

Borough of Tinton Falls Planning Board
Regular Meeting of October 11, 2017

Vice Chairman Lodato called the meeting to order at 7:30 P.M. Mr. Lodato read the following statement: "This is a regular meeting of the Tinton Falls Planning Board and is being held in compliance with the New Jersey Open Public Meetings Act. Adequate notice of this meeting has been given by posting on the Bulletin Board of the Municipal Building and by advertising in the Asbury Park Press and The Coaster."

ROLL CALL:

Present: Mr. Lodato, Councilman Baldwin, Mr. Romanov, Mr. Clayton, Mr. Natter, Mr. Mirarchi, Mr. Collins, Ms. Guarino, Ms. Perez (Mayor's Designee)

Absent: Chairman Cunningham

Others: Dennis Collins, Esq., Board Attorney
Tom Neff, Board Engineer
Malvika Apte, Board Planner
Deanna Keefer, Board Secretary

All present stood for a Salute to the Flag

PLANNING BOARD BUSINESS:

CITIZEN SERVICE ACT COMPLIANCE- Mr. Lodato indicated that Chairman Cunningham is absent tonight due to medical reasons. Mr. Lodato also indicated that Mr. Collins' absence from the June 28th meeting needed to be addressed. Mr. Lodato asked for a motion to excuse said absences.

Councilman Baldwin offered a motion to excuse Chairman Cunningham's absence for tonight as well as Mr. Collin's absence from June 28th. The motion was seconded by Mr. Romanov. All voted in favor.

PROFESSIONAL REPORTS- None

APPROVAL OF MINUTES-

Mr. Lodato indicated that the board had received the minutes of the June 28th meeting, and asked if there were any comments or changes regarding same from the board. Hearing none, he asked for a motion to accept the minutes as submitted.

Mr. Mirachi offered a motion to accept the June 28th minutes as submitted. The motion was seconded by Mr. Romanov.

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ROLL CALL:

AYES: Mr. Mirarchi, Mr. Romanov, Councilman Baldwin, Mr. Clayton, Mr. Natter

NAYS: None

ABSENT: Chairman Cunningham

INELIGIBLE: Mr. Lodato, Mr. Collins, Ms. Guarino, Ms. Perez

RESOLUTIONS- None

NEW BUSINESS-

PB #2017-06: Toll Land IV, Limited Partnership

Block 76.02 Lots 1.01-1.11 & 1-125

Block 76.03 Lots 1-54 & Block 76.04 Lots 1-11

Amended Preliminary & Final Site Plan

Mr. Lodato advised the public of the procedural rules of the Tinton Falls Planning Board.

Mr. Giunco, attorney present on behalf of the applicant, gave an overview of the application.

Attorney Collins stated that in regards to this matter, the notice to adjoining property owners and affidavit of publication have been reviewed, are in order, and the board has jurisdiction to hear this matter.

The following exhibits are entered:

A-1: Amended Preliminary & Final Site Plan, prepared by Mark E. Zelina, P.E., dated 8/7/2017, consisting of 2 pages.

A-2: Color rendering of overall site, denoting lots requesting set back variances in yellow.

Attorney Collins swore in the following professionals:

Mark E. Zelina, PE

Thomas Neff, PE, PP, CME

Malvika Apte, PP, AICP

Attorney Collins advised the board members that Mr. Zelina has been previously accepted as an expert witness before this board.

Mr. Zelina described the site as Regency at Trotter's, located at the intersection of Tinton Avenue and Wayside Road. Block 76.02 Lots 1.01-1.11 & 1-125, block 76.03 lots 1-54, and block 76.04 lots 1-11.

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Mr. Zelina gave a detailed overview of the proposed application. Mr. Zelina noted that the site plan currently shows a total of 193 units. Mr. Zelina indicated that the applicant is seeking a variance to allow a five (5) foot setback on six (6) lots: Block 76.02 lots 8-11 and 82, and block 76.04 lot 1. Mr. Zelina also indicated that this variance had been previously approved by this board for fifty-six (56) other lots on this site.

Discussion ensued regarding the application, and the possible positive and/ or negative criteria, including the possibility of grading issues, and how the town will enforce the construction of the individual patios.

Mr. Neff explained the process of a home owner requesting a zoning permit for a patio, and how said process is controlled. Mr. Neff stated that the applications for the previously approved patios with setback variances have been handled on a case by case basis, and to date have not had any issues.

Mr. Lodato opened the discussion to the public.

Cassandra Ritucci of 66 Sunset Drive is present and expressed her concerns about drainage with these lots, especially the lot next to the recreational pool area. Ms. Ritucci stated that she is, however satisfied with Mr. Neff's testimony regarding same.

Hearing no further questions from the public, Mr. Lodato asked for a motion to close the public hearing.

Mr. Collins offered a motion to close the public hearing. The motion was seconded by Mr. Clayton. All present voted in favor.

Mr. Lodato asked if there were any further questions or comments from the board or the board professionals. Hearing none, he asked for a motion to approve or deny this application.

Mr. Collins offered a motion to grant Amended Preliminary & Final Site Plan to Toll Land IV, Limited Partnership, contingent on any outstanding comments from Mr. Neff. The motion was seconded by Mr. Clayton.

ROLL CALL:

AYES: Mr. Collins, Mr. Clayton, Mr. Lodato, Councilman Baldwin, Ms. Perez, Mr. Romanov, Ms. Guarino, Mr. Natter, Mr. Mirarchi

NAYS: None

ABSENT: Chairman Cunningham

INELIGIBLE: None

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Reexamination of Master Plan

Attorney Collins explained to those present both the requirement and the need to complete a Reexamination Report of the Borough's Master Plan. Attorney Collins answered questions from the board regarding same.

Malvika Apte, Board Planner, presented a proposal to the Board to prepare the Reexamination report.

Mr. Collins offered a motion to accept the proposal from CME Associates dated October 6, 2017, to prepare a Reexamination Report for the Borough's Master Plan. The motion was seconded by Mr. Clayton.

ROLL CALL:

AYES: Mr. Collins, Mr. Clayton, Mr. Lodato, Councilman Baldwin, Ms. Perez, Mr. Romanov, Ms. Guarino, Mr. Natter, Mr. Mirarchi

NAYS: None

ABSENT: Chairman Cunningham

INELIGIBLE: None

OPEN PUBLIC DISCUSSION: No public present

Mr. Collins offered a motion to close the public session. The motion was seconded by Mr. Mirarchi. All present voted in favor.

EXECUTIVE SESSION: Not needed

Ms. Keefer indicated that meeting on October 25th will be canceled, and the next meeting will be held on Wednesday November 8th.

ADJOURNMENT:

Mr. Mirarchi offered a motion to adjourn the meeting at 8:15 p.m., the motion was seconded by Mr. Collins. All voted in favor.

Respectfully Submitted,



Deanna Keefer
Board Secretary

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Approved at a meeting held on: November 8, 2011