

**MINUTES
BOROUGH OF LAVALLETTE
REGULAR MEETING OF THE PLANNING BOARD
Wednesday, July 25, 2012 – 7 P.M.**

Chairman Lionel Howard presiding

Roll Call:

Vincent Marino, Designee of Mayor LaCicero - present
Councilwoman Joanne Filippone - present
Lionel Howard, Chairman - present
William Zylinski – Vice-Chairman – present
Christopher Parlow, Borough Administrator – absent
Joseph Baginski - absent
Rosangela Zaccaria - absent
Anthony Cataline - present
Len Calderaro – present

Joseph Palinsky - present
Barbara Brown – present

Terry F. Brady, Esq. - present

Public Notice Announcement:

This is the Borough of Lavallette Regular Planning Board meeting of July 25, 2012. 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 newspapers.

Mr. Palinsky will be sitting in the absence of Mr. Baginski.

Mrs. Brown will be sitting in the absence of Mrs. Zaccaria.

Flag Salute:

Chairman Howard deferred the flag salute to the public portion of the meeting.

Review and Approval of Minutes:

The Board reviewed the Minutes of the Regular Meeting of June 27, 2012.

A motion was made by Mrs. Brown, seconded by Ms. Filippone to approve the Minutes of the June 27, 2012 meeting. All present voting in favor.

Review and Adoption of Resolutions to be memorialized:

Application No. 2-12: Steve & Kim Atno, 109 New Brunswick Ave., Block 41.01, Lot 14

A motion was made by Mrs. Brown, seconded by Mr. Calderaro to adopt the Administrative Approval Resolution subject to the change on page 3 #4 to read; "The attic space shall comply with the height limitation imposed by the Borough Ordinances." On roll call: Mr. Calderaro, yes; Mr. Cataline, yes; Mr. Howard, yes; Mr. Palinsky, yes; Mrs. Brown, yes. Motion carries.

Application No. 4-12: Richard & Jane Lally, 114 Magee Ave., Block 36.02, Lot 21

A motion was made by Mrs. Filippone, seconded by Mr. Marino to adopt the Administrative Approval Resolution. On roll call: Mr. Marino, yes; Mrs. Filippone, yes; Mr. Calderaro, yes; Mr. Zylinski, abstain; Mr. Cataline, yes; Mr. Howard; no; Mr. Palinsky, yes. Motion carries.

Review of Cases:

Application No. 5-12 – Frank & Marie Cella – 175 Pershing Blvd. Block 959, Lot 26 & 26.09 Lavallette, NJ

The property located on the south side of Pershing Blvd., approximately 200 feet east of Sturgis Road in Residential District B and contains 8,272 square feet. The site currently contains a two-story single family dwelling. The applicant is proposing to remove the existing outside shower and construct an enclosed elevator to the second floor.

New/Old Business:

Mr. Howard announced the resignation of Rosemary Robertson as Planning Board Secretary and offered the name Joyce Deutsch as the new secretary. Motion for approval was moved by Mrs. Filippone; seconded by Mr. Cataline. Motion to approve Mrs. Deutsch as Planning Board Secretary for the remainder of the 2012 term was adopted unanimously.

Mr. Howard led a discussion about Nicolock Paving Stones and Retaining Walls, a company claiming to "reduce storm water runoff up to 100% and allowing water to drain and filter naturally through the earth and directly to the water table." The Nicolock representative expressed an interest to the Zoning Officer to make a presentation to the Planning Board about their product. Mr. Cataline felt that there would be a problem with a governing body making a recommendation for any particular supplier and what would stop other companies from coming to the Board for endorsements. Mr. Brady interjected that if this coverage is pervious, it would not affect lot coverage; and therefore, necessitate a change in our Ordinance. Mrs. Filippone thought that the company should make a presentation to our Town Administrator and not to the Planning Board. Mr. Howard thanked the Board for their input.

Mrs. Filippone called the Board's attention to a Draft Ordinance which would change Sections Definitions and Area yard and building requirements for oceanfront properties. Mrs. Filippone requested that the Board look over the draft so that there could be a discussion at our Workshop Meeting on August 8. Copies were distributed to all members.

Adjournment:

On motion, made and seconded the workshop portion of the Regular meeting was adjourned at 7:25 p.m.

The Board took a 5 minutes recess.

PUBLIC MEETING

Chairman Howard presiding

Roll Call:

Vincent Marino-Mayor Walter LaCicero's Designee - present
Lionel Howard, Chairman - present
William Zylinski – Vice-Chairman - present
Councilperson Joanne Filippone - present
Christopher Parlow, Business Administrator - absent
Joseph Baginski - absent
Leonard Calderaro - present
Roseangela Zaccaria- absent
Anthony Cataline - present
Joseph Palinsky - present
Barbara Brown – present

Attorney: Terry Brady, Esq. - present

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PUBLIC MEETING:

Application No. 5-12 – Frank & Marie Cella, 175 Pershing Blvd., block 959, Lot 26 & 26.01

The property located on the south side of Pershing Blvd., approximately 200 feet east of Sturgis Road in Residential District B and contains 8,272 square feet. The site currently contains a two-story single family dwelling. The applicant is proposing to remove the existing outside shower and construct an enclosed elevator to the second floor.

Mr. Philip Mylod, Esq., was sworn in and explained that he would be calling Mr. Michael Melillo, Architect, and the Cella's, homeowners, to give testimony as to why they are seeking approval to construct an enclosed elevator.

Mr. Michael Melillo was sworn in and presented maps and photographs of the current view and the proposed view of the Cella property. (Labeled A-1) Mr. Melillo submitted the entire floor plan of the property (Labeled A-2) to illustrate their plan as the best option since the lot coverage and set backs are already non-conforming. The proposal to use the outside shower space and to remove a portion of the upstairs bedroom in order to accommodate the elevator will not add to the non-conformity.

Mr. Calderaro asked where the mechanics of elevator would be housed, and Mr. Melillo replied that they would be in the attic. Mr. Palinsky questioned that there are 2 steps still existing in the proposed structure and had they considered the use of a ramp to which Mr. Melillo replied that they have diminished the stair count from 16 to 2 and there are no plans for a ramp at this time.

Mr. Zylinski asked if they considered back-up power for the elevator. Mr. Melillo said it was a great point, but there will be no generator on site because if the power goes out, the elevator will automatically go to the 1st floor.

Mrs. Marie Cella was sworn in to explain why the elevator is needed. Mrs. Cella presented a doctor's letter (Labeled A-3) outlining their existing medical conditions which warrant the use of an elevator in the home.

A motion was made by Mr. Calderaro and seconded by Mrs. Filippone to approve the application. On roll call: Mr. Cataline, yes; Mr. Marino, yes; Mrs. Filippone, yes; Mr. Calderaro, yes; Mr. Zylinski, yes; Mr. Howard, yes; Mrs. Brown, yes; Mr. Palinsky, yes.

Chairman Howard opened the meeting to the public for comments. Receiving no comments, Chairman Howard closed the public portion of the meeting at 7:58 p.m.

OLD/NEW BUSINESS:

Reminder of August 8 Workshop Meeting

Adjournment:

On motion by Mr. Zylinski, seconded by Mrs. Filippone the public meeting was adjourned at 8:10 p.m.

Respectfully submitted,
Joyce Deutsch, Secretary