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**BOROUGH OF TINTON FALLS  
REGULAR MEETING OF THE PLANNING BOARD  
OCTOBER 24, 2018**

Vice Chairman Lodato called the meeting to order at 7:30 P.M.

Mr. Lodato 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:** Vice Chairman Lodato, Councilman Baldwin, Mr. Crowley, Mr. Romanov, Mr. Collins, Mr. Clayton, Mr. Natter, Mr. Markoff, Mr. Mirarchi, Ms. Brown

**Absent:** Chairman Cunningham

**Others:** Dennis Collins, Esq., *Board Attorney*  
Tom Neff, *Board Engineer*  
Jennifer Beahm, *Board Planner*  
Deanna Keefer, *Board Secretary*

*All present stood for a Salute to the Flag.*

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**PLANNING BOARD BUSINESS-**

**CITIZENS SERVICE ACT COMPLIANCE-** Mr. Lodato indicated that Chairman Cunningham is absent tonight due to an illness, and gave advanced notice of said absence to the Board Secretary.

**PROFESSIONAL REPORTS –** None

**APPROVAL OF MINUTES-** Mr. Lodato indicated that the board had received the minutes of the September 12th meeting, and asked for a motion to approve the minutes as submitted.

*Mr. Clayton offered a motion to approve the minutes of the September 12th meeting; seconded by Mr. Collins.*

Roll Call:

AYES: Mr. Clayton, Mr. Collins, Mr. Lodato, Councilman Baldwin, Mr. Crowley, Mr. Natter, Mr. Markoff, Mr. Mirarchi, Ms. Brown

NAYS: None

ABSENT: Chairman Cunningham

INELIGIBLE: Mr. Romanov

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RESOLUTIONS-None

NEW BUSINESS-

Mr. Lodato advised the public of the procedural rules of the Tinton Falls Planning Board.

***PB 2018-05- Kay Realty-1989 Jumping Brook Road-Block 128.03 Lot 35-Minor Site Plan:***

Attorney Collins stated for the record that the notice to adjoining property owners and affidavit of publication have been reviewed, are in order, and the Board has jurisdiction to hear the application.

The following exhibit was entered:

A1- Parking exhibit prepared by Scott H. Turner, PE of Menlo Engineering Associates, dated May 15, 2018, revised on October 22, 2018, consisting of one sheet.

Robert J. McGowan, Esq. is present on behalf of the applicant.

Attorney Collins swore in the following witness:  
Michael Marinelli, PE of Menlo Engineering

Mr. McGowan gave an overview of the application, stating that the applicant is seeking Minor Site Plan Approval. He further stated that the applicants have been commercial residents of the Borough for over ten years, and are now attempting to sell the property. Mr. McGowan indicated that the applicant has had potential buyers with a medical use, and he is here tonight to demonstrate that the site has adequate parking to support any permitted use of the property.

Mr. McGowan stated that the only variance from which the applicant is seeking relief, occurred with his prior approval, allowing for only an approximately 46-foot setback, where 50 feet is required.

Attorney Collins clarified that there is no proposed construction on the site, and the applicant is only seeking to re-stripe the parking lot.

Ms. Beahm gave a history of the application, stating that when they first came before the Zoning Board of Adjustment the use was not permitted. She stated that the building has since been used as an office, the zoning has changed since the approval, and the use is now permitted. She further explained that the applicant is essentially eliminating the use variance application, and seeking to approve the site plan with the permitted use.

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Mr. Neff commented on the parking layout, noting that with the proposed layout, backing out from the parking spot in the corner would become difficult.

Mr. Marinelli gave an overview of his background and expertise, and is accepted as an expert witness by the Board.

Mr. Marinelli, referred to exhibit A1, noting that the exhibit had been revised from what was originally submitted to the Board, and now only has 6 parking spaces.

Mr. Neff addressed the buffer requirement of a commercial use next to a residential use. He suggested that the Board consider that waiver.

Mr. Lodato asked if anyone in the public wished to speak on this application. Hearing none, he closed the public hearing.

Mr. McGowan noted that the waivers that are noted in the Board Professional's review letters are all existing waivers.

Mr. Collins offered a motion to grant Minor Site Plan approval to Kay Realty with the requested waivers. The motion was seconded by Mr. Romanov.

Roll Call:

AYES: Mr. Collins, Mr. Romanov, Mr. Lodato, Councilman Baldwin, Mr. Crowley, Mr. Clayton, Mr. Natter, Mr. Markoff, Mr. Mirarchi

NAYS: None

ABSENT: Chairman Cunningham

INELIGIBLE: Ms. Brown

***PB 2018-02- FLM Associates, LLC- 3212 Shafto Road-Block 145 Lots 15-18- Preliminary & Final Major Site Plan:***

Attorney Collins stated for the record that the notice to adjoining property owners and affidavit of publication have been reviewed, are in order, and the Board has jurisdiction to hear the application.

The following exhibits were entered:

A1- Preliminary & Final Major Site Plan prepared by Jason L. Fichter, PE, PP, CFM, CME of InSite Engineering, LLC, dated March 8, 2018, revised September 10, 2018, consisting of sixteen (16) sheets.

A2-Architectural Plans prepared by Paul Lawrence, RA of 1 House Architecture, dated January 25, 2018, consisting of two (2) sheets.

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A3- Colored rendering of overall site plan.

A4- Aerial photograph of the site.

A5- Topographic Survey prepared by John T. Luts, PLC of Yorkanis & White, Inc., dated February 15, 2008, last revised May 31, 2012, consisting of one (1) sheet.

Attorney Collins swore in the following witness:

Patrick Ward, PE, PP of InSite Engineering

Mr. John R. Tatulli is the attorney present on behalf of the applicant. Mr. Tatulli gave a brief overview of the application, which is a 4.6-acre lot on Shafto Road. He stated that the applicant is seeking to develop a 25,000 square foot, one story flex space storage facility. The quantity of the units will depend of future tenants.

Mr. Ward, having previously testified before the Board, is accepted as an expert witness.

Mr. Ward described the existing conditions of the site using Exhibit A5, noting that the site is currently wooded. He further noted that the site contains three (3) Fresh Water Wetlands areas, totaling about 11,000 square feet, and that the applicant has secured a general permit from The DEP for fill in of those areas.

Mr. Ward described the design of the building and site including; roof pitch; unit access; parking; site circulation; loading areas; truck access; and public utilities.

Mr. Ward discussed the requested parking variance, and the anticipation for about 24 fleet vehicles. He also discussed allowing outdoor storage of certain materials. Ms. Beahm stated that there should be some form of enclosure to contain said materials.

Mr. Ward explained the design of the Storm Water Management plan, briefly spoke about traffic plan, and discussed the lighting & landscaping plans for the site. Discussion ensued regarding landscaping in the parking lot.

Discussion ensued regarding parking on the site, and whether there are enough spaces to accommodate the use. Ms. Beahm stated that in her professional opinion there is adequate parking proposed.

Mr. Ward stated that the applicant is willing to comply with all outstanding items in the Board professionals' review letters.

Mr. Natter asked about the location for the proposed septic tank. Mr. Ward responded that it would be in the rear of the site, as shown on page 7 of Exhibit A1.

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Ms. Brown asked about the location of the Wetlands on the site, Mr. Ward utilized Exhibit A5 to demonstrate the location of same.

Mr. Lodato opened the discussion to the public. There is no public present.

*Mr. Natter offered a motion to close the public hearing, seconded by Mr. Collins. All present voted in favor.*

*Mr. Collins offered a motion to grant Major Site Plan Approval with two variances and conditions outlined throughout the meeting, to FLM Associates, LLC. The motion was seconded by Mr. Clayton.*

Attorney Collins reviewed said conditions.

Roll Call:

AYES: Mr. Collins, Mr. Clayton, Mr. Lodato, Councilman Baldwin, Mr. Crowley, Mr. Romanov, Mr. Natter, Mr. Markoff, Mr. Mirarchi

NAYS: None

ABSENT: Chairman Cunningham

INELIGIBLE: Ms. Brown

**EXECUTIVE SESSION-** None

**OPEN PUBLIC DISCUSSION-** No public present

*Mr. Collins offered a motion to close the public session, seconded by Mr. Clayton. All present voted in favor.*

**ADJOURNMENT:**

Mr. Clayton offered a motion to adjourn at 8:31PM, seconded by Mr. Crowley. All present voted in favor.

Respectfully submitted,



Deanna Keefer  
Board Secretary

**APPROVED AT A MEETING HELD ON:**