

The meeting was opened by Chairman Palmieri at 7:30 p.m.

Chairman 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.

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

Ms. Connolly took roll call.

Present: Chairman Palmieri, Mr. Lomangino, Mr. Battista, Mr. Porzio, Mr. McKinley, Mr. Brawner, Ms. Berk, Ms. Hatami

Absent: Mr. Slazyk

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

Chairman Palmieri read a statement of procedural guidelines.

The meeting minutes of April 21, 2016 were accepted by all those eligible to vote from that respective meeting.

New Business

Jones, Linda 12 Orchard Street Blk. 10.01 Lot 4	BA 2016-03
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Mr. Steinberg states that he has reviewed the affidavit of publication and proof of service and they are in order as to form.

A motion to accept service was offered by Mr. Brawner and seconded by Mr. Lomangino. All in Favor.

John R. Tatulli, Esq., 621 Shrewsbury Avenue, Suite 219, Shrewsbury, NJ states that he represents the applicant Linda Jones who is the owner of 12 Orchard Street.

Mr. Tatulli wishes to have his exhibits marked, which are as follows:

- A-1 -Survey by Morgan dated February 10, 2016
- A-2 -Picture of front of home
- A-3 -Picture of side lot of home
- A-4 -Picture of driveway
- A-5 -Picture of property across the street from applicant (white house)
- A-6 -Picture of a different property across the street and three houses down from applicant (blue house)

Mr. Tatulli states applicant is seeking a bulk variance. This property does not have an attached garage. There was an attached garage in existence approximately twenty years ago which it was converted into living space. Ms. Jones obtained a variance to convert the garage into living space in 1995. There was a resolution from the 1995 hearing wherein it stated that there was to be construction of a new garage, which has not happened. Mr. Tatulli goes on to explain further history regarding why the new garage was not constructed according to Ms. Jones.

The applicant, Linda I. Jones was sworn in by Mr. Steinberg. Ms. Jones states her current address is 725 D Timber Ridge Trail SW, Vero Beach, FL. Ms. Jones states she no longer lives in her home and is in the process of trying to sell same. Ms. Jones testifies as to the background of this application and the reasons why she has not constructed a new garage. Ms. Jones states that the home has three bedrooms and two full bathrooms.

Further questioning from Mr. Tutilli and the Board members ensue detailing Ms. Jones' application and reviewing the resolution and its contents from August 10, 1995.

Chairman Palmieri further reviews the resolution dated August 10, 1995 beginning with paragraph 5 wherein the specifics of the construction of a new garage are written.

Chairman Palmieri further explains why there is a garage needed on the property according to the ordinances in place within the Borough.

Mr. Tutilli and Ms. Jones discuss exhibit A-5 and A-6, wherein there is not a garage located on the properties depicted therein.

The T&M engineering review letter is discussed.

Chairman Palmieri asks the applicant if there is a plan she can devise in order to construct a garage on the property. Ms. Jones states she cannot afford to construct a garage at all.

Chairman Palmieri reviews the property lines and the measurements regarding property lines in relation to adjacent lots. Set backs are reviewed.

BOROUGH OF TINTON FALLS
ZONING BOARD OF ADJUSTMENT

REGULAR MEETING
May 5, 2016

Mr. Tatulli asks for a short recess from 8:15 p.m. until 8:30 p.m. During this recess, no Board members left the dais.

Upon return, Mr. Tatulli indicates that the applicant and prospective buyers believe there is a way to build a garage to comply with the resolution but some negotiations have to take place. Mr. Tatulli also would like to speak to the Zoning/ Code Enforcement Officer as there are further questions concerning the size and time frame to build the garage.

Discussion ensues regarding different aspects of a possible solution among Board Members.

Mr. Tatulli requests to continue the matter which would allow him to talk with the engineer and the Zoning officer and figure out the details of a plan to build a garage. Mr. Brawner also indicates that there may be a matter of lot coverage which will need to be addressed by the Zoning Officer.

The next available date is May 19, which Mr. Tatulli indicates is too soon. The following date is June 2, 2016 which is satisfactory to Mr. Tatulli.

Chairman Palmieri states that this matter will be carried to June 2, 2016 and that no further notice is required.

Chairman Palmieri indicates he would like a motion to go into closed session.

Motion is made by Mr. Battista and seconded by Mr. Lomangino. All in Favor.

Ms. Connolly is instructed by Chairman Palmieri to continue recording. It is noted that there is no public in the audience.

Chairman Palmieri discusses Board Attendance and a letter from Council President Baldwin is distributed to all Board members at the Chairman's request.

Motion made by Mr. Battista and seconded by Mr. Lomangino to come out of closed session. All in Favor

A motion to adjourn the meeting at 08:50 p.m. was brought by Mr. Brawner and seconded by Mr. Lomangino. All in Favor.

Respectfully submitted,

Colleen Connolly
Zoning Board Secretary

Approved at Board of Adjustment
Meeting on May 19, 2016