution (dated 1/14/15) approving the application for a multi-use site.

Interpretation / Appeal (25:30)

- A. Marks in evidence (26:11)
- B. Swear in Board Professionals Mr. Taylor and Mr. Gerkin (28:29)
- C. Attorney Thomas Hirsch discusses the application (29:01)
 - 1. Gives background of prior approval and history of the site (31:31)
 - 2. Discusses different points in the resolution (38:34)
 - 3. Reads excerpts from transcripts of prior meeting (42:01)
 - 4. Discusses the conclusion of the resolution (45:14)
 - 5. Asking Board to confirm the record from years ago (48:14)
- D. Board Questions (50:22)
 - 1. Mr. Slocum asked about the conditions from the previous resolution – Attorney Hirsch stated essentially all conditions were met with the exception of the front parking lot; in order to re-do parking and driveway entrance there are telephone poles that need to be removed first – they are in the process
 - 2. Vice Chairwoman Morrissey asked if resolution compliance should be met first before the interpretation – Attorney Hirsch stated they are not looking for CO, but are looking for clarification on tenants
 - 3. Ms. Hearn asked Attorney Hirsch why Ms. Coyne denied the zoning permit to which he and Mr. Taylor discussed
 - 4. Vice Chairwoman Morrissey asked if the Board members who were not on the Board at the time should read through the resolution, and also if Cheryl should respond to her initial report (1:14:12)
 - 5. Mr. Gerkin agrees that Mr. Hirsch has approval of what the applicant is asking for (1:19:50)
 - 6. Mr. Addonizio asks about the apartment use.
- E. Application is carried to November 7, 2018 with no further noticing – Ms. Coyne and Mr. Zahorsky to be present at the next meeting (1:25:31)

V. BOA #15-2018 Tesla Motors LLC Block 912 Lot 4.03 1310 Hwy 34 HB-200 Zone Application deemed complete 5/21/18 Applicant proposes to expand an existing non-conforming WAWA fast food convenience store with gasoline station by installing an accessory Tesla electric vehicle super-charging facility. Site w/ Use (1:26:25)

- A. Marks in evidence (1:27:30)
- B. Attorney Frank Ferraro on behalf of the applicant (1:28:24)

- C. Swear in Joseph Hampton (1:29:12)
- D. Attorney Ferraro discusses the application (1:29:50)
- E. Mr. Hampton, civil engineer, testimony (1:30:35)
 - 1. Will work with Board professionals on landscaping (1:57:19)
 - 2. In agreement with items proposed from fire bureau (1:58:20)
 - 3. In agreement with #5 on Mr. Taylor's letter (1:58:56)
 - 4. Nothing in reports that object to (1:59:20)
- F. Marks board exhibits into evidence (2:05:04)
- G. Recess for 5 minutes (2:05:52)
- H. Continue Mr. Hampton testimony (2:05:53)
 - 1. Will realign and move transformer east approximately 5' (2:06:14)
- I. Swear in Mr. Karlebach (2:08:21)
- J. Mr. Karlebach's testimony (2:09:05)
- K. Questions from the Board (2:17:29)
- L. Public portion opened / closed (2:18:08)
- M. Mr. Morris motioned to approve **BOA #15-2018 Tesla Motors LLC** with Conditions (2:18:55)
- N. 2nd Mr. Slocum (2:20:36)
- O. Roll Call: Mr. Morris, Mr. Slocum, Mr. Addonizio, Ms. Hearn, Mr. Dorrer, Mr. McBarron and Vice Chairwoman Morrissey

VI. Resolution (2:21:33)

- A. BOA #14-2018 – Timothy Prol – Motion Mr. Dorrer, 2nd Mr. Morris – All in Favor

VII. Minutes (2:22:25)

- A. 5/16/16 – All in Favor

VIII. There being no further business to come before the Board, a motion was made, seconded and unanimously approved to adjourn the meeting at 10:05 p.m.

Respectfully submitted,

Lindsay Meehan

Recording Secretary