

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

Absent: Councilman Baldwin, Mr. Mirarchi

Others: Dennis Collins, Esq.
Thomas Neff, T&M Engineering, Board Engineer
James Clarkin, CME Associates, Board Planner
Colleen Connolly, Board Secretary

All present stood for a Salute of the Flag.

CITIZEN SERVICE ACT COMPLIANCE – Chairman Cunningham stated that Mr. Baldwin is out of the country on vacation, and that Mr. Mirarchi had indicated that he was unable to be at tonight's meeting. Chairman Cunningham asked if there anyone that would like to question their absences. Hearing none, Chairman Cunningham asked for a motion to accept the absences.

Mr. Clayton offered a motion to accept the absences of Mr. Baldwin and Mr. Mirarchi. The motion was seconded by Mr. Lodato. All voted in favor.

PROFESSIONAL REPORTS – None

Approval of Minutes

Chairman Cunningham indicated that the he made some corrections to the minutes of the July 27th meeting. He then stated that said corrections have been incorporated and distributed to the board members. Chairman Cunningham asked if there were any further comments or questions regarding the minutes. Hearing none, he asked for a motion to accept the minutes as submitted.

Mr. Lodato offered a motion to accept the July 27th minutes as submitted. Mr. Romanov seconded the motion.

Roll Call:

**BOROUGH OF TINTON FALLS
PLANNING BOARD**

**REGULAR MEETING
August 24, 2016**

AYES: Chairman Cunningham, Mayor Turning, Mr. Romanov, Mr. Lodato, Mr. Clayton, Ms. Guarino, Mr. Natter

NAYS: None

ABSENT: Councilman Baldwin, Mr. Mirarchi

INELIGIBLE: Mr. Collins

PLANNING BOARD BUSINESS

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

Chairman Cunningham stated that our application this evening is:

Regency at Trotter's Pointe

PB#2016-08

Block 76.02 Lots 1-7 &24, Block 76.04 Lot 11

Seeking Amended Preliminary & Final Major Subdivision & Site Plan Approval

Michael J. Gross, Esq. stated that he is the attorney representing the applicant, and proof of publication and notice has been furnished to the board secretary. Attorney Collins noted for the record that he had reviewed the affidavit of service, everything is in order and the board has jurisdiction to hear this matter.

Exhibits are entered. They are as follows:

A-1 Amended Preliminary and Final Major Subdivision & plat phases 1 & 6 prepared by Martin Tirella, PLS for Bowman Consulting dated July 1, 2016, consisting of 2 sheets

A-2 Amended Preliminary and Final Major Subdivision & Site Plan phases 1 & 6 prepared by Mark E. Zelina P.E, P.P for Maser Consulting Dated April 25, 2016, consisting of 16 sheets

A-3 Colored rendering of the approved Site plan

A-4 Color rendering of the proposed Site plan

A-5 Color rendering proposed Subdivision Detail

A-6 Color rendering depicting lots where setback variances are proposed

Attorney Collins swore in board professionals as well as Mark E. Zelina, expert witness for the applicant.

Mr. Gross gave a brief summary of why his clients have come before the board. He also stated that Mr. Zelina will be testifying as both a Professional Engineer and a Professional Planner.

Mr. Zelina stated his qualifications and the board accepted him as an expert.

Mr. Zelina described the existing plan as depicted on exhibit A-4 and the proposed plan as depicted on exhibit A-5.

Mr. Gross questioned Mr. Zelina on the details of the application, including DEP permits, storm water management, and landscaping.

Mr. Zelina testified that all variances being proposed for this amendment have already been granted by the board for the remainder of the project. Mr. Zelina described the four variances briefly.

Chairman Cunningham questioned the run off of the impervious areas on the additional 12 lots being proposed.

Attorney Collins questioned compliance with the zoning department, in regards to location and size of the generators being proposed.

Mr. Zelina testified that the reason for the variances is to maintain consistency within the development. He also testified that the variances have no negative impact on the zoning plan or Master Plans.

Mr. Zelina questioned a comment regarding Affordable Housing on a letter dated August 18, 2016 issued by T&M Associates. Attorney Collins stated that said comment is a standard comment of Mr. Tom Neff's report.

Chairman Cunningham asked a question regarding wetlands behind the property.

Mr. Lodato asked a question regarding the set back of a particular lot.

Attorney Collins clarified for the record that on exhibit A-6, only the properties shown in pink are seeking a five foot patio rather than an 8 foot patio.

Mr. Neff questioned adding a requirement of rear yard roof leaders to all properties. Mr. Zelina confirmed the benefit of addition.

Mr. Neff indicated that it appears that a piece of a wetlands buffer encroaches into the property, and asked if a conservation easement will be created. Mr. Zelina stated that a conservation easement would be created.

Mr. Neff stated that he and Mr. Zelina had previously discussed the storm water management, and Mr. Zelina would provide the items requested.

Attorney Collins asked Mr. Neff about a comment on his report regarding lighting. Mr. Neff indicated that the comment is no longer relevant and could be crossed off of the report.

Mr. Clarkin asked a question regarding open space requirements.

Mr. Clarkin asked a question regarding changes to Block 76.04 Lot 11.

Mr. Lodato directed a question to Attorney Collins regarding COAH contribution.

Mr. Lodato directed a question to Attorney Collins regarding sidewalk contribution. Mr. Neff indicated that a sidewalk would be installed.

Chairman Cunningham asked if any members of the public wished to make any comments or testimony. Hearing none he asked for a motion to close the public session.

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

Mr. Collins made a motion to approve Planning Board Application #PB2016-08 with the changes that Mr. Neff and Attorney Collins had requested. Attorney Collins indicated that the approval would include the four variances as requested, the generators would be subject to the same restrictions as the remainder of the project, the look-alike determination of the board would also be applicable, as well as all stated comments by the board professionals. The motion was seconded by Mayor Turning.

Roll Call:

AYES: Chairman Cunningham, Mayor Turning, Mr. Romanov, Mr. Lodato, Mr. Collins, Mr. Clayton, Ms. Guarino, Mr. Natter

NAYES: None

ABSENT: Councilman Baldwin, Mr. Mirarchi

INELIGIBLE: None

ORDINANCE REVIEW

Chairman Cunningham indicated that the Board will review an ordinance that proposes to change Block 120 Lot 21.01 from an Industrial Office Park Zone to a Neighborhood Commercial Zone.

Attorney Collins indicated that the board needs to determine whether or not the ordinance is consistent or inconsistent with the Borough's Master Plan.

Mr. Clarkin stated that upon review of the ordinance he found that rezoning said property would be consistent with the surrounding uses and thereby creating a more consistent zoning pattern and also is consistent with the goals and objectives within the Master Plan.

Discussion ensued regarding the property and the surrounding properties.

Attorney Collins stated to Chairman Cunningham that it would be appropriate for a board member to offer a motion pursuant to section 26, acknowledging that the board has reviewed the ordinance and finds it consistent with the Master Plan.

Mr. Lodato made a motion to acknowledge the ordinance is consistent with the Master Plan. The motion was seconded by Mr. Collins.

**BOROUGH OF TINTON FALLS
PLANNING BOARD**

**REGULAR MEETING
August 24, 2016**

Roll Call:

AYES: Chairman Cunningham, Mayor Turning, Mr. Romanov, Mr. Lodato, Mr. Collins, Mr. Clayton, Ms. Guarino, Mr. Natter

NAYS: None

ABSENT: Councilman Baldwin, Mr. Mirarchi

INELIGIBLE: None

EXECUTIVE SESSION-

Not Needed

Chairman Cunningham indicated that there is no new business on the agenda for the next meeting that is scheduled for September 14th, and said meeting has been cancelled by the Board Secretary.

ADJOURNMENT –

Mayor Turning offered a motion to adjourn the meeting at 8:10 p.m., the motion was seconded by Mr. Lodato. All voted in Favor.

Respectfully Submitted,



Deanna Keefer
Board Secretary

Approved at a meeting held on:

October 12, 2016