

**MINUTES
BOROUGH OF LAVALLETTE
RE-ORGANIZATION & REGULAR MEETING
OF THE PLANNING BOARD
Wednesday, January 3, 2018 – 7:00 P.M.**

The following Board Members were re-appointed for the appropriate terms:

Mayor Walter LaCicero, Class I
Joanne Filippone, Class III
*Bobbie Brown, Class IV
Len Calderaro, Class IV
William Zylinski, Class IV
Vincent Marino, Alternate #1
John Borowski, Alternate #2

*Mrs. Brown arrived late to the meeting and was sworn in at the end of the hearing.

Roll Call: William Zylinski, Chairman – present
Anthony Cataline, Vice Chairman – present
Mayor Walter LaCicero – present
Joanne Filippone – present
Bobbie Brown – absent
Len Calderaro – present
Joseph Palinsky – present
Jack Sauer – absent

Vincent Marino – present
John Borowski – present

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

Flag Salute: Chairman Zylinski

Public Notice Announcement:

This is the Borough of Lavallette Planning Board Re-Organization meeting of January 3, 2018. 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 Planning Board office at 1306 Grand Central Ave., filed with the Borough Clerk, and supplied to the official Borough newspapers, the Ocean Star and the Asbury Park Press.

Re-organization:

Mayor La Cicero nominated William Zylinski for Chairman for the year 2018, seconded by Mrs. Filippone. Roll call vote: La Cicero, yes; Filippone, yes; Calderaro, yes; Cataline, yes; Palinsky, yes; Marino, yes; Borowski yes.

Chairman Zylinski nominated Anthony Cataline for Vice Chairman for the year 2018 seconded by Mrs. Filippone. Roll call vote: Zylinski, yes; Filippone, yes; La Cicero, yes; Calderaro, yes; Palinsky, yes, Marino, yes; Borowski, yes.

Chairman Zylinski asked for a motion to appoint Joyce Deutsch as Planning Board Secretary for the year 2018. A resolution was moved by Mrs. Filippone, seconded by Vice Chairman Cataline. Roll call vote: Filippone, yes; Cataline, yes; La Cicero, yes; Calderaro, yes; Palinsky, yes; Marino, yes; Borowski, yes; Zylinski, yes.

Chairman Zylinski made a motion to approve a Resolution reappointing Brady & Kunz as the Planning Board Attorney for the year 2018, seconded by Mr. Borowski. Roll call vote: Zylinski, yes; Borowski, yes; La Cicero, yes; Filippone, yes; Calderaro, yes; Cataline, yes; Palinsky, yes; Marino, yes.

Chairman Zylinski asked for a motion to approve a Resolution reappointing O'Donnell, Stanton & Associates, Inc., as the Planning Board Engineer for the year 2018. A motion was made by Mr. Zylinski, seconded by Mrs. Filippone. Roll call vote: Zylinski, yes; Filippone, yes; La Cicero, yes; Calderaro, yes; Cataline, yes; Palinsky, yes; Marino, yes; Borowski, yes.

The Chairman asked for a resolution to adopt the Planning Board Rules & Procedures for the year 2018. A motion to adopt was made by Mr. Borowski, seconded by Mrs. Filippone. Roll call vote: Borowski, yes; Filippone, yes; La Cicero, yes; Calderaro, yes; Cataline, yes; Palinsky, yes; Marino, yes; Zylinski, yes.

The Chairman asked for a resolution approving the meeting dates for the year 2018. A motion to approve the dates was made by Mr. Palinsky, seconded by Mrs. Filippone. Roll call vote: Palinsky, yes; Filippone, yes; La Cicero, yes; Calderaro, yes; Cataline, yes; Marino, yes; Borowski, yes; Zylinski, yes.

Chairman Zylinski asked for a resolution approving the Ocean Star and the Asbury Park Press as the official Planning Board newspapers for the year 2018. A motion for approval was made by Mr. Palinsky, seconded by Mayor La Cicero. Roll call vote: Palinsky, yes; La Cicero, yes; Filippone, yes; Calderaro, yes; Cataline, yes; Marino, yes; Borowski, yes; Zylinski, yes.

Opening Remarks:

Mayor La Cicero addressed the Board and gave them a vote of confidence. He acknowledged that it may be one of the most underappreciated jobs that we have in the Borough. He shared with us that the ratables have exceeded pre-Sandy numbers. He further stated that people throughout the country recognize the value of owning property here in Lavallette, and it is important to maintain a certain look and lifestyle within this county. He said that there are not a lot of applications going through to the Planning Board which means most of our ordinances are working.

Mayor La Cicero is hopeful that we should have a Borough Administrator by the end of January, and he will be looking for a designee. In conclusion, he once again expressed his confidence in the Planning Board.

Public Hearing:

Application # 9-17, Richard & Diane Barsa – 9 Trenton Ave., Block 24, Lot 14

The property is located on the north side of Trenton Avenue approximately 450 linear feet east of Route 35 northbound in Residential District A. The subject property contains 5,000 sq. ft. with a recently completed elevated two story single family dwelling which was approved by the Lavallette Building Department. The submitted as-built survey shows the lot coverages exceed the maximum allowed by ordinance. Since the house has been previously approved by the Lavallette Building Department, only the impacts of the lot coverage will be considered in this review.

Mr. Marino will sit for Mrs. Brown and Mr. Borowski will sit for Mr. Sauer.

Mr. Richard Barsa of 45 Kingswood Road, Weehawken, NJ, and 9 Trenton Ave. was sworn in and gave testimony that the property was a two-family home that was damaged by hurricane Sandy. He further stated that his family has been here almost 25 years. Once he and his wife decided to build a one family home, their plans were approved and somewhere between the approved plans and the as-built survey they were 179 sq. ft. overbuilt.

Chairman Zylinski asked Mike O'Donnell how this may have occurred. Mike said that he could not determine what happened---perhaps the architect miscalculated.

Mr. Cataline asked Mr. Barsa if he had looked at the possibility of reducing the impervious coverage? Mr. Barsa offered to take some of the pavers out. Mr. O'Donnell explained that the Barsa's are 108 sq. ft. over on their ground coverage.

Mr. Marino asked, what is the total square footage of the house? Mr. Barsa answered 4,600 sq. ft.

Mrs. Filippone said that the Barsa's should determine where the reduction of pavers would come from and perhaps that would create some space for more plantings.

Mr. Barsa submitted Exhibits A-1 through A-5: Color photos of the existing property.

There was further discussion regarding:

- Type of construction
- The width of the deck and stairs
- Setback compliance
- Removal of pavers

Mr. Brady cautioned the Board not to redesign the property.

Mrs. Filippone made a recommendation that the Construction Department may want to implement a policy whereby the homeowner cannot move forward without a calculation of the stairs.

Mr. Barsa stated that he will remove the pavers and it could be done without any problem, and he wanted the Board to know that there was no intent to go over on the structure coverage---he just doesn't know where the overage is.

Chairman Zylinski opened the meeting for public comment at approximately 8:05 p.m.

Patricia Fox of 2 Trenton Avenue was sworn in and testified in favor of the application.

The public portion of the meeting was closed at approximately 8:07 p.m.

Mr. Borowski, Mr. Marino and Mr. Palinsky wanted to hear from the applicants' architect and/or engineer, who were not present at this meeting. However, Mr. Cataline and Mr. Calderaro did not agree, citing that the property does not look overbuilt, does not have a negative impact, and that the structure is already complete.

A motion was made by Mayor La Cicero approving the structure portion of the application and denying the lot (impervious) coverage, which was seconded by Mr. Calderaro. Roll call vote: La Cicero, yes; Calderaro, yes; Filippone, yes; Cataline, yes; Palinsky, no; Marino, no; Borowski, no; Zylinski, yes. The motion passed by a majority vote of 5 to 3.

Resolutions Memorialized:

Application # 7-17, C. H. Ventures, LLC and Neeti Kakar, Block 21, Lots 1 – 4, Ocean Front between Princeton & Jersey City Avenues – approved with conditions

Review & Approval of Minutes:

A motion was made by Mr. Cataline, seconded by Mr. Borowski to approve the minutes of the December 6, 2017, meeting with all present at that meeting voting in favor.

New Business:

Mr. Palinsky reiterated Mrs. Filippone's offer to recommend to Mayor and Council the need for a steps (stairs) calculation policy.

Mrs. Filippone updated Board members on the changes in the construction and zoning departments in both Lavallette and Seaside Park pertaining to part-time hours and staffing.

Mr. Calderaro asked the Mayor what was the Borough's reaction to prepaying taxes? The Mayor answered that the Municipality was willing to accept any form of payment and that there was a good response.

Adjourn:

A motion to adjourn the meeting was made by Mr. Marino, seconded by Mr. Borowski with all present voting in favor. The meeting was adjourned at approximately 8:35 p.m.

Respectfully submitted,

Joyce Deutsch, Secretary