

Borough of Tinton Falls Planning Board
Regular Meeting of May 24, 2017

Chairman Cunningham called the meeting to order at 7:30 P.M. Chairman Cunningham 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: Chairman Cunningham, Mr. Lodato, Mayor Turning, Councilman Baldwin, Mr. Romanov, Mr. Clayton, Mr. Natter, Mr. Collins, Mr. Mirarchi

Absent: Ms. Guarino

Others: Dennis Collins, Esq., Board Attorney
Thomas Neff, T&M Associates, Board Engineer
James Clarkin, CME Associates, Planner
Deanna Keefer, Board Secretary

All present stood for a Salute to the Flag

PLANNING BOARD BUSINESS:

CITIZEN SERVICE ACT COMPLIANCE- Chairman Cunningham indicated that Ms. Guarino gave advance notice of her absence and is out of town. Chairman Cunningham asked for a motion to accept said absence as excused.

Mr. Collins offered a motion to accept the absence of Ms. Guarino. The motion was seconded by Mr. Clayton. All voted in favor.

PROFESSIONAL REPORTS- None

APPROVAL OF MINUTES-

Chairman Cunningham indicated that the board had received the minutes of the May 10th meeting, and asked if there were any comments or changes regarding such from the board. Hearing none, he asked for a motion to accept the minutes as submitted.

Councilman Baldwin offered a motion to accept the May 10th minutes as submitted. The motion was seconded by Mr. Clayton.

Borough of Tinton Falls Planning Board
Regular Meeting of May 24, 2017

ROLL CALL:

AYES: Councilman Baldwin, Mr. Clayton, Chairman Cunningham, Mr. Lodato, Mayor Turning, Mr. Romanov, Mr. Natter, Mr. Mirarchi

NAYS: None

ABSENT: Ms. Guarino

INELIGIBLE: Mr. Collins

RESOLUTIONS- None

NEW BUSINESS-

Chairman Cunningham advised the public of the procedural rules of the Tinton Falls Planning Board.

Chairman Cunningham indicated that the first application tonight is:

PB #2017-05- Herbert Boyd
75 Squankum Road
Block 105 Lot 5.01
Minor Subdivision

Mr. Mirarchi recused himself from this hearing.

Attorney Collins noted for the record that 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: Minor Subdivision plan prepared by A.J. Garito, Jr., P.E., of Two River Engineering dated February 1, 2017 consisting of 10 sheets

A-2: Color rendering of subdivision plan

A-3: Series of 6 photographs showing existing conditions of the site

A-4: Sheet 12 of the Borough Tax Map with the Subject property highlighted

Attorney Collins swore in the board professionals as well as A.J. Garito, Jr., P.E. on behalf of the applicant.

Evan Zimmerman is the attorney present representing the applicant.

Mr. Garito gave a background of his expertise, the board had no objection to Mr. Garito being an expert witness.

Borough of Tinton Falls Planning Board

Regular Meeting of May 24, 2017

Mr. Zimmerman gave a brief description of what is being proposed. The applicant is looking to subdivide existing lot 5.01 into three new lots.

Mr. Garito described the existing lot and the surrounding areas. Mr. Garito indicated that two of the three proposed lots are conforming to Borough Ordinance, whereas the third lot does not conform. The applicant is seeking variance relief for said lot.

Mr. Garito gave testimony regarding the variances and design waivers they are requesting. He also addressed the comments in the review letters by Tom Neff and Jennifer Beahm.

Mr. Zimmerman referred to a memo from the Borough's Fire Marshal and asked that Mr. Garito talk about fire hydrant access to this property. Mr. Garito gave testimony as to the location of the nearest fire hydrant and fire department access. Discussion ensued regarding same.

Councilman Baldwin asked a question regarding turn around access for fire trucks. Mr. Garito indicated that the applicant would comply with any required amendment to driveway size that is requested of them.

Chairman Cunningham asked if anyone in the audience had any questions for the applicant or his professionals.

Robert Ivanicki of 312 Hockhockson Road is present. Mr. Ivanicki asked about the possibility of tree disruption on his property as a result of the proposed development of the property. Mr. Garito indicated that with the 25 foot set back they do not foresee any disruption of trees on Mr. Ivanicki's property.

Hearing no further questions from the public, Chairman Cunningham asked for a motion to close the public session.

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

Chairman Cunningham asked if the board professionals had any further comments.

Mr. Clarkin asked if there was a timeframe as to when construction of the homes on the subdivided lots will be built. Mr. Asadi indicated that they plan to build on proposed lot 5.02 within a few months, and there were no anticipated plans for the other two lots at this time.

Mr. Neff stated that his main concern was the infiltration basins and that Mr. Garito intends to comply with his concerns.

Chairman Cunningham asked if there were any further questions from the board.

Borough of Tinton Falls Planning Board
Regular Meeting of May 24, 2017

Attorney Collins indicated that if the board approves this application, the approval would be conditional on the confirmation that the fire house responding to these homes has the appropriate length hoses needed to respond to fire emergencies. The Fire Marshal will also review and be able to advise as to the driveway width and the need for a potential turn around for emergency vehicles. An approval will also be conditional on all underground systems being within the building envelope to ensure no disruption to neighboring properties; redesign of the storm water basins; as well as all other outstanding technical comments from the Board Professionals' reports.

Mr. Lodato asked if a sidewalk contribution would be necessary. Attorney Collins indicated that the applicant would not be installing sidewalks, therefore will be contributing to said fund.

Mr. Collins offered a motion to grant Minor Subdivision approval to Herbert Boyd with the conditions previously stated by Attorney Collins. The motion was seconded by Councilman Baldwin.

ROLL CALL:

AYES: Mr. Collins, Councilman Baldwin, Chairman Cunningham, Mr. Lodato, Mayor Turning, Mr. Romanov, Mr. Clayton, Mr. Natter

NAYS: None

ABSENT: Ms. Guarino

INELIGIBLE: None

RECUSED: Mr. Mirarchi

Chairman Cunningham stated that the next application tonight is:

PB #2017-02- Mezzasalma Real Estate Holdings LLC.

67 Apple Street

Block 14.02 Lot 29.01

Preliminary & Final Major Site Plan

Attorney Collins noted for the record that 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: Preliminary & Final Major Site Plan, Prepared by Jason L. Fichter, PE, PP, CFM, CME of Insite Engineering, LLC, dated December 22, 2016 and consisting of 11 sheets.

A-2: Resolution of Existing Approval for Block 14.03 lot 29, Memorialized October 24, 2012.

A-3: Architectural Plans, prepared by James J. Monteforte, A.I.A., dated October 12, 2016, consisting of five (5) sheets.

A-4: Colored rendering of Overall Site Plan.

A-5: Proposed Sign Exhibit

A-6: Aerial Photograph of neighborhood.

Borough of Tinton Falls Planning Board
Regular Meeting of May 24, 2017

A-7: Colored Rendering of Front and Easterly Elevations.

Attorney Collins swore in the following professionals present on behalf of the applicant:

Alex Shissiass, R.A.
Jason L. Fichter, P.E., P.P.

Attorney Collins stated that the above professionals had been sworn in at a previous hearing and remain under oath.

Mr. Shissiass and Mr. Fichter gave the board an overview of their background and expertise, and are accepted as expert witnesses.

Kevin Asdai, Esq. is the attorney present on behalf of the applicant.

Mr. Asadi gave an overview of the history of the property including a prior approval from the Planning Board dated October 24, 2012.

Mr. Asadi indicated that this application reduces the overall scale of the site plan that was previously approved in 2012.

Mr. Asadi discussed the variances associated with this application.

Mr. Shissiass gave a detailed overview of the project including floor plans, parking, building height.

Chairman Cunningham asked if there were any public present that had questions for the applicant's Architect. Bill Regan of 62 Peach Street is present.

Mr. Regan asked if there was a rear view image of the proposed building. Mr. Shissiass indicated that said image was not presently in his possession, and he best described to Mr. Regan the rear design on the proposed building.

Mr. Lodato offered a motion to close the public session. The motion was seconded by Mayor Turning. All voted in favor.

Mr. Fichter gave a very detailed overview of the project including: approved uses in the Neighborhood Commercial Zone, surrounding zones and uses, use of the proposed building, expected traffic of the proposed building, stormwater management, number of employees, refuse collection, lighting and signage.

Mr. Fichter discussed the design waivers and variances associated with the application.

Borough of Tinton Falls Planning Board Regular Meeting of May 24, 2017

Mr. Fichter discussed the objectives of the Borough's Master Plan and how the applicant intends to promote and comply with said objectives.

Mr. Clarkin asked a question regarding enclosure of the refuse area. Mr. Fichter replied that an evergreen buffer is intended, there is also an architectural element that blocks view of the area from the parking lot.

Mr. Clarkin indicated that he saw no problem granting the design waiver regarding planting of shade trees near the parking area.

Mr. Neff discussed some of the landscaping criteria and parking lot size.

Mr. Mirarchi asked about the location of the proposed signage. Mr. Fichter indicated the location by pointing to same on Exhibit A-4.

Mr. Lodato asked if the applicant would be willing to install a privacy wall behind the trash refuse area. Discussion ensued as to the need for same.

Chairman Cunningham asked if anyone in the public would like to address the applicant's Engineer.

Mr. Regan indicated that as long as the refuse containers are out of view from his property, he is ok with the proposed plan.

Mr. Regan asked a question regarding the proposed buffer. Discussion ensued regarding same.

Chairman Cunningham asked if there were any further questions or statements from the public. Hearing none he asked for a motion to close the public session.

Mr. Lodato offered a motion to close the public session. The motion was seconded by Mayor Turning. All voted in favor.

Attorney Collins indicated that if this application is approved, the approval would be contingent on all outstanding comments from the Board and Board Professionals' reports, as well as conditions agreed upon at this hearing.

Mr. Lodato offered a motion to grant Preliminary & Final Major Site Plan to Mezzasalma Real Estate Holdings, LLC. The motion was seconded by Mr. Collins.

Chairman Cunningham stated that this application has been reduced from what was originally planned, and in his opinion smaller is better.

Borough of Tinton Falls Planning Board
Regular Meeting of May 24, 2017

Roll Call:

AYES: Mr. Lodato, Mr. Collins, Chairman Cunningham, Mayor Turning, Councilman Baldwin,
Mr. Romanov, Mr. Clayton, Mr. Natter, Mr. Mirarchi

NAYS: None

ABSENT: Ms. Guarino

INELIGIBLE: None

OPEN PUBLIC DISCUSSION:

Chairman Cunningham asked if there were any public present that would like to address the board. Hearing none he asked for a motion to close the public hearing portion of the meeting.

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

EXECUTIVE SESSION: Not needed

ADJOURNMENT:

Mr. Collins offered a motion to adjourn the meeting at 9:15p.m., the motion was seconded by Mayor Turning. All voted in favor.

Respectfully Submitted,



Deanna Keefer
Board Secretary

Approved at a meeting held on: June 28, 2017