

**MINUTES  
BOROUGH OF LAVALLETTE  
REGULAR MEETING OF THE PLANNING BOARD**

**Wednesday, November 19, 2008 - 7 P.M.**

Chairman William Zylinski presiding.

**Roll Call:**

Vincent Marrone, Mayor LaCicero's Designee – absent  
William Zylinski, Chairman – present  
Joseph Baginski, - Vice Chairman - absent  
Councilwoman Filippone – absent  
Christopher Parlow, Business Administrator – absent  
Anthony Cataline – present  
Vincent Marino - absent  
Leonard Calderaro – present  
Rosangela Zaccaria – present

Joseph Palinsky – present  
Barbara Brown - present

The Board Secretary stated Mr. Marrone was ill, Mr. Baginski had travel plans, and Mrs. Filippone and Mr. Parlow were attending League of Municipalities convention.

**Public Notice Announcement:**

This is the Borough of Lavallette Planning Board meeting of November 19, 2008. Adequate notice of this meeting has been given as required by Chapter 231 Public Law 1975, commonly known as "The Sunshine Law." The date, time and place of this meeting was posted on the bulletin board located in the Borough Hall, filed with the Borough Clerk, and supplied to the Ocean Star one of the official Borough newspapers.

**Flag Salute:**

The flag salute was deferred to the public portion of the meeting.

Mr. Palinsky was sitting in the absence of Mr. Baginski and Mrs. Brown was sitting in the absence of Mr. Parlow.

**Review of Minutes:**

The Board reviewed the minutes of the Workshop Meeting of September 10, 2008 and the Regular Meeting of September 24, 2008.

**Review of Resolution to be Memorialized:**

None

Mr. Brady was not in attendance.

**Review of Cases:**

**Application No. 6-08- Ralph & Sylvia Axcelson, 127 New Brunswick Ave., Block 54, Lot 10  
Special Reasons-Extension of a Non-conforming Use**

The property is located on the north side of New Brunswick Avenue in the Residential District A (one-family) Zone. The property contains 5,000 square feet and two single-family dwellings. The applicant is proposing to make alterations to the roof on the front dwelling.

This application was heard on at the July 23<sup>rd</sup> meeting and applicant requested that it be carried to September 24<sup>th</sup> in order to have appropriate plans prepared. Mr. MacDuffie requested the case be carried to November 19, 2008 due to pre-arranged vacation plans.

The prepared plans have been disbursed to the Board and attorney.

**Application No. 8-08, Philip & Francine Delli Santi, 1400-B Baltimore Ave., Block 54, Lot 1.02,  
Special Reasons-Extension of a Non-conforming Use**

The property is located on the southwest corner of the intersection of Brooklyn Avenue and Baltimore Avenue in the Residential District A. The property contains 5000 square feet and two single-family dwellings, which are two condominium units, A & B. The applicant owns Unit B, (the rear house) which is located to the rear of Unit A (the front house)) and has frontage on Brooklyn Avenue. The applicant is proposing to demolish the existing dwelling and one shed and construct a new dwelling. A special reasons variance is required because the lot has two dwellings, which is a non-conforming use.

This application was heard on September 24, 2008. After a full hearing, Mr. MacDuffie, the attorney for the applicant requested the application be carried to November 19<sup>th</sup> to allow time for any revisions to the plans.

**Other Business:**

Chairman Zylinski stated the appointments of Board attorney and Engineer will be coming up for the new year. He asked the Board in what manner they would like to proceed and if they wanted to send out requests for proposals. There was discussion regarding satisfaction with the present attorney and engineer as long as they would propose the service at the same cost as this year.

A motion was made by Mrs. Brown, seconded by Mr. Cataline, not to seek requests for proposals and ask for proposals from the present appointees at the same fees as 2007. All present voting in the affirmative. Motion carries.

Workshop portion of the meeting adjourned at 7:25 p.m.

A brief recess was taken.

**PUBLIC MEETING: (commenced at 7:30 p.m.)**

Roll call:

Vincent Marrone, Mayor LaCicero's Designee - absent  
William Zylinski, Chairman - present  
Joseph Baginski, - Vice Chairman - absent  
Councilwoman Filippone - absent  
Christopher Parlow, Business Administrator - absent  
Anthony Cataline - present  
Vincent Marino - absent  
Leonard Calderaro – present  
Rosangela Zaccaria – present

Joseph Palinsky – present  
Barbara Brown – present

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**Flag Salute:**

Chairman Zylinski led the audience in the salute to the flag.

**Approval of Minutes:**

On motion by Mr. Calderaro, seconded by Mrs. Brown, the Minutes of the Workshop Meeting of September 10, 2008 were approved, with one addition. All present eligible to vote, voting in favor.

On motion by Mr. Cataline, seconded by Mrs. Zaccaria, the Minutes of the Regular Meeting of September 24, 2008 were approved. All present eligible to vote, voting in favor.

**Resolution to be Memorialized:**

None

**Public Hearings:**

**Application No. 6-08- Ralph & Sylvia Axcelson, 127 New Brunswick Ave., Block 54, Lot 10  
Special Reasons-Extension of a Non-conforming Use**

The property is located on the north side of New Brunswick Avenue in the Residential District A (one-family) Zone. The property contains 5,000 square feet and two single-family dwellings. The applicant is proposing to make alterations to the roof on the front dwelling.

This application was heard on at the July 23<sup>rd</sup> meeting and applicant requested that it be carried to September 24<sup>th</sup> in order to have appropriate plans prepared. The prepared plans have been disbursed to the Board and attorney.

Mr. Palinsky sat as alternate number one (1) on this application at the July 23<sup>rd</sup> meeting in place of Mrs. Zaccaria.

**Application No. 8-08, Philip & Francine Delli Santi, 1400 Baltimore Ave., Block 54, Lot 1.02, Special Reasons-Extension of a Non-conforming Use**

The property is located on the southwest corner of the intersection of Brooklyn Avenue and Baltimore Avenue in the Residential District A. The property contains 5000 square feet and two single-family dwellings, which are two condominium units, A & B. The applicant owns Unit B, which is located to the rear of Unit A and has frontage on Brooklyn Avenue. The applicant is proposing to demolish the existing dwelling and one shed and construct a new dwelling. A special reasons variance is required because the lot has two dwellings, which is a non-conforming use.

Mr. Palinsky had removed himself from this application because he is a property owner within 200 feet of the premises.

Mr. MacDuffie represented both applicants. He stated that both of the cases are D variances (special reasons) and require five (5) affirmative votes and only five eligible members are present to vote on one case and 6 members on the other case. Mr. MacDuffie stated under the circumstances he would appreciate the applications be carried, with all time frames waived.

Chairman Zylinski opened the hearing to the public and inquired if anyone wanted to be heard on these applications. There was no response.

After discussion, Chairman Zylinski announced that for the convenience of the parties, a Special Meeting would be held on Wednesday, December 3, 2008, at 7 p.m. to hear the applications.

**Other Business:**

There was discussion regarding the absences. The Board Secretary stated that Mr. Baginski had called in advance and advised he would be absent due to travel and Mrs. Filippone and Mr. Parlow advised they would be absent due to the League of Municipalities convention. Mrs. Filippone was unable to vote on these applications because they are D variances.

Mrs. Brown suggested that in future no meetings be scheduled for the week of the convention. The Board Secretary explained that the Wednesday of the following week is Thanksgiving eve and (in 2009 the Wednesday in the week prior to the convention will be a holiday).

Mrs. Zaccaria stated she was upset that the Board could not proceed with the meeting and that when people are going to be absent, they should have the courtesy of calling the Board Secretary in

advance. The Board Secretary stated that Mr. Baginski, Mr. Parlow and Mrs. Filippone had advised her prior to the meeting date they would be absent.

Mr. Cataline stressed the importance of coming to the meeting on December 3<sup>rd</sup> and making the members aware of the importance of attending. Mrs. Zaccaria agreed and made the following statement that she wanted put on the record. "If you're committed to being on Planning Board you need to come to the meetings. If not, you need to resign. (The Board Secretary and Chairman reiterated Mr. Baginski did call in advance and Mr. Parlow and Mrs. Filippone gave notice). Mrs. Zaccaria continued, "I understand that, no I'm serious. We need to hear from our Board members if they're not going to come, they need to call. If you choose not to be on the Planning Board you should resign..we should call it like it is..it's ridiculous people travel hours to get here and they're inconvenienced, your planner, your attorney and your family and I don't think it's right or fair. I think we should be strong about this and I don't think we should say ohhh I forgot to call..if you don't want to be on it resign period amen and I would like this in the record".

The Board Secretary asked "word for word?" Mrs. Zaccaria responded "yes" everyone does their best to be here on time and we're adults and you need to be responsible for your action".

Several Board members agreed that it was important.

Mrs. Brown stated she would like on the record that the Board Secretary will be advertising the December 10<sup>th</sup> meeting will be with the planner.

**Adjourn:**

On motion by Mrs. Brown, seconded by Mrs. Zaccaria, with all in favor, the meeting was adjourned at 8:35 P.M.

Respectfully submitted

Rosemary Robertson  
Secretary