

The meeting was opened by Vice-Chairman Battista at 7:30 p.m.

Vice-Chairman Battista 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.*

Vice-Chairman Battista then led the meeting in a salute to the flag.

Ms. Connolly took roll call.

Present Chairman Palmieri (7:45), Mr. Battista, Mr. Slazyk, Mr. Lomangino, Mr. McKinley, Ms. Berk, Ms. Hatami

Absent: Mr. Porzio, Mr. Brawner

Also present: Mr. Hirsch, Esq., (7:45)  
Mr. Neff, Board Engineer  
Ms. Zincavage, Planner  
Ms. Connolly, Board Secretary

Mr. Battista read a statement of procedural guidelines.

### **Minutes**

Vice-Chairman Battista states that the proposed minutes of July 19, 2018 have been reviewed by the Board members.

Motion is made by Ms. Hatami and seconded by Mr. Slazyk. All in favor by those eligible to vote.

### **Resolutions**

#### **BA 2018-10 McCauley, Michael & Colleen, 91 Rosalyn Dr., Blk. 124.41, Lot 8 Building coverage; side-yard setback**

Vice-Chairman Battista states that the draft resolution has been reviewed by the Board members.

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

Ayes: Ms. Hatami, Mr. Slazyk, Mr. Lomangino, Mr. McKinley  
Nays: None  
Absent: Mr. Porzio, Mr. Brawner  
Not Eligible: Chairman Palmieri, Mr. Battista, Ms. Berk

**BA 2018-12 Davidson, 102 Willshire Drive, Block 65.04 lot 20 – Lot coverage**

Vice-Chairman Battista states that the draft resolution has been reviewed by the Board members.

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

Ayes: Mr. Lomangino, Mr. McKinley, Mr. Slazyk, Ms. Hatami  
Nays: None  
Absent: Mr. Porzio

Chairman Palmieri and Mr. Hirsch arrive at 7:45 p.m.

**New Business**

**BA 2018-09 Pavlinec, 7 Whirlaway Drive, Blk 64.01 lot 2 -**  
Building and Lot coverage

Mr. Hirsch reviews the affidavit and proofs of service and find same to be acceptable as to form.

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

Jennifer Krimko, Esq., states that she is representing the applicant in this matter. Ms. Krimko wishes to begin by marking some exhibits. A-1 is a survey of the property by Morgan Engineering dated November 8, 2017; A-2 is the variance plan by Canon Group P.C. dated December 6, 2017; A-3 photo packet comprising six photos some of which have been downloaded from Google Earth, some of which the applicant has provided.

Mr. Kenneth Pavlinec, 7 Whirlaway Dr., Tinton Falls; Claire Pavlinec 7 Whirlaway Dr., Michael Cannon, Engineer, The Cannon Group, P.C., 100 Jack Martin Blvd, 2<sup>nd</sup> Floor, Brick, NJ 08724; all sworn in by Mr. Hirsch at the same time.

Ms. Krimko reviews the facts of the case with Mrs. Pavlinec revealing that her and her husband purchased the property at the end of May 2017. The pictures from exhibit A-3

are reviewed. Mrs. Pavlinec states that because of the existing backyard improvements, as shown in the pictures of A-3, they wished to purchase the home. She states that they spend considerable time outdoors as a family. The grade of the backyard is discussed.

Mrs. Pavlinec explained that they needed residency to attend an area school. In mid-April, the realtor requested the Certificate of Occupancy application from the town. In mid-May, the elderly sellers had indicated that, even though the applicants wanted to close in early June, their home was not going to be ready until the end of June. The sellers asked Mr. and Mrs. Pavlinec if they could rent the home after closing until their new home was ready. Mrs. Pavlinec states that they extended numerous courtesies to the sellers, not the least of which was allowing them to stay in the home for a time.

On the 25<sup>th</sup> of May, the applicants were advised that the Borough needed a signed and sealed survey because the survey that was submitted by the realtor was not to scale. Therefore, the applicants ordered the survey.

Ms. Krimko states that on May 30, 2017, the applicants sat at the closing table and was told the Certificate of Occupancy was not obtained. The sellers' realtor stated that there was an issue with the Certificate of Occupancy but it was straightened out and the Borough of Tinton Falls promised a Certificate of Occupancy in two days. The applicants took the sellers' realtor at her word and continued with the closing. Mr. Slazyk confirms that the Borough made no mistake with regard to the Certificate of Occupancy.

On or about June 6, 2017, an email was received from the sellers' attorney that the "Borough is giving them a hard time with the Certificate of Occupancy since the lot and building coverages were exceeded." At that point, Mr. Pavlinec then went to the Borough and met with Lori Paone, the Zoning Officer and found out that the Borough actually sent a letter to the sellers on May 25, 2017 (five days prior to closing) indicating that the coverages had been exceeded and that variances need to be applied for. Mr. Pavlinec states that he had never received a copy of that letter. At this time, the Zoning Officer, Lori Paone, stated to Mr. Pavlinec that she would allow him to move into the property with the promise that an application for variances before the Board of Adjustment be filed.

Ms. Krimko states that at this point in time, there is still no Certificate of Occupancy. If variances are not able to be obtained, there is then the option of litigation against the realtor, the sellers, whomever had a hand in this transaction.

Mr. Slazyk states that it is well-known that a Certificate of Occupancy must be obtained to purchase a home. If there is no Certificate of Occupancy at closing, there should be escrow held back. Ms. Krimko states that there has been a small escrow amount held back.

Ms Berk asks why it has taken over a year to come before this Board. Ms. Krimko states that it has taken a lot of time to obtain necessary documentation from the previous

owners. Also, Ms. Krimko states that here clients have hired an engineer to look at the site to provide options, which has taken time as well.

Chairman Palmieri states that this is not the first time homeowners from this development have exceeded approvals by a considerable percentage. Chairman Palmieri states that this is the first time the buyers had been allowed to move in without a Certificate of Occupancy. Chairman Palmieri explains that the Board looks at this application as if the improvements do not yet exist and would this Board allow it to be built according to existing ordinances, taking into account any hardship that may exist. The Chairman states that he will ask if there is a "Plan B" that allows the coverage percentages to be closer to what is permitted.

Ms. Krimko states that based on existing vegetation and topography, an extensive drainage improvement plan will be presented in this case.

Chairman Palmieri asks if there is any public in attendance that have any questions for Mr. or Mrs. Pavlinec, none heard.

Michael Cannon is accepted by the Board as an expert in the field of engineering. Mr. Cannon states that the stone areas have not been included in the impervious coverage percentage and explains his reasoning.

Ms. Krimko reads the definition of impervious coverage from the ordinance.

Mr. Neff states that generally any large area of stone is counted in the lot coverage percentage. In his opinion, this stone is incidental and is minimal and does not need to be included in the percentage.

Mr. Hirsch reviews that both the applicant's engineer and the Board engineer have not included the stone areas. Mr. Hirsch states that 22% lot coverage is permitted and 27% is existing.

Ms. Krimko states that the house itself is at 8.7% building coverage where only 8% is permitted. The shed next to the pool is not permitted and not included in the building coverage percentage, approximately 190 sq. ft.

Ms. Krimko discusses with the engineer runoff from impervious coverage and that the backyard improvements cannot be seen from the street.

Mr. Cannon discusses how the runoff from the backyard impervious coverage would be mitigated. The plan includes three drywells that would store the runoff from the roof, thereby the runoff would actually be less than what it would be if the lot coverage was the permitted amount. So it would be a better runoff situation than if they were to conform.

Mr. Cannon explains how the structures/drywells are maintained and the benefits of same.

Mr. Neff asked if the soils located on this lot will work with this re-charge system. Mr. Cannon states that there is a foot of topsoil/sandy loam and then below that to four feet down there is a silty sand in line with the Adelphia soil profile. There was also gravel in the soil sample. Therefore, the soils will work with this re-charge system.

The mature landscaping and disruption thereto is discussed.

Chairman Palmieri states that with regard to the pavers located in the backyard, there seem to be approximately 4336 sq. feet, which is actually larger than the footprint of the house. Ms. Krimko states that the back yard is terraced and not flat. Ms. Krimko enters another photo into evidence as A-4 which is described as a copy of a photo that shows the raised patio area with an approximately 2 foot high retaining wall. The brick paver patio area is discussed regarding its size and use.

Ms. Krimko states that if several hundred square feet of the paver patio is taken away in an effort to reduce the lot coverage percentage, it cannot be seen from the road and there is no drainage impact because the drywell system will be constructed. Ms. Krimko contends that by granting a variance, the drainage would be improved over being conforming with no drainage plan. This is not a standard lot, it is not flat. There is no impact to anyone as long as the drainage is mitigated.

Discussion ensues among professionals and board members regarding positive and negative criteria.

Mr. Hirsch reviews that Ms. Krimko's argument is that it is a better zoning alternative to allow these variances because the drainage would be improved. There is a lot coverage overage because improvements were put in illegally by the former owner. There are existing violations. If the Board finds it is a better zoning alternative to grant a variance for lot coverage with a drainage plan, is there a negative impact. Part of the burden of the applicant is to establish that there will be no substantial burden upon the neighborhood.

Chairman Palmieri asks how long the backyard overages have been in place. Mr. Neff states that a permit was obtained for the pool in 2003 and then the former owners came back for minor expansions. The permit was originally for the pool and a four foot wide patio around the pool. In 2004 they came back to expand the patio by another six feet and approval for a 20' x 30' patio.

Mr. Battista states that the town allowed the applicants to move into the home with a temporary certificate of occupancy because of the children's school issues. Now you are coming before us with a huge footprint saying that you don't want to conform to the coverage percentages but instead want to keep everything and install drainage.

Ms. Krimko states that the applicant would prefer to have a walk out basement rather than the existing shed. The applicant could have the existing shed removed. Also, locate near the existing shed behind the landscaped island, there is patio area that can be removed which equates to approximately 500 sq. ft. The applicant's engineer states that the total lot coverage overage is 2,439 sq. feet. This would reduce the overage by 700 sq. ft. Therefore, we would like to amend the plan to remove the shed and 500 sq. ft. of patio while still going forward with the drainage system thereby improving the drainage of the lot. The drainage plan can be submitted to the Board Engineer for his approval.

Mr. Neff states that would make the lot coverage 25.6% proposed whereas 22% is permitted. The building coverage would go back down to 8.7%, which was the original number.

Chairman Palmieri asks if the public has any questions or comments. None heard.

Motion is made by Mr. Lomangino and seconded by Mr. Battista to close the public portion of this application. All in favor.

Motion is made by Mr. Lomangino and seconded by Mr. Battista to approve the application based upon testimony stating that 500 sq. ft. of paver patio will be removed along with existing shed and that a drainage system will be installed subject to approval by the Board engineer.

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

Chairman Palmieri states that there will be a 10 minute break.  
Back on the record at 9:00 p.m.

**5030 Shafto Road, Block 115 Lot 12,01 & 14,02**

Mr. Hirsch states that he has reviewed the affidavit of publication and proofs of service and it is in order as to form.

Motion is made by Chairman Palmieri and seconded by Mr. Lomangino. All in favor.

Jennifer Krimko, Esq. states that she is representing the applicant in this matter. Ms. Krimko states that this property is a very large lot but has narrow frontage. The residential property next door will grant an easement in order to accommodate a commercial driveway. Because there will be a commercial use on a residential property, we are requesting a use variance.

Walter Hopkin, 2517 Hwy. 35, Bldg. B, Ste. 301, Manasquan, NJ 08736, was sworn in by Mr. Hirsch. The Board accepts Mr. Hopkin as an expert in the field of engineering and planning.

Ms. Krimko wishes to mark A-1 as the Preliminary and Final Site plan prepared by Mr. Hopkin's firm revised through June 22, 2018. A-2 is architectural plans prepared by Michael V. Testa, architect revised through July 17, 2018. A-3 are the sign plans prepared by Super Signs LLC, undated. A-4 is a color rendered site plan prepared by WJH Engineering dated July 27, 2018. A-5 is a color computer-generated rendering of the building

Mr. Hopkin explains to the Board what is existing on the site and how the applicant is proposing to develop it. Mr. Hopkin explains that there are two properties involved: one is a 5.9 acre commercial site known as lot 14.02 and block 115. There is also a residential lot adjacent to that which is lot 12.01 block 115. The site is located on Shafto Road between Hope Rd. and Wayside Rd. on the north side of Shafto Road. The residential property is known as 1424 Shafto Rd. The commercial lot is in the IOP zone and the residential lot is in the R-2 zone. There is a previous approval for 63,000 self-storage from 2007. The site was never developed and is vacant wooded land. There has been some striping along Shafto Rd. and the entrance way has been previously constructed with curb and an island from the prior application. That application has been abandoned and new approvals are being sought with the Tinton Falls Board of Adjustment as well as Monmouth County. Located on the residential property is a driveway that accesses Shafto Road. The commercial site is a large 5.9 acre site but is restricted by 48.2 ft. of lot frontage. This challenge is something we have had to overcome and why we are now before the Zoning Board. The entranceway to the site needs to be able to accommodate the tractor trailer trucks that are anticipated to circulate the site. Because of this, there is a variance required. If the frontage was adequate to the north and we were able to keep the driveway on the IOP property, a use variance would not be requested and it would be a simple site plan before the Planning Board. The only improvements that are being proposed on the residential lot is the driveway entrance and a sign. The residential driveway opening to Shafto Road is proposed to be closed up. The residential driveway will be connected to the commercial entrance. An easement was acquired from the adjacent residential property to construct and widen out the flare of the driveway. The home on the R-2 lot is set back from Shafto Road approximately 190 feet.

Mr. Hopkin states that he proposal is for an owner-occupied 68,277 sq. ft. bldg. of which 57,077 sq. ft. is proposed to be warehouse. The remainder of that space would be office space to support the warehouse uses. The applicant is anticipating five tenants and the owner will occupy the majority of the site with four potential tenants in the rear. The interior walls would be movable and the applicant is not committing to five tenants, it is possible that there could be more or less tenants. The intention is that the owner-operator hopes to occupy the entire building in the near future.

Mr. Neff asks how far along the applicant is with the county approval process. Mr. Hopkin states that they have a conditional approval and the comments are minor.

There is further discussion regarding the details of the residential driveway connecting to the commercial driveway.

Ms. Krimko explains that the applicant is the contract-purchaser of the residential property and should this application be approved, the purchase will be completed and the easement finalized.

Mr. Hopkin states that there will be no new bulk variances with what is being proposed on the commercial site. The applicant is proposing adequate parking throughout the site which conforms with the ordinance. It is anticipated that the trucks will enter the site and circulate in a counter-clockwise direction. The loading bays are on the IOP side of the site, not the residential side of the site.

Signage is discussed.

Landscaping is discussed. It is proposed throughout the site. (A-4).

Ms. Hatami brings up that a right turn only is allowed exiting the building. Mr. Hopkin states this is due to safety concerns and notes that there is a jug handle in close proximity to utilize for left turns.

Mr. Hopkin states there is an extensive storm water management plan proposed for the site. Mr. Hopkin and Ms. Krimko further discusses this management plan.

Mr. Neff states that 18% lot coverage is permitted on the residential property. Ms. Krimko states 37% is proposed with the new layout. Most of the overage is due to the new commercial driveway.

Mr. Hopkin stated that in Mr. Neff's letter, additional soils information is requested. This has not been done yet. The applicant wishes to make this a condition of approval. The applicant has had preliminary soils work done and the soils have been very consistent. Additional information will be provided along with a manual for maintenance.

Mr. Hopkin states that refuse and recycling will be provided by a private hauler. Public water and sewer are available to the site and will be utilized.

Ms. Krimko asks if there are any points in the Board's Professionals' letters that cannot be complied with. Mr. Hopkin states there isn't anything that the applicant has taken exception to and is open to whatever the professionals wish to request or clarify.



Mr. Neff discusses the variance needed for the retaining walls. Maximum six (6) feet is permitted, the proposal is for up to nine (9) feet. The location of the retaining walls are discussed as well as safety fencing on top of the retaining wall.

Mr. Neff discusses that there is a 40 ft. buffer that is required between commercial and residential uses. There is a variance required for areas that do not meet the 40 ft. buffer requirement. Additional landscaping was requested and agreed to by the applicant. Existing landscaping is being utilized whenever possible especially along the eastern portion of the site which abuts the residential zone.

There is a waiver required as there is supposed to be concrete aprons between the road and the driveway. After discussion, it is agreed that an apron will be constructed.

The ordinance permits a maximum driveway width of 40 ft., applicant is proposing 52 ft. width. The applicant explains that for safety reasons, a 52 ft. wide driveway is needed to accommodate the trucks and there is also an island in the middle which restricts the left-hand turn.

Mr. Neff explains that the driveway crosses over the property line so there is a use variance required.

Shade trees are required every 40 ft. along the frontage. On this property, the frontage is barely over 40 ft. and it is all asphalt. I believe this is due to the extreme narrowness of the frontage. Mr. Neff has no objection to this waiver.

Mr. Neff discusses that there is adequate parking on the site. 56 spaces are required and 61 are proposed, this number is based upon square footage.

Mr. Neff asks for details about the traffic into and out of the site and also to explain the actual use of the space. Mr. Hopkin states that it is a medical supply company. Ms. Krimko states that it is a permitted use and there is no limitation on the number of trucks.

Ms. Krimko states that typical operational hours are anticipated to be 8:00 a.m. to 6:00 p.m., but they are not set in stone. The truck traffic is generally between the hours of 9:00 a.m. to 5:00 p.m. Ms. Krimko states this is typical warehouse usage.

Ms. Krimko discusses that the ordinance allows a certain percentage of warehouse to office space. This property has more warehouse than office space. Ms. Zincavage agrees that this ratio is a more advantageous zoning alternate. Ms. Zincavage feels comfortable in that this is not a use variance, more of a bulk requirement. Mr. Neff feels that the intent of the ordinance does not match the written form and needs to be rewritten. The intent of the ordinance is to limit the amount of office space to no more than 10% of the space in a warehouse building. This application meets the intent.

The lighting plan is discussed. Mr. Neff asks that the lights be on a timer. With regard to security lighting at night, they will be on motion sensors. There will not be full lighting (50% reduction) during non-operating hours.

Mr. Neff confirms that there is no outdoor equipment or storage associated with this warehouse use. The mechanical equipment is going to be roof mounted.

The building height is confirmed at 39.9 feet which is within the ordinance, no variance is needed.

Trash and recycling will be private pick up. The residential garbage pick-up will be worked out between the applicant and the owner.

There is a hydrant located along the frontage that the applicant is relocating to the radius onto the property, subject to approval from the Fire Marshall.

Ms. Zincavage wishes to discuss negative criteria since this building is abutting a residential zone. She asks for details regarding the buffering that will be put in place and the tree line that will stay in place and that it is a four-season buffer. Mr. Hopkin discusses in detail.

Mr. Neff states that illuminated signs are not permitted in residential districts. Ms. Krimko states that the sign will be internally illuminated and will need a separate variance. With regard to the directory sign, the sign cannot be over ten square feet and sixteen square feet is proposed. Mr. Hopkin states that the applicant wants to make sure the sign is visible. This sign will not be visible from the road.

Chairman Palmieri asks if the public in attendance have any questions for the applicant's engineer.

1. Johnathan Youmans, 1420 Shafto Rd.. Questions about the driveway and buffer.
2. Paul Procopio, 1419 Shafto Rd., Questions why he has had no notice of this project and it is determined that his property is not within the 200 ft. notice area of the applicant's property and therefore not on the search. Questions if the entire building will be used or not. Asks about growth possibility regarding the site.
3. Terrance Youmans, speaking for himself, asks details about the illuminated sign and how it may affect adjacent properties. He questions the State vs. Borough zoning codes. Mr. Youmans questions operating hours. Mr. Youmans asks where the trash bins will be. Questions if there is any light spillage from security lighting.
4. Eileen Murphy, 1420 Shafto Rd. Asks for clarification of where the IOP zone is located and further explanation of the use variance requested. Asks if a traffic study has been done and have traffic safety concerns been addressed.
5. Johnathan Youmans, 1420 Shafto Rd., asks about crosswalks and sidewalks.

Terrance Youmans, asks about the intent of the residence located at 1424 Shaftho Rd that the applicant is purchasing, if it is being kept as a residence.

6. Paul Procopio, 1419 Shaftho Rd., asks if there are any limitations of the hours that the tractor trailers could be accessing the site such as the middle of the night.

Chairman Palmieri asks if there are any other questions from the public for Mr. Hopkin. None heard.

Chairman Palmieri asks if there are any other Board members that have any further questions.

Mr. Battista asked what will actually be happening in the building.

Mr. Michael Antar, 225 North Lincoln Avenue, Long Branch, NJ, is sworn in by Mr. Hirsch. Ms. Krimko asks Mr. Antar to describe what the business is that will be occupying the site. Mr. Antar states that his business is a distributor of medical and dental supplies. The company operates under four different company names. Currently the business is located on Industrial Way in Eatontown. He states that he has outgrown the Industrial Way space and wishes to relocate.

Mr. Battista asks what Mr. Antar anticipates will be the truck and car traffic pertaining to the Shaftho Road property. Mr. Antar states that some of the executives arrive at 8:00 a.m. Generally, deliveries are not received until after 9:00 a.m. The offices are very rarely staffed later than 6:00 p.m.

Chairman Palmieri asks how many employees are involved in the business. Mr. Antar states that there are 24 employees which include warehouse as well as executive personnel. He anticipates possible employee growth to 35 or 40 people at the most.

Chairman Palmieri asks if there are any additional questions from the Board members, none heard.

Chairman Palmieri asks if there are any members of the public that have questions for Mr. Antar.

1. Johnathan Youmans, 1420 Shaftho Rd., Asks what the benefit to the community would be (positive criteria) for this application.

Chairman Palmieri asks the public in attendance if anyone wishes to make comments.

1. Johnathan Youmans, 1420 Shaftho Rd., is sworn in by Mr. Hirsch. Mr. Youmans states he is opposed to this application and discusses his reasoning for his opinion. He also states he is against tractor trailers turning into 5030 Shaftho Rd as he feels it is close to his property and other residential properties.

2. Paul Procopio, 1419 Shafto Rd., is sworn in by Mr. Hirsch. Mr. Procopio states that he is opposed to this application and is upset that the zoning of this property is an IOP zone next to residential. He is also very concerned with the amount of truck traffic that is associated with this application.

Mr. Slazyk brings up that this property has been previously approved as a self-storage facility.

3. Terrance Youmans, 875 Main Street, Belford, NJ, is sworn in by Mr. Hirsch. Mr. Youmans states he is very concerned with the traffic on Shafto Rd., and believes this application will be a contributing factor and also the increased traffic when Monmouth Mall expands. Mr. Youmans reviews different aspects of the MLUL that he believes applies to this application.

Ms. Krimko gives her closing argument.

Chairman Palmieri asks if anyone else wishes to comment on this application. None heard.

Motion is made by Ms. Hatami and seconded by Mr. Lomangino to close the public portion of the application. All in favor.

Motion is made to rescind the closing of public portion as a member of the public wishes to add testimony by Mr. Battista and seconded by Mr. Lomangino. All in Favor.

1. Johnathan Youmans, 1420 Shafto Rd., has been previously sworn in. Asks why “statutes are superseded in this case.” The zoning of the properties is explained by Mr. Hirsch as well as the Master Plan. The IOP zone is explained and the use variance is explained again.

Motion is made by Mr. Lomangino and seconded by Mr. Battista to close the public portion. All in Favor.

Chairman Palmieri asks if any Board members wish to discuss the application further.

Mr. Battista states that the Board of Adjustment has approved a lot of warehouses in this town that look like warehouses. To him, this building looks more like an office building than an industrial looking warehouse building. He is pleased that the design of this building looks as nice as it does.

Mr. Battista makes a motion to approve the application based upon the changes that were agreed upon during testimony and that the building looks as it is presented here tonight, seconded by Mr. Slazyk.

BOROUGH OF TINTON FALLS  
ZONING BOARD OF ADJUSTMENT

REGULAR MEETING  
August 2, 2018

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

**Motion to Close**

Mr. Lomangino makes a motion to close and is seconded by Ms. Hatami at 10:55 p.m.  
All in Favor.

Respectfully submitted,

Colleen Connolly  
Zoning Board Secretary

Approved at Board of Adjustment  
Meeting on August 16, 2018