

**WALL TOWNSHIP PLANNING BOARD
MINUTES - REGULAR MEETING
MUNICIPAL MEETING ROOM
FEBRUARY 1, 2010**

Chairman DiRocco called to order the regular meeting of the Wall Township Planning Board at 7:30 P.M. Members present were Tim Clayton, Tim Farrell, Mary Hearn, Todd Luttman, George Newberry, Matt Nolan, Dominick DiRocco, first alternate Kristin Coman, second alternate George Bednarski, Attorney Rubino, Engineer Rooney, Planner Bergailo, Planning Board Secretary Lang, Planning Board Recording Secretary Schinestuhl and Court Reporter Arnone. Member Addonizio was not present.

Vice Chairman Luttman announced the meeting was being held in accordance with the "Sunshine Law" and a resolution adopted on January 11, 2010.

SALUTE TO THE FLAG

Chairman DiRocco said there are two matters on for tonight, first O'Neill/Hughes and then Route 70 Office Park. ASP is being carried to February 22, 2010 and no new noticing is required. Diamond Developers is being carried to April 12, 2010 and no new noticing is required.

CARRIED APPLICATIONS

O'NEILL/HUGHES – PB#10-2009 – 1323 Magnolia Avenue, Block 276, Lot 12 & 13. R-7.5 zone. Application complete: December 14, 2009. Applicant seeks to amend minor subdivision approval to maintain the existing residence. Minor with variances.

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

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

Attorney Middleton explained this was approved in July 2008. The applicant has several requests. He would like to eliminate the buffer. The property is on Magnolia Avenue. It is located at the rear of Brook 35. There is a 25' buffer surrounding the property. The applicant received approval to raze the existing home. The applicant does not want to raze it. It is 35' off the property line. Regarding the requirement for sidewalks and curbs there are none in Sea Girt Estates. The home was supposed to be razed. Regarding the guide rail at W. Magnolia the applicant was a little confused. Mr. Rooney explained it at the TRC. Chairman DiRocco said we discussed that at workshop. Some sort of markings for safety purposes should be erected.

Entered into evidence:

A-1 Jurisdictional Items

A-2 Minor subdivision plan prepared by Paul K. Lynch dated October 1, 2009

A-3 Resolution dated September 8, 2008

PB-1 Engineering plan review prepared by Charles Rooney dated January 7, 2010

PB-2 Planning plan review prepared by John Hoffmann dated January 12, 2010

PB-3 Water/Sewer report prepared by Roberts Engineering dated January 16, 2010

A-4 Aerial photo taken 2009 showing no sidewalks or curbs also showing the buffering between the two properties

A-5-9 Photos (9) of the buffer as seen from Brook 35

A-10 Photo board prepared by the applicant showing the rear and side yard of the property

Sworn by Reporter Arnone:

Mary O'Neill
Cheryl Bergailo
Charles Rooney

Attorney Middleton asked if this was the estate of Ms. O'Neill's father. Ms. O'Neill said yes.

Attorney Middleton asked when he moved there. Ms. O'Neill said in 1956.

Attorney Middleton said he built the house. Ms. O'Neill said yes.

Attorney Middleton said approximately two years ago approval was given for a minor sub-division and razing of the existing house and creating two lots. Ms. O'Neill said yes.

Attorney Middleton said there were several stipulations in the resolution that caused you concern. Ms. O'Neill said yes. Attorney Middleton said one of the concerns was the 25' buffer. Ms. O'Neill said yes.

Attorney Middleton asked Ms. O'Neill to explain her concerns. Ms. O'Neill said there is already a dense buffer surrounding the property. The building on the south side of the property is a professional complex. The buildings create a buffer. It creates more privacy. On 35 that was always an open field then they built that shopping center and crated additional buffering.

Attorney Middleton said the back yard is 35' with a 25' buffer you would only have 10' left. Ms. O'Neill said correct.

Attorney Middleton asked if she was familiar with Sea Girt Estates. Ms. O'Neill said yes.

Attorney Middleton asked if there were any sidewalks or curbs. Ms. O'Neill said no. Attorney Middleton said the aerial map shows no sidewalks or curbs.

Attorney Middleton said you do not want to raze the house. Ms. O'Neill said no.

Attorney Middleton said you need a variance for 2½'. Ms. O'Neill said yes.

Attorney Middleton said you are willing to put in the rail at the end of the block. Ms. O'Neill said no problem.

Attorney Middleton said the Board suggested you supplement the plantings. Ms. O'Neill agreed.

Mr. Bednarski asked, regarding the driveway, how you would get access. Ms. O'Neill said you would not be able to use it for a car anymore. Mr. Rooney said the garage will not be able to function as a garage. That driveway will be removed as per the plans. Mr. Bednarski asked can you have a garage without a driveway. Mr. Rooney said we do not regulate interior spaces. Attorney Middleton said it will be used as storage area. Attorney Rubino said you don't want someone to buy it thinking that you use the lot to get into their garage. Attorney Middleton said they would agree that the garage would not act as storage for cars. Ms. Hearn said it does not have to be for vehicles at all.

Chairman DiRocco asked where are the garage doors located. Ms. O'Neill said at the side entrance to the garage. The garage door is not in the front. It is a single garage.

Ms. Hearn said we have designed spaces that are not large enough to house a garage. It is on the side it is preferable than the front.

Mayor Newberry said if approved the resolution should state that the garage is no longer to be used as a garage. There will no longer be a driveway.

Ms. Hearn asked if there were any issues with the review letters. Attorney Middleton said regarding the planner's letter they prefer not to have to do the buffer.

Mayor Newberry suggested on the guide rail put on a few reflective decals. Attorney Middleton agreed.

The application was open and closed to the public.

Ms. Hearn moved to approve the application. The existing home will remain and a new home will be erected on the new parcel. Three variances are granted. The guide rail will be constructed per Township requirements. There will be no driveway leading to the garage. Deed restriction on the new lot, 15' buffer between both structures be provided. Waiver on sideways and curbs is granted. Mr. Farrell seconded the motion, which was unanimously approved by a roll call vote. (Ms. Hearn, Messrs. Farrell, Bednarski, Clayton, Ms. Coman, Messrs. Luttman, Newberry, Nolan and DiRocco voted yes.)

ROUTE 70 OFFICE – PB#1-2008 – 2703 Ramshorn Drive, Block 893, Lot 108, OP-10 zone. Application complete: January 29, 2008. Carried from March 17, 2008, July 14, 2008, December 15, 2008, April 20, 2009, June 15, 2009, July 13, 2009, September 21, 2008, November 9, 2009 and December 14, 2009. Applicant proposes to construct three two story medical office buildings. Building "A" 16,500 s.f. and Buildings "B" & "C" 17,514 s.f. Site

with variances.

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

Attorney Middleton explained Al Zager, Esq.'s office building is on the inside of the jug handle. Dr. Trad's property is serviced by well water. If the Board approves this application Dr. Trad would like to tap into the water line. The water line will be very close to us. Dr. Trad would pay for the service. He said he spoke with Matt Zahorsky and asked if there was anything required from the town. It seems all are amicable.

Chairman DiRocco asked Mr. Rooney if he had any issues. Mr. Rooney said none the water/sewer consultant has no problem. Attorney Rubino asked Attorney Middleton to get a letter stating this.

Attorney Middleton said at the last meeting Mr. Kociuba was going to start testifying.

Sworn by Reporter Arnone:	Joseph Kociuba
	Scott Kennel
	Cheryl Bergailo
	Charles Rooney

Joseph Kociuba gave his credentials which were accepted by the Board.

Attorney Middleton asked Mr. Kociuba if he was part of the design team. Mr. Kociuba said yes.

Attorney Middleton asked if he was familiar with the zoning. Mr. Kociuba said yes.

Attorney Middleton asked if he was familiar with the surrounding properties. Mr. Kociuba said yes.

Mr. Kociuba explained the site is located on block 893, lot 108. It is an odd shaped lot. It is along Route 70. It has frontage along three different roads, Route 70, Old Bridge and Ramshorn Drive. Dr. Trad, Luk Oil and Dunkin Donuts are next door. There are residential properties across the street on Ramshorn and along the rear. The site consists of 9.6 acres. There is a DOT detention basin on the northeast corner and townhouses across the street just north. The jug handle cuts into the property. The site is undersized in area. Frontage on Ramshorn Drive and depth are all existing conditions. Mr. Kociuba explained 10 acres is required where the site is 9.6 acres. Lot frontage is 390' and 500' is required. This is existing.

Mr. Kociuba explained the applicant is proposing three two-story office buildings. The property grades from 70 to the rear of the property and then south toward Ramshorn. There is a man made swale constructed on the property when the DOT basins were installed. The basin drains toward Ramshorn Drive. There is a small man made pond. The property is vacant. It consists mostly of cedar and low lying forest. To the north there are oaks 40' – 50' in height.

Mr. Kociuba explained they are proposing three two-story medical office buildings. The buildings total square footage will be 51,528. Building A will front on Ramshorn Drive, buildings B & C will front 70. There will be entrances in the front and rear. 110 parking stalls are required and are proposed. The closest building will be 150' from the residential properties and 164' from the residents on Horseshoe Drive. They will fully comply with the 75' buffer. We will continue the buffer along the entire portion of the property. There are wetlands in the rear area which we will preserve. We have made application to the DEP. Mr. Kociuba explained the wetlands are to the north.

Chairman DiRocco asked about clear cutting the buffer and replacing it. Mr. Kociuba said along Building A there will be no clearing, along B & C there will be a minimal amount of clearing because of the grading of the site.

Chairman DiRocco said Buildings B & C are higher than the residential properties. Mr. Kociuba said yes we have to raise that up; now the slope is too deep.

Mr. Nolan how high are you going to raise it up. Mr. Kociuba said 6' – 7'.

Chairman DiRocco asked if you will be installing a fence or barrier. Attorney Middleton said yes. He said they thought it was a better design to go 15' – 20' into the buffer and replant with evergreens instead of a retaining wall. Mr. Rooney said that is ok. Mr. Kociuba said there is a landscaping plan proposed.

Committeeman Luttman asked what is the height of the trees in the 75' buffer. Mr. Kociuba said basically 40' – 50' tall and they are oak trees as you go further south there are mostly cedar they do not have the same height but they are very thick. They are 20' – 30' in height. In addition to that there is an existing evergreen screen that was installed during the residential project. They are 25' – 30' tall spruces. Attorney Middleton said around Building B it is extremely thick. This was a corn field at one time. When they let it go all the cedars began to grow.

Mr. Kociuba explained around Building A the trees were 5' – 10' shorter. You may be able to see the peaks but Building A would not be seen from Horseshoe Drive. Building C is closer to the taller oaks and will be difficult to see. Building B the eave is approximately at the top of the trees if not a few feet taller.

Mr. Kociuba explained all buildings are within the limits or below by a decent amount.

Mr. Rooney asked Mr. Kociuba to discuss the topography in relation to the residents to the west. Mr. Kociuba said using the grading and drainage plan, #A-17, the highway has a high point at our proposed entrance. The existing grade at building B & C the elevation is 42'. It is 13' below the highway. It is just shy of a 10% slope. DOT regulates the slope on to the site. Existing dwellings in the back grade is 35' on lot 102 up to about 40' at lot 99. The houses are also below the highway. Building B the highway slopes down from 36' to about 27'. The current grade is about 28' and we are raising that to 31.5'.

Mr. Rooney said the homes are a good distance away. Mr. Kociuba said the grade does drop off from elevation 22' up to about 26'. Those homes are about 4' below the roadway.

Mr. Kociuba explained Buildings B & C are identical, 17,500 s.f. each. They have entrances on the north and south. We propose 235 parking stalls for the two buildings and 234 are required. It is all medical. He explained the difference between medical and office parking stalls. The entrance on 70 will be to the north. Right in and right out. It is 142' from the residential properties to the rear. We will comply with the 75' residential buffer. We are 200' from the closest residents on Horseshoe Drive and 195' from the existing medical office. We meet impervious coverage.

Mr. Kociuba said the maximum building coverage allowed is 20% and we are at 6.19% and maximum impervious coverage allowed is 50% and we are at 46.69%. We do need a front yard setback variance for Building A, Building B & C set back variance to Route 70 and Building B to the jug handle. 150' is required and we are proposing 70' for building A.

Mr. Kociuba explained we pulled the buildings closer to 70 to keep them away from the residential properties, reducing the impact to the neighbors.

Ms. Hearn asked for the distance from the other commercial buildings to the south and north. Mr. Kociuba said to the south I don't know the setback they are approximately 25' and to the jug handle that is about 20', to the north maybe 55' – 60' from the highway. Buildings B & C are about 76'.

Mr. Kociuba explained they are proposing two free-standing signs, one on the front entrance on 70 and one on the corner of the property to provide more visibility. Variances are required for two signs where only one is permitted. The sign on 70 for Building B & C will be 79 s.f. and setback 10'. The sign on Ramshorn is smaller 36.9 s.f. It will be 7' tall and setback approximately 5' from the ROW along the jug handle.

Committeeman Luttman said the total is about 110 s.f. Attorney Middleton said yes where 150 s.f. is permitted.

Attorney Middleton asked Mr. Kociuba to explain why two entrances and why Building A is not connected to Buildings B & C. Mr. Kociuba said there are some wetlands in the area where the detention basin is proposed. Originally the intention was to keep them separate. The entrance for Building A will not get any cut through traffic. Also there is no permitted access on Old Bridge Road as per DOT.

Mr. Bednarski said are the signs internally or externally lit. Mr. Kociuba said externally.

Mrs. Coman asked if there were going to be any building mounted signs. Mr. Kociuba said we are not proposing any at this time but they will conform.

Mr. Kociuba said Building A will operate as a single entity. Truck loading is not anticipated for this type of use, Fed Ex, UPS and emergency access is provided. There will be two way travel. Parking stalls will be 18' because we are in the CAFRA zone. The trash enclosure we are proposing two. Buildings B & C it will be 20' X 20', Building A it will be smaller 15' X 18'. We meet the size anticipated for medical. Building A the trash enclosure will be at the north corner and Building B & C it will be south of the two buildings.

Chairman DiRocco asked about trash pick-up. Attorney Middleton said they will be picked up about 7 A.M., they will be in garbage cans.

Mr. Kociuba stated there will be no basements. The only noise is the mechanical equipment for the HVAC. They are going to be on the roof of the buildings. All the units will be in the center of the roof surrounded by 6' parapet wall.

Chairman DiRocco asked about noise. Attorney Middleton said the architect could not be here tonight. He will have the regarding noise numbers at the next hearing. Mr. Rooney asked to have something in advance of that meeting. Attorney Middleton agreed.

Mr. Kociuba said we have submitted the DOT access permit application. We do propose sidewalks around all buildings. Stormwater Management proposed is a series of basins. Building A has one along the front of the property. The Ramshorn Drive basin will take the water generated by Building A. It will go into the wetlands area. This will reduce the Stormwater to below requirements. The length is 160' X 40'. It is surrounded on all sides by landscaping. Bushes and shrubs as well as shade trees will be planted. The depth of the basin will be 2½'. Basins are also proposed by Buildings B & C. It will be located in the center portion of the property. It is designed according to Township ordinance. It will discharge into the wetlands. It will have a sandy bottom. Proposed landscaping around this one also.

Attorney Middleton said it will not impact the run-off on Route 70. Mr. Kociuba said correct. We are reducing the run-off. An underground re-charge is proposed in the parking lot. All the roof drains from the buildings will go to an underground system.

Attorney Middleton asked about the utilities and lighting. Mr. Kociuba said we will connect to the Wall Township sewer system. We are working with the Township water/sewer engineer. The application will require a treatment works approval. Fire hydrants will be provided throughout the site. 20' mounted lights are proposed. Minimum of 0.5 foot candles. Shields throughout the site. There will be lights in the parking area they are one stall in we will move those lights into the curb islands. We have to raise those lights 3'.

Attorney Middleton asked how far they are from the buffer. Mr. Kociuba said there will be no spillage beyond the property line.

Attorney Middleton asked how far from the buffer are you going to see any lights. Mr. Kociuba said maybe 10'.

Attorney Middleton said Mr. Kociuba will finish up at the next hearing. The noise issue will be discussed. Traffic will be discussed. It is a permitted use but I will have him here. We will rap it up with the planner. It will probably take two more hearings.

Chairman DiRocco said we will carry this to March 15, 2010. Attorney Middleton waived the time limits until June 30, 2010.

Ms. Hearn said please have the hours of operation at the next meeting.

Chairman DiRocco said no further noticing is required.

RESOLUTIONS TO BE MEMORIALIZED

WILLIAM SCHARFENBERG – PB#9-2007

Block 876, Lot 18

Attorney Rubino read the resolution of approval. Committeeman Luttmann moved to adopt the resolution as read. Mr. Farrell seconded the motion, which was unanimously approved by a roll call vote. (Messrs. Luttmann, Farrell, Clayton, Ms. Coman, Mr. Newberry, Ms. Hearn and Mr. DiRocco voted yes.)

STORMWATER MANAGEMENT PLAN

Attorney Rubino read the resolution of approval. Committeeman Luttmann moved to adopt the resolution as read. Mayor Newberry seconded the motion, which was unanimously approved by a roll call vote. (Messrs. Luttmann, Newberry, Bednarski, Clayton, Mesdames Coman and Hearn 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 9:00 P.M.

Respectfully submitted,

Betty Schinestuhl
Recording Secretary