

The meeting was opened by Chairman Palmieri at 7:30 p.m.

Chairman Palmieri 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.

Chairman Palmieri then led the meeting in a salute to the flag.

Ms. Connolly took roll call.

Present Chairman Palmieri, Vice-Chairman Battista, Mr. Porzio, Mr. Brawner, Mr. McKinley, Ms Berk, Ms. Hatami,

Absent: Mr. Slazyk, Mr. Lomangino

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

Chairman Palmieri read a statement of procedural guidelines.

BA 2017-11 West Park Avenue, LLC (con't from July 6, 2017) Block 124.68 Lot 30.01

John Giunco, Esq., states he is representing the applicant regarding this application that has been continued from July 6, 2017. Mr. Giunco states that at the last meeting, the Board had several comments about the design and about the parking. Accordingly, plans have been revised.

Mr. Cranmer , applicant's engineer, acknowledges that he is aware that he is still under oath from last meeting Mr. Cranmer asks that multiple exhibits be marked. An arial map of the area relating to this application is marked into evidence as A-8. A-9 is a Concept Plan dated August 14, 2017. A-10 is a revised floor plan layout. A-11 is the Architectural front elevation. A-12 is an aerial view of a similar project in town.

Mr. Cranmer testifies as to the proposed revisions made to the plans. Mr. Cranmer states that the project's architect has been consulted with regard to these revisions.

Concerns that have been addressed are off-street parking, buffering, emergency vehicle access and environmental impacts. The unit size has been changed in that the width has been increased by approximately five (5) feet and decreased in depth by approximately five (5) feet. A two-car garage is provided for each individual unit addressing as a result of parking concerns.

Mr. Cranmer reviews that the proposal has changed from 38 units to 32 units.

Mr. Cranmer explains the density and net density of the project.

Mr. Ms. Hatami as well as other members voice concerns about where the extra parking spaces are located.

Discussion about street width and emergency vehicle access are discussed. The diameter of the cul-de-sac has been increased from 42 ft. radius to 48 ft. Mr. Brawner states that the ladder truck would still have a hard time navigating this space.

Further discussion ensues with regard to the parking plan.

Discussion regarding changes to the proposed footprint of the units including the inclusion of an optional elevator, added storage is reviewed. The floorplan is further discussed.

Buffering is discussed. Mr. Neff points out that the plan does show a 40 ft buffer between this zone and the residential zone, however a buffer is not supposed to have anything in them, which this buffer has a sidewalk and storm water management basin. Mr. Cranmer states he meant to take the sidewalk out of it. As far as the storm water management basin is concerned, he feels that the size of the basis is grossly oversized by approximately 50%. Therefore, he feels that the 40 ft. buffer standard would be met.

Mr. Giunco and Chairman Palmieri discuss the fact that this property is zoned as an IOP Zone and the applicant wishes to make it a residential zone. Mr. Giunco discusses the surrounding zones of the property and their uses.

Mr. Cranmer discusses the environmental impacts of this development. Mr. Cranmer goes over the areas that have over a 15% grade. Mr. Cranmer discusses the freshwater wetlands. There are two areas of freshwater wetlands which presently exist on the site. There is an area encompassing (2.7) acres, which will not be disturbed. There is a secondary area in the northern part of the site where the water quality basin will be. The area of that site is 0.6 acres. That area falls within a naturally occurring low area. A statewide general permit from the DEP will be utilized to fill this area for this non-structural storm water strategy. Only what is necessary will be filled. Mr. Cranmer further discusses the water quality basin and buffering.

Mr. Giunco asks Mr. Cranmer to discuss the changes regarding the proposed two-car garage by utilizing A-11 and A-10.

Mr. Neff asks for clarification of the proposed building height. Mr. Cranmer states that the proposed building height is 35 feet.

Mr. Neff and Mr. Cranmer further discuss and clarify the buffering issues of this property bordering on the residential zone, including landscaping and the possible addition of fencing.

Mr. Neff and Mr. Cranmer discuss the lot coverage percentage of both the prior approval as well as for the proposed project. Mr. Cranmer states that coverage would be 37 ½ % on the six acres that will be developed or 19.2% of the entire tract.

Chairman Palmieri asks if there are any public in attendance that wishes to ask any questions of Mr. Cranmer.

Bonnie Blackman, 16 Nashville Ct., Tinton Falls, asks a question about how close the wetlands are from the Park Place development. The answer is approximately 520 feet. Her second question is about there only being one way in or out of the complex.

Chairman Palmieri states there will be a short break from 9:00 p.m. until 9:05 p.m.

Mr. Giunco calls his next witness, Ms. DeLynn Schecher, 32, owner and managing member of West Park Avenue, LLC, the applicant. Mr. Hirsch swears in Ms. Schecher. Ms. Schecher explains why she picked this particular parcel of land and the reasons why she is asking for a use variance. Ms. Schecher also speaks as to her experience and background and her ties with her former community of Tinton Falls. Ms. Schecher reviews the changes that have been made to her original proposal and the reasons the changes were made.

Ms. Schecher introduces two aerial shots of the area which were taken by drone, under Ms. Schecher's direction, taken on August 29, 2017 in the afternoon. A-14 (Rose Glenn area) and A-15 (Red Cross and area surrounding) are marked into evidence. Ms. Schecher describes the aerial shots and how they relate to this property.

Ms. Schecher explains the differences from the original plan wherein the units were reduced from 38 to 32 units, bringing the total number of buildings down to eight buildings with 4 units each. Ms. Schecher reviews available features for the units as well as the two car garages, including materials and upgrades. Ms. Schecher also reviews the modifications of the floor plan (A-10), as well as discussing the storage spaces, balconies and patios.

Ms. Schecher states that all the units contain three (3) bedrooms and are not age-restricted.

Mr. Battista brings up concerns about a three (3) bedroom townhouse having the potential for a six-person family occupying the unit. Mr. Battista states that there are more residential – zoned areas in town that will be improved upon. A residential development property has more impact upon the town than a professional building. Mr. Battista also brings up that an owner has the potential to rent out the unit.

Chairman Palmieri brings up that there was a facebook page, Tinton Falls Matters, that was available to the public from West Park LLC with opinions regarding this application. Ms. Schecker is aware of it. Mr. Neff states that most of the issues raised in the facebook page have been addressed and in some cases, corrected.

Chairman Palmieri asks if there are any public in attendance that wishes to ask any questions of Ms. Schechter. None heard.

Mr. Giunco calls Gary Lowe, 617 Union Avenue, Brielle. Mr. Hirsch swears in Mr. Lowe, licensed real estate broker and his credentials are accepted. Mr. Lowe states that he is the leasing sales agent and broker regarding this property. Mr. Lowe testifies as to current market conditions for this kind of property (office and flex) in this area and surrounding areas. Also, with regard to the amount of professional office space that is available in this area. Mr. Lowe also states his opinion as to the marketability of this property.

Chairman Palmieri asks if there are any public in attendance that wishes to ask any questions of Mr. Lowe. None heard.

Mr. Barree asks if Mr. Lowe has marketed the property to any of the other uses approved for the IOP Zone and explains the other possible types of businesses that could possibly use the site.

Mr. Giunco calls Richard Kenderian, 1005 Forest Road, Brielle, NJ, who is sworn in by Mr. Hirsch. Mr. Kenderian states that he is one of the owners of the proper and has owned the property since 2010. Mr. Kenderian gives a history of the property since he has owned it and what kind of businesses that the property has been marketed to.

Chairman Palmieri reviews the zoning of the subject property. Multiple Board members weigh in on the Master Plan and the specific zoning of properties.

Mr. Giunco explains his reasoning for requesting the Board of Adjustment to change the zoning for this particular property.

Chairman Palmieri asks if there is anyone from the public in attendance that wishes to ask a question. None heard.

Mr. Giunco states that his last witness, Christine Coffone, Planner, who will need approximately 45 minutes for her direct testimony.

Chairman Palmieri states that he can continue this matter on November 2, 2017 being first on the Agenda. Mr. Giunco asks the Board if they anticipate recalling any of the previous witnesses and it told that no witnesses are anticipated being recalled.

Mr. Giunco states that November 2, 2017 is acceptable to his client and his last witness. Mr. Giunco also grants any and all extensions of time if needed.

Meeting Minutes

Motion is made by Mr. Brawner and seconded by Mr. Porzio to accept the meeting minutes of August 3, 2017. All in favor by those Board members eligible to vote.

Resolution(s)

BA 2017-13 Barnabas Health Medical Group, 766 Shrewsbury Avenue, sign variance.

Chairman Palmieri states that this Resolution has been reviewed by the Board members.

Mr. Porzio makes a motion to memorialize and it is seconded by Mr. Brawner to memorialize the Barnabas Health Medical Group resolution. All in Favor by those eligible to vote.

Motion to Close

Motion is made by Mr. McKinley and seconded by Ms. Hatami to close the meeting at 10:20 p.m. All in Favor.

Respectfully submitted,

Colleen Connolly
Zoning Board Secretary

Approved at Board of Adjustment
Meeting on September 21, 2017