

**MINUTES  
BOROUGH OF LAVALLETTE  
WORKSHOP MEETING  
OF THE PLANNING BOARD  
Wednesday, April 1, 2015**

Chairman Howard presiding

**Roll Call:** Lionel Howard, Chairman - present  
Jack Sauer, Mayor's Designee - present  
Joanne Filippone - absent  
Joseph Palinsky - present  
Len Calderaro - present  
William Zylinski, Vice Chairman - present  
Rosangela Zaccaria - absent  
Anthony Cataline - present  
Christopher Parlow - absent

Barbara Brown - present  
Vincent Marino - present

Terry F. Brady - present

**Flag Salute:** Chairman Howard

**Public Notice Announcement:**

This is the Borough of Lavallette Planning Board Workshop meeting of April 1, 2015. 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, temporarily located in Trailer #1 at 125 Washington Ave., filed with the Borough Clerk, and supplied to the Ocean Star, one of the official Borough newspapers.

**Discussion:**

The Chairman reminded Board members of the Special Meeting to be held April 9, 2015.

Mr. Brady reported that:

- Marcelli litigation is being withdrawn.
- Planning Board decisions require reasons from each voter for approvals and denials. This will explain why the Board reached their decision.

**Resolutions to be Memorialized:**

Application #1-15, 106A Princeton Ave. Unit A – James & Francis Craig – Block 48.01, Lot 11.01 expansion of non-conforming use – approved

Application #2-15, 219 Newark Ave., Gregg & Clarissa Sakowicz – Block 964, Lot 21 approval of bulk variances – approved

### **Review and Adoption of Minutes:**

A motion was made by Mr. Calderaro, seconded by Mrs. Brown to approve the minutes of the February 18, 2015, Closed Session. All present voted in favor.

A motion was made by Mrs. Brown, seconded by Mr. Zylinski to approve the minutes of the Regular Meeting of March 4, 2015. All present voted in favor.

### **Public Hearing:**

#### **Application #23-14, Albert & Audrey Hughes, 201 Haddonfield Ave. – Block 1114, Lot 30 - elevate and rebuild a non-conforming use**

The property is located on the northwest corner of Haddonfield Ave. and Route 35 southbound in Residential District C. The property contains 8,950 sq. ft. with a two-story, two family dwelling in the front of the property and a one (1) story single family dwelling in the rear of the property. The applicant is proposing to demolish the rear dwelling that was damaged in super storm Sandy and construct a one story single family dwelling elevated to a finished floor of 14.26 (AE-7). The existing dwelling is 645 sq. ft. in area and the proposed dwelling is also 645 sq. ft. with a slightly different footprint.

Mrs. Brown will sit for Mrs. Zaccaria who is absent. Mr. Cataline recused himself since he is a property owner within 200 feet of the applicants' property. Mr. Marino will sit as his replacement.

Michele Donato, applicants' attorney, pointed out the revisions to the plans being presented. She then introduced Audrey Hughes of 201 Haddonfield Ave., Lavallette, who was sworn in, and presented the key points of the application:

- Oversized lot
- Built in 1967 and purchased as a legal three-family home which was annexed to Lavallette in the 1980's
- The front house will continue to be rented weekly during the summer
- The rear house:
  - was substantially damaged by hurricane Sandy and applicants' received a substantially damaged letter from the Borough
  - used by the family
  - proposed replacement will be more physically appealing and safer
  - square footage will remain at 645, no increase in density
  - new rear structure will be elevated

The following exhibits were presented:

- A-1: Aerial view of property
- A-2: Photos of neighboring properties
- A-3: Property of Survey dated 10/24/14
- A-4: Existing rear house dimensions
- A-5: Plot Plan Revised 9/12/14
- A-6: Renderings of rear house showing view from Route 35 South; Lagoon View, and North & South views

Mrs. Hughes further testified that the lot coverage will be reduced significantly by removing the lower wood deck and removing pavers. This will result in a 19.3% reduction in ground coverage.

There was a discussion about the amount of off-street parking spaces. It was determined that two parking spaces will be under the new rear dwelling, and there are four parking spaces currently marked for the front house. Mrs. Hughes also explained that there is ample room for additional parking.

Mr. Brady added that whether the property is to be rented or owner occupied does not influence the Board's decision. He also advised that density is linked to number of units, not number of bedrooms.

Mrs. Donato offered that as a result of the storm, the legislature has encouraged non-conforming properties to be able to rebuild as long as they are not intensified.

Mrs. Hughes confirmed that the shed has already been removed.

Mr. Palinsky asked that if application is approved, would owners agree to have the same exterior on both buildings. Mrs. Hughes answered that it will be the same color match, but not necessarily the same materials.

Chairman Howard opened the hearing for public comment at approximately 7:50 p.m.; hearing none, the public portion was closed.

A motion to approve this application was made by Mr. Zylinski, seconded by Mr. Palinsky. Roll call vote: Zylinski, yes; Palinsky, yes; Calderaro, no; Brown, yes; Marino, yes; Howard, yes.

**Application #4-15, Peter & Laura Frampton, 103 Camden Ave. – Block 37.01, Lot 8 – reconstruction on a non-conforming lot**

The property is located on the north side of Camden Ave. approximately 167 ft. west of Route 35 northbound in Residential District A. The property contains 3,300 sq. ft. with a two-story frame dwelling, and a two-car detached garage. The applicant is proposing to elevate the existing dwelling with a two-car garage below and a 432 sq. ft. addition to the first and second stories.

Mr. Cataline and Mr. Sauer rejoined the panel.

Peter Michael Frampton, 103 Camden Ave., Lavallette, was sworn in and gave a brief background of his property:

- Storm damaged
- Full-time residents – currently renting elsewhere
- Narrow lot
- Proposing to utilize the first floor as the foundation
- More convenient placement for mechanicals (air handlers, etc.)
- Chimney to be demolished
- Existing garage to be demolished
- Requesting side yard and height relief

It was noted that there is no off-street parking currently since the rear garage is not accessible. The new proposed structure would provide spaces for two cars.

Mr. Cataline noted that the proposed structure increases the non-conformity of the side yard because of the cantilever. Mr. Frampton pointed out that left side non-conformity was being reduced.

Arthur Francis Margiotta, 1605 Grand Central Ave., Lavallette, was sworn in, and his credentials as an architect were accepted. Mr. Margiotta gave testimony that:

- This is a single family home
- They are removing the garage which will reduce the lot coverage
- Combined coverage is below the maximum allowed
- Pointed out 33 ft. width of property as a problem

There was discussion about how to restructure the new construction so that it is compliance with the height ordinance.

Mr. Margiotta asked for a brief recess to confer with his client at approximately 8:45 p.m. The hearing reconvened at approximately 8:50 p.m.

Mr. Margiotta asked if the Board would consider reducing the height relief from 11 inches to 10 inches and changing the right side (east) set back to 5 ft. with no change to the left side.

The hearing was opened for public comment at approximately 9:10 p.m.

Patricia Bryce, 105 Camden Ave., was sworn in and testified in favor of the application.

The public portion was closed at approximately 9:15 p.m.

A motion to approve this application was moved by Mr. Calderaro, seconded by Mr. Cataline. Roll call vote: Calderaro, yes; Cataline, yes; Sauer, no; Palinsky, yes; Zylinski, no; Brown, no; Marino, no; Howard, no. The application was denied.

**Adjourn:**

A motion to adjourn was made by Mr. Sauer, seconded by Mrs. Brown with all present voting in favor. The meeting was adjourned at approximately 9:30 p.m.

Respectfully submitted,

Joyce Deutsch, Secretary