

**MINUTES  
BOROUGH OF LAVALLETTE  
REGULAR MEETING OF THE PLANNING BOARD  
Thursday, September 26, 2013 - 7 P.M.**

Chairman Howard presiding

**Roll Call:**

Mayor Walter LaCicero - absent  
Councilwoman Joanne Filippone - present  
Lionel Howard, Chairman - present  
William Zylinski, Vice-Chairman - present  
Christopher Parlow, Borough Administrator - absent  
Rosangela Zaccaria - present  
Anthony Cataline - present  
Len Calderaro - present  
Joseph Palinsky - present

Barbara Brown – present  
Vincent Marino – present

Terry Brady, Esq. - present

**Public Notice Announcement:**

This is the Borough of Lavallette Planning Board meeting of September 26, 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.

Salute to the Flag – lead by Mr. Howard

**New Business:**

N/A

**Resolutions to be memorialized:**

**Application # 14-13, Denise & William Apsey, 116 Vance Avenue – Front Dwelling – Block 35.02 Lot 23 (approval)**

The property is located on the south side of Vance Avenue approximately 100 feet west of Route 35 southbound in the Residential District A. The property contains 5,000 square feet and two (2) single family dwellings, a two story dwelling on the front of the property and a one story dwelling on the rear of the property. The applicant is proposing to construct a 162 square foot second story addition on the front dwelling. The addition will be located within the existing footprint of the dwelling. Additionally, the existing wood walkways are being removed to accommodate four (4) off street parking spaces.

A previous application was received in April 2013 to demolish and reconstruct the rear dwelling in the same footprint but at a high elevation. As part of that application, 65 square feet of steps and landing were proposed for access to the rear dwelling. The additional information received from Mr. Mac Duffie indicates that the applicant is requesting an increase in the area of the deck and

its appurtenances to 134 square feet from the previous area of 65 square feet.

**Application # 12-13, William & Veronica Matthaei, 505 Bay Boulevard, Block 32.02 Lot 29 – approval for structure coverage, lot coverage, and curb cut – denial of height variance also requested in this application.**

The property is located on the east side of Bay Boulevard approximately 50 ft. north of President Avenue northbound in Residential A District. The property contains 4,624.18 sq. ft. with a two-story frame dwelling and attached garage. The applicant is proposing to demolish the existing dwelling and construct a new two-story single family dwelling elevated to comply with FEMA minimum base flood elevation.

**Application # 17-13, Maureen & Robert Mills, 501 Bay Boulevard, Block 32.02 Lot 28 (approval with conditions)**

The property is located on the south corner of Guyer Avenue at Bay Boulevard in the Residential District A. The property contains 5,500 square feet with a two story frame dwelling with garage below. The Applicant is proposing to raise the existing house four (4) feet above the Base Flood Elevation.

**Review & Approval of Minutes:**

A motion was made by Mrs. Filippone, seconded by Mr. Cataline to accept the minutes of the September 12, 2013 Planning Board Meeting. All members who attended the September 12 meeting with the voted in the affirmative. Mrs. Filippone suggested that all future minutes be entitled “Regular Meeting of the Planning Board” and all members were in agreement.

**Public Meeting:**

Chairman Howard presiding

Mrs. Brown will sit for Mr. Parlow who is absent from this meeting.

**Application # 9-13, Rolando & Maureen Cibischino, 113B New Jersey Ave., Unit 2, Block 45.02, Lot 20 (continuance) ... note revised plans ...**

The property is located on the northwest corner of New Jersey Avenue and Route 35 Southbound in the Residential District A and contains 5,000 sq. ft. The site contains a two story frame dwelling in the front of the property and a one story frame dwelling in the rear of the property. The Applicant is proposing to demolish the rear dwelling and construct a two story dwelling, with the finished floor elevated 4.82 feet above the Advisory Base Flood Elevation. The dwelling will be generally located in the same area as the existing dwelling but will have a second floor balcony, landing and steps added to the east side.

Mrs. Filippone stepped down from the dais.

- Michele R. Donato, Esq., representing applicant
- Allen E. MacDuffie, Esq., representing Mr. & Mrs. Smith, members of the condominium association

Dr. Rolando Cibischino, Nine Timber Trail, Boonton, NJ, was sworn in as the applicant and property owner of 113 New Jersey Ave., Unit 2. He testified that the property was purchased in

2008 and that the family uses the home year round. They sustained substantial damage from the October storm and as a result are required to become FEMA compliant. Dr. Cibischino gave a brief description of the existing home and explained that he felt his only option was vertical expansion.

Christine Nazzaro Cofone, Professional Planner, 125 Half Mile Road, Red Bank, NJ, was sworn in and gave testimony in favor of the application addressing negative criteria, impact on Master Plan, and impact on the public good. Exhibits A-1 and A-2 were submitted.

Mr. MacDuffie was sworn in and cross examined Mrs. Cofone disputing her special reasons criteria. He also submitted photographs labeled O-1, O-2, and O-3.

Mr. Howard opened the public portion of the hearing at 8:50 p.m.

- Mr. Patrick Lazzaro 112 New York Ave., Lavallette, and 160 Magee Rd., Ringwood, N.J., was sworn in and testified against this application.
- Mr. George Smith, 113 New Jersey Ave., Unit A, Lavallette, was sworn in. He identified himself as the President of the condominium association and as such expressed his opinion that the bi-laws should not be circumvented.
- Mr. John DeGrande, 5 Jersey City Ave., Lavallette, was sworn in and testified that there are four two-story rear house dwellings on New Jersey Ave.
- Mrs. Linda Smith, 113A New Jersey Ave., Lavallette, was sworn in and gave emotional testimony against this application.
- Mr. Fred Ecke, 15 Jersey City Ave., Lavallette, was sworn in and testified in favor of this application.

Having no further public comments, Mr. Howard closed the public portion of the hearing at 9:55 p.m.

A motion to deny this application was moved by Mr. Palinsky, seconded by Mr. Calderaro.

Roll call vote: Palinsky, yes; Calderaro, yes; Zylinski, yes; Zaccaria, no; Cataline, no; Brown, yes; Howard, yes. This application was denied.

**Adjourn:**

A motion was made by Mr. Zylinski, seconded by Mr. Palinsky to adjourn with all present voting in favor.

Meeting was adjourned at 10:15 p.m.

Respectfully submitted,  
Joyce Deutsch, Secretary