

The meeting was opened by Vice-Chairman Battista at 7:30 p.m.

Vice-Chairman Battista 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.

Vice- Chairman Battista then led the meeting in a salute to the flag.

Ms. Connolly took roll call.

Present Vice-Chairman Battista, Mr. Slazyk, Mr. Porzio, Mr. Brawner , Ms Berk,

Absent: Chairman Palmieri, Ms. Hatami, Mr. Lomangino, Mr. McKinley

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

Vice-Chairman Battista read a statement of procedural guidelines.

Meeting Minutes

Vice-Chairman Battista states that the meeting minutes for October 5, 2017 have been distributed for review.

Mr. Brawner made a motion to accept the minutes, seconded by Mr. Porzio. All in favor by those eligible to vote.

Resolutions

BA 2017-12 7th Day, LLC, Wardell Rd. & Rte. 33

Motion is made by Mr. Porzio and seconded by Ms. Berk to memorialize this resolution. All in favor by those eligible to vote.

BA 2017-20 Luther Memorial, 57 Parnly Rd., Block 61.03 lot 71

Motion is made by Mr. Porzio and seconded by Ms. Berk to memorialize this resolution. All in favor by those eligible to vote.

Business

BA 2017-11 West Park Avenue, LLC. Blk 124.63 lot 30.01

Vice Chairman Battista states that the applicant has requested an adjournment as indicated by letter from John Giunco, Esq. The next available hearing date is January 18, 2017. The Board discusses the adjournment and gives the applicant the date of January 18, 2017. No further notice is required.

BA 2017-05 Wellington, Patricia, 7 Hialeah Court

Mr. Hirsch indicates that this matter has been adjourned previously and was re-noticed in the Press. Mr. Hirsch states that he has reviewed the re-notice and the affidavit of publication and they are in order as to form.

Motion is made by Mr. Porzio and seconded by Mr. Brawner to accept service. All in favor by those eligible to vote.

Richard Sciria, Esq. reviews the application for lot coverage. Mr. Sciria reviews the procedural history of the application including that the applicant is now down to seeking one variance for lot coverage from the original three.

Mr. Sciria states that the applicant would like to keep the landscaping stones/gravel but is prepared to remove same. If all of the landscaping stones and gravel were to be removed, the lot coverage will still be approximately 1% over the 22% allowed. Without removal, the lot coverage is 48.52% total.

Patricia Wellington, 7 Hialeah Court, owner of the subject property, is sworn in by Mr. Hirsch. Mr. Sciria asks Ms. Wellington a series of questions relating to the development of the property improvements as well as the topography of the lot and the permit process.

Mr. Hirsch marks into evidence a series of pictures of the property beginning with A-14 and ending at A-23. Ms. Wellington states that she has taken these pictures and describes all of them.

There is discussion regarding percentage of lot coverage pertaining to the front and back yards individually and the possibility of taking out specific sections of the rock coverage. It is determined that since there are no percentage calculations for this, it cannot be considered as an alternative.

Discussion ensues regarding run-off and drainage issues. Board members and the Board engineer discuss possible ways to manage the drainage issues should the mulch present a problem by washing away due to slope issues.

After further discussion, Ms. Wellington asks if she can keep five (5) feet of river rock as a barrier around the front and side of the cabana, as the landscapers damage the siding with mowing equipment, and also the gravel around the front yard trees (four) along the street to continue to be in keeping with the rest of the block if at all possible.

Mr. Neff states that he has no objection to the stones around the four trees, as this is clearly landscaping, and recommends no more than five feet of river rock around the cabana.

Mr. Hirsch reviews the request of the no more than five (5) foot rock buffer around the front and sides of the cabana, as well as the landscaping gravel around the front yard/street trees.

Vice-Chairman Battista asks if the Board has any further questions. Hearing none.

Vice-Chairman Battista asks if the public has any statements or comments. Hearing none.

Motion is made by Mr. Porzio and seconded by Ms. Berk to close the public portion. All in favor.

Motion is made by Mr. Porzio and seconded by Ms. Berk to approve, based upon conditions discussed at this meeting and also that the Board Engineer will provide a calculation of the actual lot coverage percentage for the resolution. All in favor.

Motion to Close

Motion is made by Mr. Porzio and seconded by Mr. Brawner to close the meeting at 8:40 p.m. All in Favor.

Respectfully submitted,

Colleen Connolly
Zoning Board Secretary

Approved at Board of Adjustment
Meeting on December 7, 2017