

**MINUTES
BOROUGH OF LAVALLETTE
REGULAR MEETING
OF THE PLANNING BOARD
Wednesday, September 21, 2016 – 7:00 P.M.**

Chairman Lionel Howard presiding

Roll Call: Lionel Howard, Chairman - present
William Zylinski, Vice Chairman - present
John Borowski - present
Joanne Filippone - present
Joseph Palinsky - present
Len Calderaro - present
Jack Sauer - present
Anthony Cataline - present
John Bennett – absent

Barbara Brown – present
Vincent Marino - present

Terry F. Brady – present
Mike O'Donnell – present

Public Notice Announcement:

This is the Borough of Lavallette Planning Board Regular meeting of September 21, 2016. 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 were posted on the bulletin board located in the Borough Hall, filed with the Borough Clerk, and supplied to the official Borough newspapers.

Flag Salute: Chairman Howard

Review & Approval of Minutes:

A motion was made by Mr. Howard to accept the minutes of the August 17, 2016, meeting with all who were present at that meeting voting in favor.

Resolutions Memorialized:

N/A

Correspondence:

Certified letter from George W. Henn, Inc. providing notification that an application has been submitted to the NJDEP to remove an existing 8' X 35' dock and replace with a new 4' X 70' dock and a 5'8" X 30' dock with one 10 X 12 open type boat life and one 14 X 25 open type boat lift at 117 Pershing Blvd.

After reviewing the above notification, Board members discussed the safety issues concerning a 70'-long dock. Mr. Calderaro suggested that the dock be lighted. Mrs. Filippone said that would be a State issue, and made a motion, seconded by Mr. Calderaro to have the Board Secretary prepare a letter to CAFRA regarding the issue of excessively long docks being lighted.

New Business:

Mr. Brady informed the Board that he will be unable to conduct the Workshop meeting scheduled for October 5, 2016. The Board unanimously decided to cancel that meeting and reschedule a Workshop meeting for Thursday, October 27.

Public Hearing:

Mrs. Brown will sit for Mr. Bennett who is absent.

Mrs. Filippone and Mr. Borowski left the meeting since they were not eligible to vote on the applications being heard this evening.

Application # 9-16, Patrick F. Monahan - 106B Princeton Ave., Block 48.01, Lot 11.01 – Elevate and rebuild non-conforming use

The property is located on the south side of Princeton Ave. approximately 84 LF east of Route 35 southbound in the Residential District A and contains 5,000 sq. ft. The site contains two condominium units, Unit A, an elevated 1 story dwelling and Unit B, a 1 story dwelling.

The applicant is proposing to demolish Unit B, which was damaged in Superstorm Sandy and construct a new elevated one story dwelling.

John J. Jackson, Esq., addressed the Board on behalf of the applicant and explained that Mr. Monahan was not aware of the land use regulations regarding condominium ownership on a 50 X 100 lot. He further described the proposed new construction's net increase as 22 sq. ft. The following exhibits were submitted:

- A-1: Color photos of existing dwelling
Color photos of surrounding properties
- A-2: Color photo of Unit A under construction

Chairman Howard questioned Mr. Jackson that the Master Deed presents the property as a sub-division rather than a condominium. Mr. Brady offered that Master Deed dated back to 1988, and Mr. Monahan did not create the condominium. He further advised the Board to treat this application as two houses on one lot, i.e., a lot with two houses, not one house on half of a lot; thus requiring four off-street parking spaces.

Mr. Patrick F. Monahan of 22 Tuxedo Drive, Wayne, NJ, and the owner of Unit B at 106 Princeton Ave., was sworn in and gave testimony stating that he and his late wife, Colleen, purchased the home in 1988. His family uses the house on weekends and for their summer vacations. Mr. Jackson asked Mr. Monahan to confirm the following facts about the new construction:

- The outside shower will be eliminated
- Two bedrooms exist and two bedrooms are proposed

Michael Melillo, AIA, 402 Higgins Ave., Brielle, was sworn in and gave testimony outlining the proposed construction:

- The new construction will be more compliant with current building, safety, and fire codes
- The current square footage is 704 sq. ft., and the proposed is 726 sq. ft.
- Explained why the configuration for the driveway is to the left
- FEMA compliant
- Block foundation with hydrostatic openings
- Additional space in the garage for storage
- Aesthetically pleasing

In Mr. Melillo's opinion, the benefits of this new construction far outweigh any negatives.

Mr. Palinsky offered the suggestion to relocate the A/C unit to the attic area, and Mr. Zylinski recommended that there be access to the attic from inside the house.

Mr. James Giordano, Professional Planner from Pt. Pleasant, NJ, was sworn in and provided testimony supporting the new construction.

Chairman Howard opened the meeting for public comments at approximately 8:40 p.m.; hearing none the public portion of the hearing was closed.

A motion to approve the application with the condition to relocate the A/C units was made by Mr. Sauer, seconded by Mr. Zylinski. Roll call vote: Sauer, yes; Zylinski, yes; Palinsky, yes; Calderaro, yes; Cataline, yes; Brown, yes; Howard, yes.

Application # 10-16, Michelle De Salvo - 102 New York Ave., Block 45.01, Lot 7 – Addition to non-conforming use

The property is located on the south side of New York Ave. approximately 150 LF west of Rte. 35 northbound in the Residential District A and contains 5,000 sq. ft. The site contains a 1 ½ story single family dwelling in the front of the property and a 1 story single family dwelling in the rear of the property.

The applicant is proposing to construct a second floor dormer on the western half of the front dwelling which would result in an increase of approximately 250 sq. ft. of living space.

Mrs. Michelle De Salvo was sworn in and testified that she is the owner of the property at 102 New York Ave. and a permanent resident. Chairman Howard asked some questions regarding the proposed construction, and Mr. Brady followed up with a description of a "D" variance and what criteria is needed to justify it.

Mrs. De Salvo asked for an adjournment to the October 19th meeting which was approved by the Board.

Discussion:

At approximately 9 p.m., Chairman Howard opened the meeting for public comments, questions, etc.; hearing none, the public portion was closed.

Adjourn:

A motion to adjourn the meeting was made by Mr. Palinsky, seconded by Mrs. Brown. The meeting was adjourned at approximately 9:00 p.m.

Respectfully submitted,

Joyce Deutsch, Secretary