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BOROUGH OF TINTON FALLS  
REGULAR MEETING OF THE PLANNING BOARD  
JULY 8, 2020

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

Mr. Collins 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:** Chairman Lodato, Councilman Nesci, Mr. Clayton, Mr. Romanov, Mr. Mirarchi,  
Mr. Natter, Mr. Markoff, Ms. Brown, Mr. Wallace, Ms. Hamilton  
**Absent:** Mr. Crowley  
**Others:** Dennis Collins, Esq., *Board Attorney*  
Trish Sena, Deanna Keefer *Board Secretary*  
Tom Neff, *Board Engineer*  
Christine Bell, Board Planner

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

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**PLANNING BOARD BUSINESS-**

**CITIZENS SERVICE ACT COMPLIANCE-** Chairman Lodato indicated that Mr. Crowley is absent tonight and gave advanced notice of said absence to the Board Secretary. No objection to his absence is made.

**PROFESSIONAL REPORTS – None**

**APPROVAL OF MINUTES-** Chairman Lodato indicated that the Board has received the minutes of the May 13th meeting and asked for a motion to approve the minutes as submitted.

*Mr. Clayton offered a motion to approve the minutes of the May 13th meeting; seconded by Mr. Romanov.*

**Roll Call:**

**AYES:** Mr. Clayton, Mr. Romanov, Chairman Lodato, Councilman Nesci, Mr. Mirarchi, Mr. Natter, Mr. Markoff, Ms. Brown, Mr. Wallace, Ms. Hamilton  
**NAYS:** None  
**ABSENT:** Mr. Crowley  
**INELIGIBLE:** None

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**RESOLUTIONS-** PB2020-08: *Cross Builders, LLC-175 Hance Avenue (Block 14.01 Lot 1) Resolution Granting an Extension of Time.*

*Mr. Romanov offered a motion to memorialize a Resolution Granting an Extension of Time to Cross Builders LLC. The motion was seconded by Councilman Nesci.*

**Roll Call:**

**AYES:** Mr. Romanov, Councilman Nesci, Chairman Lodato, Mr. Clayton, Mr. Mirarchi, Mr. Natter, Mr. Markoff, Ms. Brown, Mr. Wallace

**NAYES:** None

**ABSENT:** Mr. Crowley

**INELIGIBLE:** Ms. Hamilton

**NEW BUSINESS-**

***Extension of Time- PB 2019-06 Shannon Sullivan, 96 & 112 Water Street***

Attorney Collins explained that this is a Resolution granting an extension of time for an application for a Minor Subdivision Approval. Attorney Collins stated that Mr. Zimmerman, Esq. is here this evening to represent the applicant. This application does comply with all approvals; however, it was delayed due to COVID-19. Mr. Zimmerman, Esq. stated that the plans are in compliance and he expects to have them signed within the next few weeks.

Chairman Lodato stated for the record that Alternate #1 Richard Wallace will be a voting member tonight in Mr. Crowley's absence.

*Mr. Clayton offered a motion to Grant an Extension of Time to Shannon Sullivan, seconded by Mr. Natter.*

**Roll Call:**

**AYES:** Mr. Clayton, Mr. Natter, Chairman Lodato, Councilman Nesci, Mr. Romanov, Mr. Mirarchi, Mr. Markoff, Ms. Brown, Mr. Wallace

**NAYES:** None

**ABSENT:** Mr. Crowley

**INELIGIBLE:** Ms. Hamilton

**PB2019-18 106 Apple Street Holdings, LLC. 106 Apple Street, Block 15.01 Lot 16.03, Preliminary and Final Major Site Plan.**

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Attorney Collins stated that the Affidavit of Publication has been reviewed and is found to be in order and acknowledged that Mr. Alfieri is the counsel present on behalf of the applicant.

The following exhibits were entered:

***A1- Preliminary and Final Major Site Plan for Apple Street Holdings, LLC Proposed Parking Improvements. Prepared by Joshua M. Sewald, PE of Dynamic Engineering, dated October 30, 2019, revised on April 3, 2020 consisting of 12 sheets.***

***A2- Aerial of Site***

***A3- Site Plan Rendering- prepared by Dynamic Engineering.***

***The following witnesses are sworn in by Attorney Collins:  
Joshua Sewald, PE-Dynamic Engineering***

Attorney Collins also swore in Tom Neff, Board Engineer and Christine Bell, Board Planner.

Mr. Alfieri, Esq. stated that the applicant's team were in discussions with the neighboring Greenbriar Falls community through their Attorney Henry Chou from Hill Wallack, LLP. Four requests were made that the Applicant agreed to comply with, therefore Mr. Alfieri is placing those conditions on the record this evening. The Applicant has agreed to place monuments at the property boundaries to mark where the property line ends. They have also agreed to put a note on the plan stating that any evergreen trees that are proposed to be planted, will be replaced if any should die in the first year. The Applicant will install signage at the rear of the property, adjacent to Greenbriar Falls to discourage late-night parking. Finally, they will address the stormwater management to ensure they do not increase runoff onto the property of Greenbriar Falls.

Joshua Sewald, PE from Dynamic Engineering, placed his credentials on the record this evening, and is accepted by the Board as an expert witness. Mr. Sewald described the location of the property as Block 15.01 Lot 16.03, 106 Apple Street. There is an existing 55,000 square-foot office building with an existing parking area located to the South. The overall property is fronted by Apple Street as well as Sheila Drive.

Mr. Sewald referenced exhibit A3, stating this Application is proposing additional parking along the South-Eastern portion of the property. The existing office space is currently only 80-90% full, leaving about 15% of the building unleased, however the parking lot is already full. The owner is seeking to increase parking onsite should future tenants occupy the building. The Applicant is proposing to add 134 new parking spaces, increasing impervious coverage. There are no new improvements to the existing building. Mr. Sewald indicated that they do not intend on changing any access points.

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Chairman Lodato inquired about the nature of current and future tenants of the office space, and Mr. Sewald explained that there are about 50 tenants ranging from small offices to larger companies. Mr. Alfieri stated that they do not have any future tenants lined up to lease office space at this time.

Discussion ensued regarding stormwater management and the new parking lot's impact to the existing lot. Mr. Sewald gave a brief description of the construction phasing for this project.

Mr. Alfieri referenced Mr. Neff's Engineering Review and asked Mr. Sewald to explain how they will address the various technical items outlined in the report. Mr. Sewald stated that they will be able to address every comment made by the Board Engineer during Resolution Compliance.

Mr. Sewald discussed the 3 variances and 1 design waiver required as per the Planner's Review. Mr. Sewald referenced page two of the Planning Review letter which outlines the variances required for this project.

Discussion ensued regarding the variances needed to increase the number of parking spaces. Mr. Sewald stated that although a portion of the proposed parking is greater than 400 ft from the building entrance, it is the best use for the property. He also stated they will be placing shade trees along Sheila Drive, to further buffer the area. Mr. Sewald briefly discussed the required Design Waiver. The overall property is still compliant with the IOP bulk standards.

Ms. Bell stated that the existing parking and proposed increase in parking both far exceed the number of spaces required, she inquired about the office uses in the building and asked why so much additional parking is needed. Mr. Neff stated that the exceptional amount of parking requested is his main concern.

Mr. Alfieri explained that there may be some confusion as to why so much parking is needed, stating the building is actually larger than 55,000 square feet. Mr. Clayton asked how this building is bigger than 55,000 square feet.

Attorney Collins swore in Fishel Schlesinger, Applicant and Owner of 106 Apple Street.

Mr. Alfieri asked Mr. Schlesinger to clarify the confusion of the size of the building, in which he stated the actual size is 135,000 square feet. Mr. Schlesinger gave a brief description of the nature of the current tenants ranging from attorneys to physical therapy. Many of the tenants complain that there is not enough parking.

Ms. Brown asked if any of these parking spaces are currently leased to the animal hospital?

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***The Board took a two-minute break at 8:00 P.M.***

Mr. Sewald gave a brief description of the footprint of the building, explaining how it is larger than 55,000 square feet.

Mr. Schlesinger stated that about 10% of the building is currently vacant. Chairman Lodato voiced his concerns over the amount of parking being requested and deferred to the professionals for their input.

Mr. Neff stated that most applicants find the Borough's existing parking requirements to be excessive, this is the first time he has heard that the parking is not enough. Mr. Mirachi asked how many times the inside of office building has been subdivided since it was purchased? Mr. Neff explained that this is allowed because the parking is based off of the square footage of the building, not how many tenants occupy the space.

Mr. Neff asked for clarification as to whether or not parking spaces are being leased to the Red Bank Vet, stating people parking at the 106 Apple lot and going to the vet is not permitted. Attorney Collins asked exactly how many parking spots are associated with Red Bank Vet? Discussed ensued regarding the use of the parking lot.

***Chairman Lodato opened the Public Hearing on PB2019-18 106 Apple Street Holdings, LLC.***

*John Bowers Jr, Owner of 1 & 3 Sheila Drive-* Mr. Bowers discussed the parking issues in the area of 106 Apple Street, stating the parking is overflowing into their parking spaces on Sheila Drive. Mr. Bower's would like to see more parking spaces approved, so the influx of cars does not inhibit his parking spaces.

*Samantha Bowers, T.F. Associates-* Ms. Bowers stated that there is no question that 106 Apple Street has an issue with parking, and the overall issue stems from the Red Bank Vet.

*Mr. Clayton offered a motion to close the public hearing, the motion was seconded by Mr. Mirarchi. All present voted in favor.*

Ms. Bell asked for clarification on the exact square footage of the building, stating she is unsure of the actual parking needs of the building. Discussion ensued regarding the same.

Mr. Alfieri clarified for the record that the Applicant's team has had discussions with Greenbriar Falls, and they have revised their plans to address their comments.

Mr. Clayton asked if the amount of parking they are proposing tonight will be enough for all current and future tenants? Mr. Alfieri confirmed that it will be enough to support the entire office building.

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*Mr. Clayton offered a motion to grant Preliminary and Final Major Site Plan approval to 106 Apple Street Holdings, LLC, with the conditions outlined by Attorney Collins. The motion was seconded by Mr. Mirarchi.*

**Roll Call:**

**AYES:** Mr. Clayton, Mr. Mirarchi, Chairman Lodato, Councilman Nesci, Mr. Romanov, Mr. Natter, Mr. Markoff, Ms. Brown, Mr. Wallace

**NAYES:** None

**ABSENT:** Mr. Crowley

**INELIGIBLE:** Ms. Hamilton

Attorney Collins asked the Applicant's team to please contact Mr. Neff in regard to the issues with the Red Bank Vet parking.

***The Board took a 5-minute break at 8:46 PM.***

**PB2020-04: Bella Legacy Fund 57, LLC. 57 Apple Street Block 14.03 Lots 35, 37, & 39 Preliminary and Final Major Site Plan.**

Attorney Collins stated that the applicant has provided proper legal notice and the Board has jurisdiction to hear this matter. Attorney Collins acknowledged that Mr. Kevin Asadi is the counsel present on behalf of the Applicant.

The following exhibits were entered:

***A1- Preliminary and Final Major Site Plan prepared by Patrick R. Ward, PE, PP, of Insite Engineering, LLC, dated December 17, 2019, revised on June 26, 2020 consisting of 11 sheets.***

***A2- Rendering of proposed office building prepared by Antonio Scallise, AIA of Parallel Architectural Group dated July 7, 2020 consisting of 1 sheet.***

***A3- Floor Plans and Exterior Elevations prepared by Antonio Scallise, AIA of Parallel Architectural Group dated May 8, 2020 consisting of 2 sheets.***

***A4- Proposed Office Building Proposed Conditions, prepared by InSite Engineering and Parallel Architectural Group, consisting of 1 sheet.***

***A5- Proposed Trash Enclosure, depicted by neighboring office building.***

The following witness was sworn in by Attorney Collins:  
Antonio Scallise, AIA- Parallel Architectural Group

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Mr. Scallise described the design of the two-story office building. The building has been designed to fit the neighborhood and match the office building located next door to the subject property. This building will contain awnings and a storefront window and has the potential to house two tenants.

Mr. Asadi stated that the first floor could potentially be used by a medical office and the second floor for non-medical office use.

The following witness was sworn in by Attorney Collins:  
Patrick Ward, PE, PP-InSite Engineering, LLC.

Mr. Ward gave a brief overview of the two-story office building they are seeking to construct in the Borough's NC Zone. The intended use of the office building is to have one office suite on each floor. They anticipate normal business hours between the hours of 9:00AM and 5:00PM with limited after hours. No variances are required for the building itself. They are proposing off-street parking to the left and will be providing the required 17 spaces off-street. A sidewalk will be provided on both frontages on Apple and Clover Street.

Mr. Ward discussed the stormwater management for this site, stating they will be reducing runoff to the northwest neighborhood residential by over 50%.

Mr. Ward discussed the traffic impact and anticipate a modest amount of traffic, estimating about 60 round trips per day.

In terms of refuse, Mr. Ward stated they are proposing residential trash cans as opposed to a commercial trash enclosure. They are proposing a concrete pad with a 6ft vinyl fence on each side to screen in the trash area.

Ms. Brown inquired about the mature trees on the property and asked if they will be cutting them down and replacing them with smaller shrubbery. She asked the Applicant to consider preserving some of the older trees to keep the character of the neighborhood. Mr. Ward and Mr. Neff briefly discussed the landscape plan for the property.

Mr. Ward discussed the lighting on site and considers it to be minimally impactful with low intensity use.

Mr. Ward indicated that there will be no building mounted signage, there will be one free standing sign proposed at the corner of the property. They anticipate the sign accommodating both tenants and will fully conform with the Ordinance.

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Mr. Ward gave an overview of the project and discussed the Design Waivers and Variances that are required. Discussion ensued regarding fencing the property and the existing fence on the neighboring property.

Mr. Ward stated that the applicant will install sidewalks on both Apple Street and Clover Street.

Mr. Ward stated that this is an appropriate use that will promote the general welfare and promote a desirable visual environment. He explained that this modest building is the best alternative use for this property. In his opinion, the benefits of the application substantially outweigh its detriments.

Mr. Neff asked Mr. Ward to briefly discuss impacts from deliveries and larger trucks. Mr. Ward stated that they anticipate FedEx, UPS, and office supply deliveries to the building at one to two deliveries per week.

Discussion ensued regarding the size of the parking space and if it will be enough to serve a possible medical office.

Chairman Lodato open the Public Hearing on PB2020-04 Bella Legacy Fund 57, LLC.

*Mr. Clayton offered a motion to close the Public Hearing, the motion was seconded by Mr. Mirarchi. All present voted in favor.*

**Roll Call:**

**AYES:** Mr. Clayton, Mr. Mirarchi, Chairman Lodato, Councilman Nesci, Mr. Romanov, Mr. Natter, Mr. Markoff, Ms. Brown, Mr. Wallace

**NAYES:** None

**ABSENT:** Mr. Crowley

**INELIGIBLE:** Ms. Hamilton

Ms. Bell stated that this is a very thoughtful Site Plan and while they do not meet the buffer requirement, they have provided substantial landscaping to shield the residential uses from the commercial property. She encouraged the applicant to preserve some of the large trees if possible.

Mr. Neff stated that the Variances and Design Waivers they are requesting are de minimis based upon the lot layout.

*Councilman Nesci offered a motion to grant Preliminary and Final Major Site Plan Approval to Bella Legacy Fund 57, LLC with the conditions outlined by Attorney Collins; the motion was seconded by Mr. Natter.*



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ROLL CALL

AYES: Councilman Nesci, Mr. Natter, Chairman Lodato, Mr. Clayton, Mr. Romanov, Mr. Mirarchi, Mr. Markoff, Ms. Brown, Mr. Wallace

NAYES: None

ABSENT: Mr. Crowley

INELIGIBLE: Ms. Hamilton

OPEN PUBLIC DISCUSSION

*Mr. Mirarchi offered a motion to close the Public Discussion, the motion was seconded by Mr. Clayton. All present voted in favor.*

EXECUTIVE SESSION-None

ADJOURMENT:

*The meeting was adjourned at 9:51 PM.*

Respectfully submitted,



Trish Sena  
Planning Board Secretary

APPROVED AT A MEETING HELD ON: AUGUST 26, 2020