

**MINUTES  
BOROUGH OF LAVALLETTE  
REGULAR MEETING  
OF THE PLANNING BOARD  
Wednesday, December 9, 2020 – 7:00 P.M.**

**Roll Call:** Anthony Cataline - present  
John Borowski - present  
Robert Brice - present  
Len Calderaro - present  
Joanne Filippone - present  
Vincent Marino - present  
Joseph Palinsky - present  
Thomas Restaino - present  
George Shenewolf - present

Richard Emery - present  
Alex Barletta – present

**Also Present:** Terry Brady, Esq.  
Millis Looney, PE

**Flag Salute:** Mr. Cataline

**Public Notice Announcement:**

This is the Borough of Lavallette Planning Board Regular meeting of December 9, 2020. 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.

This meeting is a judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the Board may legally consider in reaching a decision and decorum appropriate to a judicial hearing must be maintained at all times.

**Public Hearing:**

**Application # 02-2020 George Marretta – 2205 Baltimore Ave., Block 49.02, Lot 31 – Elevation and Addition to Non-conforming Use**

Philip Mylod, applicant's attorney, emphasized that many of the variances on the property are pre-existing. He described the L-shaped property and explained one of the buildings would be raised in order to be FEMA compliant and improved.

Mr. Mylod then introduced Michael Millemann, AIA, 1729 Route 35, Wall, NJ. The Board accepted Mr. Millemann's credentials. He reviewed the Floor plans and Elevations dated September 17, 2020. The plans were submitted as Exhibit A-1. He explained that the existing bedroom will be converted into a laundry room and the proposed new bedroom will measure

10 X 12.5 without extending beyond the current footprint. They are also proposing to add a new uncovered porch. He testified that the project conforms with the neighborhood scheme, and that they are also proposing a new roof and new siding.

Mr. Borowski asked what the special reasons were for this variance. Mr. Mylod answered that the Planner would explain.

Bruce Jacobs, Professional Engineer and Planner, 414 Lacey Rd., Forked River, was sworn in and his credentials were accepted by the Board. Mr. Jacobs submitted:

Exhibit A-2:

- Color photo of a Google Earth Aerial View of 2205 Baltimore
- Color photo of the street view of the property
- Color photo of the front and rear dwellings on the property
- Color photo of the elevated rear dwelling on Lot 30 looking easterly and the elevated rear dwelling looking northerly
- Color photo of the view of the rear dwelling looking north along the rear property line and view of rear dwelling and rear of elevated dwelling on Lot 30 looking northerly from Newark Ave.

Mr. Jacobs reviewed the Plot Plan dated 7/23/20. He further stated that the special reasons for this variance are to become compliant with FEMA regulations, that the expansion will not increase the setbacks, and there is no change to the surrounding community.

Mr. Borowski asked again about "special reasons" for this variance, to which Mr. Jacobs replied, FEMA compliance.

There was discussion regarding:

- New plumbing and new electrical
- Additional freeboard
- Four bedrooms in front structure, three bedrooms in the rear structure
- Lower part of the new construction will be storage space
- No substantial damage from hurricane Sandy --- two feet of water inside
- Adequate off-street parking
- Size of driveway
- View from the proposed addition
- AC units in violation of ordinance
- Shed and planters
- Curb cuts

Mr. George Marretta, owner of 2205 Baltimore Ave., was sworn in and testified that he bought this home as a two-family. The expansion of the rear property would accommodate his growing family. Mr. Marretta stated that if needed, he would remove the pergola and the planters on the property.

Chairman Cataline opened the meeting for public comment at approximately 8:14 p.m. Hearing none, the public portion of the meeting was closed.

A motion to deny this application was made by Mr. Borowski, seconded by Mr. Calderaro. Roll call vote: Borowski, yes; Calderaro, yes; Brice, yes; Marion, yes; Palinsky, yes; Restaino, yes; Cataline, yes. The application was denied.

**Application # 03-2020 MGC Development, LLC / Salvatore & Allison Conte – 300 Oceanfront and Two Kerr Ave., Block 4, Lots 1, 2, & 5 – Minor Subdivision**

Michael S. Rubin, applicants' attorney gave us an overview of the application. His clients are proposing to combine three 50 X 100 lots into two 50 X 150 ocean front lots, and they are currently waiting for CAFRA approval.

Mr. Rubin introduced William Swift, Professional Surveyor, 2204 Morris Ave., Union, NJ, who was sworn in and explained the nature of the proposed development.

Mr. Swift outlined the plan for off-street parking, and affirmed that all building will be within the allowable building envelope. Mr. Swift presented Exhibit A-1, a map showing the curb cuts.

Salvatore Conte of 58 Hillside Ave., Florham Park, NJ, is the owner of the properties. He was sworn in and testified that his intention was to build three homes. However, CAFRA said that since the properties were under one ownership, he was only allowed to build two homes.

Mr. Conte explained that Exhibit A-1 outlines the building envelope, not the actual size of the proposed buildings. He made it clear that once he receives CAFRA approval, the proposed properties will be compliant. Mr. Conte presented Exhibit A-2, an aerial view of the properties.

There was discussion regarding the following:

- Public parking
- Location of utilities
- Access easement
- Curb cuts and off-street parking
- Co-ownership
- Water main located on the eastern part of Lot 5

It was agreed that the Board would recognize the existence of the water main on the property, however, the application is to approve the subdivision. Mr. Conte maintained that he will work diligently with the town toward total compliance.

Chairman Cataline opened the meeting for public comment at approximately 9:05. Hearing none, the public portion of the meeting was closed.

A motion was made by Mr. Palinsky, seconded by Mrs. Filippone to approve the application. Roll call vote: Palinsky, yes; Filippone, yes; Borowski, yes; Brice, yes; Calderaro, yes; Marino, yes; Restaino, yes; Shenewolf, yes; Cataline, yes. The application for sub-division was approved.

**Resolutions Memorialized:**

N/A

**Review & Approval of Minutes:**

A motion to accept the minutes of the November 4, Regular Meeting was made by Mr. Borowski, seconded by Mr. Marino. All who were present at that meeting voted in favor.

**New Business:**

- Mr. Brice informed the Board that Verizon has re-submitted applications for the installation of wireless facilities, and that the Borough is currently addressing their completeness. There are five sites involved, and the Board will have an opportunity to review these applications in order to make recommendations to Mayor & Council.
- The Board reviewed the tentative schedule for the 2021 Planning Board Meetings. It was agreed that both the November and December meetings will begin at 7:30 p.m.

**Discussion:**

Suggestions were made regarding the set-up for next month's meeting.

**Adjourn:**

A motion to adjourn the meeting was made by Mr. Borowski, seconded by Mr. Calderaro with all present voting in favor. The meeting was adjourned at approximately 9:50 p.m.

Respectfully submitted,

Joyce Deutsch, Secretary