

The meeting was opened by **Ron Palmieri**, Chairman,

Mr. 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 Asbury Park Press and The Coaster.

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

Present: Messrs. Palmieri, Slazyk, Lomangino, Battista, Rickert, Porzio & Roche

Absent: Mr. Moafi

Also present: Mr. Hirsch, Board Attorney
Ms. Perreira, Acting Board Secretary

Mr. Palmieri read a statement of procedural guidelines.

DEBORAH FALCO (PRECISION PAVING) 3334 SHAFTO ROAD	BA 2008 – 10 BLOCK 145, LOTS 10.01, 10.02 & 11 USE VARIANCE RE-SCHEDULED TO JULY 17, 2008
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LISA KISSANE 20 ALPINE TRAIL	BA 2008 – 07 BLOCK 117 LOT 9.16 SIDEYARD VARIANCES & LOT COVERAGE VARIANCE APPLICATON WITHDRAWN
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A motion to adopt the resolution in the matter of Monmouth Ocean Educational Services Commission was offered by Mr. Lomangino and seconded by Rickert.

ROLL CALL

Yes: Messrs. Palmieri, Lomangino, Rickert, Porzio & Roche

No: None

Not eligible: Messrs. Slazyk & Battista

A motion to adopt the resolution in the matter of Frank Matula was offered by Mr. Lomangino and seconded by Mr. Rickert.

ROLL CALL

Yes: Messrs. Palmieri, Lomangino, Rickert, Porzio & Roche

No: None

Not eligible: Messrs. Slazyk & Battista

DAVID FARMER 87 CHERRY STREET REAR & SIDEYARD SETBACKS FOR ABOVE GROUND POOL	BA 2008 – 11 BLOCK 12.02 LOT 27
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David O. Farmer, the applicant, came forward.

Mr. Hirsch advised he had reviewed the proof of service and affidavit of publication and found them to be in order as to form.

A motion to accept service in the David Farmer matter was offered by Mr. Slazyk and seconded by Mr. Lomangino. A voice vote in favor was unanimous.

Mr. Hirsch swore in the applicant.

Mr. Farmer said he wanted to erect an 18 X 12 space saver pool but the setbacks per ordinance are 12 feet from both the side and rear property lines. We're here to ask the Zoning Board for relief to have the pool set at 6 feet from both the side and rear property lines.

Mr. Palmieri asked is this an above ground pool.

Mr. Farmer replied yes.

Mr. Palmieri said just to get some things on the record...when looking at your property from Cherry Street and if I look to the right, Lot 29...can you give the Board some idea how far that house is from your common property line.

Mr. Farmer stated a good 25 to 30 feet, probably more, off the top of my head but I want to put the pool in the far right corner.

Mr. Palmieri said sticking with Lot 29, is that house also set back the same distance from Cherry Street.

Mr. Farmer replied yes. Our houses are both even but...

Mr. Palmieri said he's just further away from your common property line.

Mr. Farmer replied right.

Mr. Palmieri stated now going to the rear of your property, on Lot 24, I'm assuming there's a house behind you.

Mr. Farmer answered yes.

Mr. Palmieri asked do you have any idea how far that house is from your common property line.

Mr. Farmer replied a good 45 to 50 feet.

Mr. Palmieri asked going back to Lot 29, do they have a pool in their backyard.

Mr. Farmer replied no.

Mr. Palmieri asked is there a pool by any chance on Lot 24 behind you.

Mr. Farmer replied no.

Mr. Palmieri asked the width of Lot 24 behind you, is it wider than your property.

Mr. Farmer answered yes.

Mr. Palmieri asked so would you say his property goes into Lot 29 how many feet or do you have any idea how wide that property is.

Mr. Hirsch asked is it a double lot.

Mr. Farmer replied yes, it's a double lot.

Mr. Palmieri asked assuming that your property is like 40 feet wide according to the survey...is their property twice as wide as yours.

Mr. Farmer replied yes, yes.

Mr. Palmieri said I'm assuming the 6 feet is going to be measured from the pool's edge. Is there going to be any decking on the pool.

Mr. Farmer replied no decking. We're just going to have a ladder going to the pool.

Mr. Palmieri asked will there be any additional concrete slabs or anything for a pool filter system on either side where the 6 feet relief you're looking for.

Mr. Farmer replied no.

Mr. Rickert asked is there a fence around the pool itself.

Mr. Farmer replied no.

Mr. Palmieri said I think with above grounds there're not required. Is there a fence around your property itself.

Mr. Farmer replied yes, board on board.

Mr. Palmieri asked in the rear property, is it 4 feet or 6 feet.

Mr. Farmer replied 6 feet.

Mr. Palmieri asked what would be the height of the pool.

Mr. Farmer replied 48 inches I believe.

Mr. Palmieri asked so the pool, if I'm standing on Lot 24 or 26, I wouldn't be able to see it.

Mr. Farmer replied no.

Mr. Palmieri asked do you have any intention of taking this fence down or anything like that.

Mr. Farmer replied right now it's wood. In the future I'd like to replace it with PVC.

Mr. Hirsch asked I think the real question is why are you placing it so it's only 6 feet from the rear and 6 feet from the side. Why that spot as opposed to somewhere else in the middle of your yard.

Mr. Farmer replied it will give us more room for the kids instead of having the pool basically in the middle of the yard. It will give us a little bit more room for the kids.

Mr. Palmieri asked on the survey it shows you have a deck.

Mr. Farmer replied yes.

Mr. Palmieri asked what's the distance from the deck to your rear property line. Do you have any idea about how far that is.

Mr. Farmer answered it's 10 feet off the house so from the front part of the deck to my back lot line, it's got to be at least 35 or 40 feet.

Mr. Lomangino asked that's a shed all the way in the back righthand corner.

Mr. Farmer replied yes.

Mr. Lomangino asked the pool's going to be in front of that.

Mr. Farmer answered the shed's going to be in the far left corner and the pool over in the far right corner.

Mr. Hirsch stated okay, so are we saying there's an existing shed along the property line of Lot 25.

Mr. Palmieri said existing along Lot 26 and you're going to move the shed. Is that what's going to happen.

Mr. Farmer stated it's not in the middle of the yard. It's already in the far left corner.

Mr. Palmieri said it's already moved. The question is, so I can get this clear, in looking at the survey and I'm facing your house from Cherry Street looking down the common property line with Lot 25, you're saying the shed is on that side of the property now.

Mr. Farmer replied yes.

Mr. Palmieri asked and how big is this shed.

Mr. Farmer answered 8 X 8. It's not a big shed.

Mr. Palmieri asked do you have any idea how far it is off your side property line.

Mr. Farmer replied 3 and 3. Well, actually it's 3 off the side but it's probably more because I have lip before my rear lot line so it's probably more than 3 feet from the rear lot line.

Mr. Hirsch asked if the Board grants your variance to allow the pool to go where you want to put it, how far would the edge of the pool going towards the shed, how far would that edge of the pool be from the edge of the shed.

Mr. Farmer replied 4 or 5 feet.

Mr. Hirsch asked so the shed was previously...was it more in the center of the yard and you're moving it over to make room for the pool.

Mr. Farmer replied when we first purchased the house...when we looked at the house, the shed was in the middle of the yard. When we purchased the house, they had moved the shed to the left side of the property.

Mr. Hirsch said so it was moved previously.

Mr. Palmieri stated just so the Board knows, the zoning requirements are from the sideyard in R-3 and R-4 Zones, it's 3 feet but if less than 10 feet, it must be landscaped to screen it from any public right-of-way. And from the rear of the lot it's 3 feet with a maximum of 12 feet in height. So he's got the board on board fence around the whole property so that's a mute point.

Mr. Palmieri asked if any of the Board members had any more questions. There were none. He also pointed out there was no public.

There was a question of where the applicant's fence was.

Mr. Farmer stated his fence run across his backyard and up the side line. In the front of his house is only 4 feet tall.

A motion to close the public portion of the Farmer matter was offered by Mr. Battista and seconded by Mr. Lomangino. A voice vote in favor was unanimous.

A motion to approve Mr. Farmer's variance request was offered by Mr. Battista and seconded by Mr. Rickert.

ROLL CALL

Yes: Messrs. Palmieri, Slazyk, Lomangino, Battista, Rickert, Porzio & Roche

No: None

Abstain: None

A motion to adjourn the meeting was offered by Mr. Lomangino and seconded unanimously.

Respectfully submitted,

Doug Gotfredsen
Board Secretary