

The meeting was opened by Mr. Slazyk at 7:30 p.m.

Mr. Slazyk read a statement of compliance with the *New Jersey Open Public Meetings Law* as follows:

This is a regular meeting of the Zoning Board of Adjustment of the Borough of Tinton Falls and is being held in compliance with the New Jersey Open Public Meetings Law. Adequate notice of this meeting has been given by posting on the bulletin board of the Municipal Building and by publishing in the The Coaster and the Asbury Park Press.

Mr. Slazyk then led the meeting in a salute to the flag.

Ms. Connolly took roll call.

Present John Slazyk, Mr. Lomangino, Mr. Porzio, Mr. Brawner, Mr. McKinley,
Ms Berk, Ms. Hatami

Absent: Chairman Palmieri, Vice-Chairman Battista

Also present: Mark Aikins, Esq., for Mr. Hirsch
Mr. Neff, Board Engineer
Ms. Connolly, Board Secretary

Mr. Slazyk read a statement of procedural guidelines.

Meeting Minutes

Mr. Slazyk states that board members have reviewed the July 6, 2017 meeting minutes.

Motion is made by Mr. Porzio and seconded by Ms. Berk to accept the meeting minutes. All in Favor by those members eligible to vote.

Resolution

BA 2017-09 Michaelski, 14 Hialeah Court, Blk 64.02 lot 6.

Mr. Porzio and Mr. Brawner were absent for the June 1, 2017 meeting but have listened to the recording of the June 1, 2017 meeting and have filled out an affidavit stating same and are eligible to vote.

Motion is made by Mr. Porzio and seconded by Ms. Berk to memorialize the resolution in this matter.

New Business

BA 2017-05 – Wellington, Patricia , 7 Hialeah Court, Blk 64.02 lot 8

This matter has been continued from May 18, 2017. The Board is in receipt of a request from the law office of Richard C. Sciria stating that he has just been retained to represent Ms. Wellington and would like the matter adjourned to the next possible hearing date. Mr. Slazyk states that the next hearing date is August 3, 2017 and Mr. Sciria has indicated that he is available for that date to the Board secretary. Therefore, this matter will be adjourned until August 3, 2017. Mr. Slazyk states that if anyone is in attendance for this matter, it is adjourned until August 3, 2017.

BA 2017-06 Drennan, 15 Partridge Lane, Blk. 38 lot 25– continued from June 1, 2017.

Mr. Akins reminds Mr. Drennan that he is still under oath. Mr. Drennan summarizes the variances he is requesting. He states he has brought down his lot coverage percentage request to 20.5% and the building coverage request down to 8.7%. A revised survey dated July 18, 2017 and received by the Zoning Board secretary on July 20, 2017 has been distributed to the Board just prior to this evening's meeting. Mr. Drennan explained the differences pertaining to the revised survey from the original survey.

The Board members ask specific questions about the removal of part of the driveway as well as the removal of one of the garages. Also, the Board members ask for specifics regarding the removal of the front walkway and the reduction of the proposed addition.

Mr. Slazyk asks if there is anyone from the public who may have a question. None heard.

Mr. Brawner asks if Mr. Neff agrees with the percentages offered by the applicant. Mr. Neff agrees that with the reductions, the proposed lot coverage is now 20.5% where permitted is 18%. Building coverage is 8% permitted and 8.7% is proposed.

Mr. Slazyk closes the public portion of the meeting.

Mr. Slazyk comments that there is a lot going on with the lot. The applicant is taking a garage away and taking away already existing improvements to the property. Ms. Hatami states the applicant has reduced his addition from 450 sq. ft. to 300 sq. ft. and she believes that the garage will be re-purposed for living space. Mr. Akins states that by doing this, it would not increase the building coverage or lot coverage. Mr. Lomangino asks that the outside of the house be finished properly so that it is aesthetically pleasing.

Mr. Porzio asks that by removing the front walkway, is there another house walk that goes from the front door to the driveway, which there is one.

Mr. Lomangino makes a motion and is seconded by Ms. Hatami to approve this application with the conditions as discussed.

Roll Call:

Ayes: Mr. Lomangino, Ms. Hatami, Mr. McKinley, Mr. Brawner, Ms. Berk
Nays: Mr. Slazyk, Mr. Porzio
Absent: Chairman Palmieri, Vice-Chairman Battista

BA 2017-10 AMIB – 27 Fairfield Dr., Blk 48.05 lot 15

Mr. Aikens states that he has reviewed the affidavit and proof of service and find same to be in order.

Louis Felicetta, Esq. states that he is appearing on behalf of the applicant in this matter. Mr. Felicetta states that the applicant is the Association for the Multiple Impaired Blind. AMIB runs approximately twelve group homes throughout Ocean and Monmouth County. This proposal is for certain exterior and interior renovations and the renovation of the garage to a living space. Mr. Felicetta gives a background of AMIB with respect to this particular home and what the organization does. They plan on having four blind and/or developmentally disabled persons living on site along with two full-time 24/7 staff that would be responsible for the group home members living there. The staff works three different shift which are 7 a.m. – 3 p.m. ; 3 p.m – 11 p.m. and 11 p.m. – 7 am. None of the residents are able to drive automobiles. The only persons who will have vehicles would be the staff (no more than two at any given time.)

AMIB plans to perform extensive interior and exterior renovation. There will new siding; new roof and the house will be ADA compliant which will including ramping.

AMIB operates another group home in Tinton Falls located at 2 Almar Avenue since 2014.

Mr. Felicetta brings forth Mr. Brian Murphy as his witness.

Brian Murphy, 1856 Route 9, Toms River is a professional engineer and planner and is sworn in by Mr. Murphy. The Board accepts his credentials.

Mr. Murphy gives an overview of the site and improvements proposed including handicapped ramps for the front and rear doors; changing the garage to a nurse's station, office, laundry area and storage area. The width of the driveway flares out to a width of 16 feet which will accommodate an ADA compliant van.

Mr. Neff's May 17, 2017 review letter is discussed item by item.

There will be a van that will come and go during the daytime hours that will take the residents to doctor's appointments and outings. The van will not be parked in the driveway overnight.

The shed located in the backyard and is a pre-existing non-conformity.

Mr. Neff asks why AMIB picked this house as opposed to a property that would have fit their needs better; thereby eliminating the need for variances. Mr. Felicetta states that AMIB researches extensively throughout Monmouth and Ocean counties and found this house. AMIB likes the area, the structure and feels that based on what was existing, it would require minimal renovations that would be needed to make this property compliant.

Ms. Hatami asks if the garage can be converted back should AMIB ever wish to sell the property in the future. Mr. Felicetta indicates that AMIB wishes to maintain this property as a group home indefinitely but would agree to convert the space back to a garage.

Mr. Slazyk asks if there is anyone from the public that wishes to ask a question regarding the testimony provided.

Tim Anderson, 33 Fairfield Drive, states that he lives next to 27 Fairfield Drive. He states that there is a 13' x 13' screen porch on the back of this house. What do you intend to do with that space and could it be used instead of one of the garages. Mr. Anderson states that he would like to see the garage converted back to its original condition should AMIB ever sell the property.

Mr. Anderson states that he has a question about the existing shed in that it is one foot over onto his property and that he knows this because he has had multiple surveys done that show this to be true. Also, he is concerned that anyone could ascend to its roof and jump into his yard and ultimately his pool. He states that he wants the shed moved. Mr. Felicetta states that the applicant has no problem moving the shed to accommodate the side setback

Mr. Murphy refers to an exhibit showing the existing and proposed floor plan. This exhibit is marked A-3 by Mr. Akins. Mr. Murphy explains that AMIB is proposing enclosing the screen porch for a dining area. Mr. Murphy explains that there are four bedrooms for the residents and an additional fifth bedroom for overnight staff.

Mike Carmen, 164 Cloverdale Circle, asks for clarification that the shed is being removed? Mr. Felicetta states that the shed is going to be moved, not removed. However, the applicant states that the shed will most likely be replaced with new. Mr. Carmen also states that he wishes the garage be restored should the applicant sell the property in the future.

Liana Annyd, 26 Fairfield Dr., asks why would this not be considered a business due to the workers being in shifts especially during the night.

Mr. Felicetta states that group homes are treated under federal law as single-family residential homes. It is not a business. There will be one non-commercial vehicle in the driveway overnight, not on the street.

Alisa Nietzold, 5 Waterville Court, Ocean, NJ, who asks how an approval is granted for a group home and how does a group home affect property values. Mr. Felicetta states that AMIB has to be approved by Federal and State regulations and guidelines in order to be a group-home operator. Any possible future operator with a different use would have to be granted approval for that particular use on that site. Mr. Felicetta states that this property will most likely raise property values in the area.

Mr Anderson, 33 Fairfield Dr., asks if there could be landscaping put in place to disguise the ramps in the front yard. Mr. Felicetta states that it is not a problem to put shrubbery in front of the ramp.

Alisa Nietzold, 5 Waterville Court, Ocean NJ asks how old the residents will be or if there is an age requirement to live at the property. Mr. Felicetta states that there are no age restrictions. The resident must either be blind, developmentally or physically disabled.

Liana Annyd, 26 Fairfield Dr., asks about the maintenance of the property as the grass has been very high. Mr. Felicetta that the property is currently unoccupied but that historically the properties are maintained regularly and properly.

Mr. Felicetta states that the renovation will take approximately five (5) months.

Mr. Slazyk asks if anyone from the public wishes to make a statement. Hearing none, Mr. Slazyk closes the public portion of the meeting.

Mr. Brawner states that he has observed the other home on Almar and it always looks maintained.

Mr. Porzio makes a motion to approve the applications with conditions as discussed as well as a Deed Restriction as discussed, seconded by Mr. Brawner.

Roll Call:

Ayes: Mr. Porzio, Mr. Brawner, Mr. Slazyk, Mr. Lomangino Mr. McKinley, Ms. Berk, Ms. Hatami
Nays: None
Absent: Chairman Palmieri, Vice-Chairman Battista

BOROUGH OF TINTON FALLS
ZONING BOARD OF ADJUSTMENT

REGULAR MEETING
July 20, 2017

Motion is made by Mr. Lomangino and seconded by Mr. Brawner to close the meeting at 8:35. All in Favor.

Respectfully submitted,

Colleen Connolly
Zoning Board Secretary

Approved at Board of Adjustment
Meeting on August 3, 2017