

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 The Coaster and the Asbury Park Press.*

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

Ms. Connolly took roll call.

Present Chairman Palmieri, Mr. Slazyk, Mr. Lomangino, Mr. Porzio, Mr. Brawner, Ms. Hatami, Mr. McKinley

Absent: Mr. Battista, Ms. Berk

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

Chairman Palmieri read a statement of procedural guidelines.

### **Business**

Chairman Palmieri states that with regard to BA 2017-18 – 3941-3945 Rte. 33 Holdings, LLC, Mr. Davis, Esq. has asked that this matter be continued to our next available date, which is July 19, 2018. The applicant will notice for July 19, 2018.

### **New Business**

BA 2018-05 53 Hope Road, Kloman – setback variance

Mr. Hirsch states that he has reviewed the Affidavit and Proof of Service and it is in order as to form.

Motion is made by Mr. Porzio and seconded by Mr. McKinley to accept service. All in Favor.

Mr. David T. Kloman, 53 Hope Road, is sworn in by Mr. Hirsch.

Mr. Kloman states that he wishes to reconstruct a portion of his residence consisting of 195 sq. ft. This space currently resides twenty (20) feet from the side yard. I am seeking relief from the 25 ft. setback requirement. Right now it is an enclosed porch, which we use as a family room. It is uninsulated with single pane jalousie glass. There are some leaking issues with this space.

Chairman Palmieri reviews Mr. Kloman's submission dated April 14, 2017 – site plan rendering and discusses the area in yellow which is the reconstruction that has the setback issue. This is a pre-existing non-conforming area.

Mr. Kloman states that the home is over seventy years old. He is choosing to rebuild this section from the ground up so he can be sure of the integrity of the structure. Mr. Kloman feels that if he merely renovates this area, it would not be the right thing to do. He states that the footprint will not be changed.

Ms. Hatami asks if he is putting in a new foundation or using the existing foundation. He states that he will be putting in a new foundation. There is no basement.

Mr. Hirsch clarifies that the only issue is the side yard set back issue. The original Zoning Officer denial letter had other issues listed. The original application has since been revised.

Chairman Palmieri reviews where the nearest structures are with regard to his property lines.

Mr. Lomangino asks about the proposed materials used on the reconstruction. Mr. Kloman states that he will be using cedar shakes. The rest of the home is vinyl sided. Mr. Kloman's intention is to continue to cedar shake the entire house right after this project is finished. The roof will continue to be dark grey.

Chairman Palmieri asks if the Board has any further questions. Hearing none, he asks if the public in attendance has any questions or comments regarding this application.

Mr. McKinley makes a motion to close the public portion of this application, seconded by Mr. Slazyk. All in Favor.

Mr. Lomangino make a motion to approve the application, seconded by Ms. Hatami.

Ayes: Mr. Lomangino, Ms. Hatami, Chairman Palmieri, Mr. Slazyk, Mr. Porzio, Mr. McKinley, Mr. Brawner

Nays: None

Absent: Mr. Battista, Ms. Berk

**Minutes**

Chairman Palmieri states that the minutes from May 3, 2018 have been previously distributed via email for the Board for review.

Motion is made by Mr. Porzio and seconded by Mr. McKinley. All in favor by those eligible to vote.

**Resolutions**

Mr. Hirsch comments that another attorney has prepared these resolutions.

With regard to 7<sup>th</sup> Day, Mr. Steinberg drafted the resolution. Mr. Neff raised a question as to whether we can treat the height separately from the whole application which includes the microbrewery.

I revised the resolution and I want to confirm what the Board intended. To summarize, when the application was presented, it was bifurcated because if the height variance was not granted, then the rest of the application would not be necessary. It is my understanding from speaking with Mr. Steinberg and Mr. Neff, that the Board was not concerned with approving the height variance but was more concerned with the microbrewery going in. The height was being approved regardless if the microbrewery is ever approved.

BA 2018-02    **7<sup>th</sup> Day – Wardell Road and Rte 33, height variance.**

Mr. Porzio makes a motion, seconded by Mr. Slazyk to memorialize the 7<sup>th</sup> Day height variance.

Yays:            Mr. Porzio, Mr. Slazyk, Chairman Palmieri, Mr. McKinley  
Nays:            None  
Inelible -       Mr. Brawner, Mr. Lomangino, Ms. Hatami  
Absent:          Mr. Battista, Ms. Berk

BA 2018-3     **Mazza, Yvonne – 11 Hialeah Court, Block 64.02 lot 7**

Mr. Hirsch wants to confirm his understanding that the old deck is going to be rebuilt and then a portion of the new deck is going to have a roof over it.

Motion is made by Mr. Slazyk and seconded by Mr. Lomangino to memorialize the resolution.

Yays: Mr. Slazyk, Mr. Lomangino, Chairman Palmieri, Mr. Porzio, Mr. Brawner, Ms. Hatami  
Nays: None  
Ineligible: Mr. McKinley  
Absent: Mr. Battista, Ms. Berk

BA 2017-07 – **Szakek, Eva & Faye, 78 Plum Street, Blk. 11.02 lot 28** -

Mr. Slazyk makes a motion and it is seconded by Mr. Porzio to memorialize this resolution.

Ayes: Mr. Slazyk, Mr. Porzio, Mr. Lomangino, Mr. McKinley, Ms. Hatami  
Nays: None  
Absent: Mr. Battista, Ms. Berk  
Ineligible: Chairman Palmieri, Mr. Brawner

BA 2017-23 – **Stavola Realty, 20 Hockhockson Road, , lot width variance**

Mr. Porzio makes a motion and is seconded by Mr. Lomangino to memorialize this resolution.

Ayes: Mr. Porzio, Mr. Lomangino, Chairman Palmieri, Mr. Slazyk, Mr. Brawner, Ms. Hatami  
Ineligible: Mr. McKinley  
Absent: Mr. Battista, Ms. Berk

**Rite Aid of New Jersey Zoning Interpretation – Property – 596 Shrewsbury Avenue, Block 15.03 lot 16.06**

Mr. Hirsch reads the entire resolution regarding this interpretation into the record as the Board has not had an opportunity to review same prior to this meeting.

Motion is made by Mr. Slazyk and seconded by Mr. Lomangino to memorialize this resolution.

Ayes: Mr. Slazyk, Mr. Lomangino, Chairman Palmieri, Mr. Porzio  
Ineligible: Mr. McKinley, Mr. Brawner, Ms. Hatami  
Absent: Mr. Battista, Ms. Berk

**Motion to Close**

Motion to close the meeting at 8:10 p.m. is made by Mr. Slazyk and seconded by Mr. Lomangino . All in favor.

Respectfully submitted,

Colleen Connolly  
Zoning Board Secretary

Approved at Board of Adjustment  
Meeting on June 7, 2018