

**MINUTES
BOROUGH OF LAVALLETTE
REGULAR MEETING OF THE PLANNING BOARD
Thursday, April 25, 2013 - 7 P.M.**

Chairman Howard presiding

Roll Call:

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

Joseph Palinsky - present
Barbara Brown - present

Terry Brady, Esq. - present

Public Notice Announcement:

This is the Borough of Lavallette Regular Planning Board meeting of April 25, 2013. 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 one of the official Borough newspapers, the Ocean Star.

Review & Approval of Minutes:

A motion was made by Mrs. Zaccaria seconded by Mrs. Brown to accept the Minutes of the Regular Meeting of March 27, 2013. All members who attended the March 27 meeting voted in the affirmative.

New Business:

Application #2-13 EXP: Herman & Wojciechowski, 119 Virginia Ave., Block 42.02 Lot 26

The property is located on the north side of Virginia Avenue in Residential District A. The property contains 5,000 square feet and two single family dwellings. The applicant is proposing to demolish the dwellings and construct two (2) new single family dwellings in the same footprints but at a higher elevation for the finished floor to be 2 feet above the ABFE of 8.

Since this is the first expedited application, Mr. Brady took a moment to comment and explained that it still needs Planning Board approval, however, it has been pre-determined based on the Engineer's review. He recommended that Item 7 on the Resolution be discussed in order to clarify that there is no expansion of the non-conforming property. He continued to go through the content of the new Resolution.

Chairman asked if there were any other comments from the Board; and there were none at this time.

Correspondence:

New Jersey Planning Officials Membership Cards were distributed.

Mr. Brady informed the Board of the honor given to Mayor LaCicero; i.e., 2013 New Jersey Planning Officials Achievement Award and read correspondence to that effect. Chairman Howard added that the Mayor deserves a great deal of credit along with Chris Parlow and Joanne Filippone for the way they handled matters after Hurricane Sandy. Congratulations and praise was elicited from the entire Board. Mrs. Zaccaria added that a new business, Jersey Mike's, is coming into Lavallette.

Mrs. Zaccaria pointed out that there was an article about Lavallette in the NJPO Newsletter on page 12.

Public Meeting:

Chairman Howard presiding

Flag Salute

Roll Call:

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

Joseph Palinsky – present (not eligible to vote)
Barbara Brown – present (not eligible to vote)

Terry Brady, Esq. - present

Public Hearing:

Application #2-13 EXP: Herman & Wojciechowski, 119 Virginia Ave., Block 42.02 Lot 26

The property is located on the north side of Virginia Avenue in the Residential District A. The property contains 5,000 square feet and two single family dwellings. The applicant is proposing to demolish the dwellings and construct two (2) new single family dwellings in the same footprints but at a higher elevation for the finished floor to be 2 feet above the ABFE of 8.

Ms. Herman introduced herself to the Board and explained that she was speaking on Mr. Wojciechowski's behalf. She stated that the storm damaged her home, and her intent is to rebuild her homes on the same footprint and keeping them the same size.

Mr. Howard commented that the survey was not accurate and that there were things missing. Mr. Howard asked why the walk was missing from the plan, to which Ms. Herman explained that

she is not replacing the sidewalk but putting stones in as ground coverage. The question was asked if there was off-street parking, and Ms. Herman said yes and explained where the parking is. Mr. Howard said it was not shown on the survey. Mr. Parlow commented that the statistics were on the Engineer's report. Mr. Howard said it is labeled as an estimate and not a final report showing all the dimensions.

Mr. Howard asked where the Engineer got the figures; and Mr. Parlow added that he probably calculated the dimensions.

Since there were no dimensions submitted by the applicant showing side yards, Mr. Howard asked, "where are you going to put your cars?" Mr. Baginski asked if she currently puts cars there now; to which Ms. Herman said yes.

Mr. Parlow had a question about the elevation; however, the map that was submitted did not show the proposed elevation. Ms. Herman said she intends to go to 10 feet; and that the current elevation is approximately 3 ½ feet.

Mr. Zylinski asked how many bedrooms exist in each house; the response was 2. Ms. Herman added that she will rebuild with the same amount of bedrooms. She will also be raising the air conditioning unit and the showers would be piped through the house.

Mr. Brady went over the specific items with Ms. Herman for which she was seeking Board Approval. Mr. Howard again questioned the accuracy of both the survey and our Engineer's report.

Mr. Brady suggested that we work with the information that the Engineer supplied; and clarified that the house will be 14.7 feet back and that there will be 3 parking spaces provided.

Chris Parlow added that the front yard setback is 14 feet and the structure that is at the 7 foot line is a porch. Mr. Howard pointed out that it is a covered porch and actually measured 7.7 ft. Mr. Parlow requested that the Resolution reflect that the owner can replace the porch.

Mr. Zylinski asked if the rear house is presently heated; she replied no. She was told that she could put heat in if she wanted to. Ms. Zaccaria asked who told her she could add electric heat; and it was established that it came from the Borough. It was explained that the addition of heat would be an expansion of use; and that was not part of her application. Ms. Herman agreed not to add heat if it is not permitted.

Mr. Brady asked if there was an expansion of square footage in either of the houses; to which the applicant replied, no.

Mr. Howard asked if she was going to build on the foundation; Ms. Herman said that she was going up on pilings and reconfirmed that she is planning to rebuild on exactly the same spot using the same footprint.

Mr. Baginski asked the height of the house; and Ms. Herman offered that the height would not exceed 30 feet.

Mr. Calderaro said he looked at the property and asked if the same type of siding would be used. Ms. Herman answered in the affirmative.

Mr. Howard asked if there were any other questions.

Ms. Zaccaria was bothered by the fact that the owner was given incorrect information about the heat. Ms. Herman reiterated that since she does not have it now; she doesn't need it. Mr. Howard pointed out that unless the question was asked; no one would have known that the owner was planning to add heat. The Board secretary suggested that this question be added to our Checklist.

Motion was made by Mr. Parlow seconded by Mr. Cataline to approve this Resolution with all eligible Board members voting in favor.

Mr. Howard asked if there were any members of the audience who wished to address the Board.

Andrew Feranda, 3 ½ Princeton Ave. commented that Ms. Herman did a great job.

Ms. Suellen Crowley Weaver, 2206 Baltimore Ave. addressed the Board. She said that she is hoping to become the second applicant to go through the expedited hearing process. Ms. Weaver read a personally prepared statement about rebuilding her property. Mr. Brady cautioned the Board to limit our questions since this was not a formal application. Therefore, after a few brief questions about the nature of the non-conformity, lot coverage and setbacks, Ms. Weaver thanked the Board for their time.

Mr. Howard closed the public hearing.

Mr. Calderaro had one more question for the Board. He asked why the Herman case had to come before the Board if our Zoning Officer had already approved rebuilding on the same footprint. Mr. Parlow explained that if the owner of a non-conforming property wanted to rebuild without demolishing the current structure or without raising the structure, the property owner would not have to come before the Board. However, in this case, the home owner was demolishing and raising the properties.

Adjourn:

A motion to adjourn was made by Mr. Parlow, seconded by Mr. Zylinski with all members voting in favor. The meeting was adjourned at 8:30 p.m.

Respectfully submitted,
Joyce Deutsch, Secretary