

**MINUTES  
BOROUGH OF LAVALLETTE  
REGULAR MEETING  
OF THE PLANNING BOARD  
Wednesday, April 18, 2018 – 7:00 P.M.**

Chairman Zylinski presiding

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

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 Regular Planning Board meeting of April 18, 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.

**New Business:**

Robert Brice was sworn in as a Class II member.

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

Vincent Marino – present  
John Borowski – present

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

**Public Hearing:**

**Application # 2-18 – Gorga – 1702 Bay Blvd., Block 67, Lot 2 – Addition to non-conforming use**

The property is located on the west side of Bay Boulevard approximately 115 feet north of Lavallette Avenue in Residential District A. The site contains 7,797 sq. ft. with a two-story dwelling. The applicant is proposing to add a first-floor covered porch and a second-floor deck on top of the porch at the front of the dwelling and to add a detached garage in the rear of the property.

Jeannette Kellington, applicant's attorney, introduced Joseph Gorga of 911 Brooklyn Blvd., Sea Girt, NJ, the owner's son, who testified that:

- his mother (Ann) owns the property
- the home was built in 1984
- it was built as a two-family residence

Ms. Kellington and Mr. Gorga reviewed the Board engineer's letter of February 21, 2018, and verified that there are no other variances required other than the non-conforming use.

There was further discussion regarding:

- matching siding on the proposed garage
- curb cuts
- open deck on the second story
- reasons for expanding the non-conformity
- qualifying the standards for negative and positive criteria for a D-2 variance
- first floor and second floor each have 3 bedrooms, 2 baths, living room, and kitchen
- confirmation of 4 off-street parking spaces

Mr. Brady, Board attorney, clarified that it is of no significance whether the property is to be rented or used as a permanent residence. Mrs. Kellington said that she understands that variances are not involved with the occupants. She pointed out the benefit of the garage for storage.

Chairman Zylinski opened the meeting for public comment at approximately 7:20 p.m. Hearing none, the public portion of the meeting was closed.

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

**Application # 4-18 – Buckman & Martinez – 124 Jersey City Ave., Block 60, Lot 7 – Alterations to non-conforming use**

The property is located on the south side of Jersey City Avenue, 150-feet west of Baltimore Avenue in Residential District A and contains 5,000 square feet. The site currently contains a

2-story, 2-family frame dwelling in the front of the property. The survey indicates a 1-story frame building exists in the rear of the property but does not indicate the building's use. Our office made a site visit to determine whether the building was a primary or accessory use. It appears that this building is an additional dwelling unit. As such, our review was performed on the basis that three dwelling units exist on the property.

Kevin Buckman of 24 Colby Lane, Cranford, NJ, was sworn in and outlined his intentions to respect the property and its neighbors. He also pointed out that the proposed plans do not violate any new ordinances.

Mr. Zylinski inquired about the ownership of the property, i.e., is it a condominium. Mr. Buckman answered no that the property is owned by four family members.

Mrs. Brown asked for clarification that it is a three-family property, and Mr. Buckman affirmed.

George Martinez of 23 Bobolink Court, Wayne, NJ was sworn in and testified that he and his wife sat through the first meeting with the Zoning officer.

There was further discussion regarding:

- number of bedrooms in the two-story front unit
- type of heating being changed
- the purpose of the rear building
- addition of a bathroom in the upstairs unit and a half bath in the downstairs unit
- consideration of reducing the non-conformity
- insufficient parking
- location of condensers
- relocation of stairway

There were questions regarding:

- increased density
- expansion of non-conformity
- reconfiguration of proposed dining room

Chairman Zylinski opened the meeting for public comment at approximately 7:40 p.m.

Mr. Rich Gilmore of 122 Jersey City Ave., Lavallette, testified in favor of the application.

The meeting was closed at approximately 7:48 p.m.

Vice Chairman Cataline expressed the opinion that the application does not support our zoning plan and there was no testimony regarding special reasons and moved to deny the application, seconded by Mr. Calderaro. Roll call vote: Cataline, yes; Calderaro, yes; Brice, yes; Brown, yes; Palinsky, no; Sauer, yes; Zylinski, yes. The application was denied.

### **Resolutions Memorialized:**

Application # 1-18, Susan Eckhardt – 1302 Ocean Front, Block 14, Lot 2 - denial

**Review & Approval of Minutes:**

A motion was made by Mrs. Brown, seconded by Mr. Cataline to approve the minutes of the February 7, 2018, meeting and all who were present at that meeting voted in favor.

**Correspondence:**

The Board discussed a letter from CBRE, Inc., Telecom Advisory Services received April 4, 2018, soliciting input concerning a proposed 41-foot utility pole at 226 West Bay View Drive. After Mr. Brice verified that the site is in Chadwick Beach, the Board determined that no input was necessary.

**Discussion:**

Mrs. Filippone instructed Board members to manually pull the microphones to their mouths before speaking since she was unable to hear them while sitting in the audience. She also stated that she will check out the sound system itself.

Mr. Robert Brice gave the Board a brief description of his background.

Our Board attorney, Terry Brady, had a conversation advising Board members on how to avoid a conflict of interest regarding personnel issues in the Borough.

**Adjourn:**

A motion to adjourn the meeting was made by, seconded by with all present voting in favor. The meeting was adjourned at approximately 8:15 p.m.

Respectfully submitted,

Joyce Deutsch, Secretary