

**MINUTES  
BOROUGH OF LAVALLETTE  
REGULAR MEETING  
OF THE PLANNING BOARD  
Wednesday, November 10, 2021 – 7:30 P.M.**

**Roll Call:** Anthony Cataline - present  
Robert Brice - present  
John Borowski – 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, Eng.

**Flag Salute:** Mr. Cataline

**Public Notice Announcement:**

This is the Borough of Lavallette Planning Board Regular meeting of November 10, 2021. 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:**

Doug Erb, Borough Floodplain Manager, joined the panel for the Appeals portion of the meeting.

Substantially Damaged Determination:

**Appeal Case # 012 – 15 Dover Ave. – Paul & Susan Junice**

Harvey York, Esq., applicants' attorney, agreed that the assessment value at the time of the storm was not accurate. He pointed out that there were renovation costs prior to Sandy of approximately \$200,000 and after Sandy of \$150,000. Mr. Paul Junice of 15 Dover Ave., Lavallette, was sworn in and presented photos of his property dated 2009 and 2011.

The certified appraisal from Tony Kamand Realty, LLC, was accepted and the repairs costs were verified. A motion was made by Mr. Palinsky to grant the appeal and was seconded by Mr. Borowski. Roll call vote: Palinsky, yes; Calderaro, yes; Brice, yes; Calderaro, yes; Filippone, yes; Marino, yes; Restaino, yes; Shenewolf, yes; Cataline, yes.

Mr. Erb left the meeting.

**Application # 02-2021 – Michael H. Poole, 127 Elizabeth Ave., Block 61, Lot 10 – Expansion of non-conforming use**

The property is located on the north side of Elizabeth Avenue approximately 200 LF west of the intersection of Baltimore Ave. in the Residential District A. The property contains 5,000 sq. ft. The site currently contains a two-story dwelling in the front of the property and a one-story dwelling in the rear of the property.

The applicant is seeking approval for an addition on the rear of the front dwelling, which is an expansion of the non-conforming use. It is noted that work has begun on the addition without the Board's approval and with a denial of a Zoning Permit.

Michael H. Poole, owner of 127 Elizabeth Avenue, was sworn in and reviewed the documents submitted with the application. After this testimony, the following items were discussed:

- Inspections for completed work
- Permit for pavers
- Construction permits
- Brief description of framing work
- Zoning permit from 2006
- Review of Board Engineer's Letter dated September 27, 2021
- Roof pitch variance granted to previous owner
- Location of A/C units
- Zoning denial of 12/8/2020
- Expiration of Zoning Permits
- Excessive ground coverage
- Ways of bringing the property into compliance

Mr. Brady advised the Board that the application before us is to approve or deny an expansion of a non-conforming use. The Board is neither there for punishment nor forgiveness.

Chairman Cataline opened the meeting for public comment at approximately 8:20 p.m.; and hearing none, the public portion of the meeting was closed.

A motion to deny this application was made by Mr. Calderaro, seconded by Mr. Borowski. Roll call vote to deny: Calderaro, yes; Borowski, yes; Brice, yes; Marino, yes; Palinsky, no; Restaino, yes; Cataline, yes. Mrs. Filippone and Mr. Shenewolf were not eligible to vote.

**Discussion:**

The Board discussed the possibility of additional meetings to accommodate Substantially Damaged Determination Appeals.

**New Business:**

N/A

**Review & Approval of Minutes:**

N/A

**Adjourn:**

A motion to adjourn was made by Mr. Borowski, seconded by Mr. Marino. The meeting was adjourned at approximately 8:55 p.m.

Respectfully submitted,

Joyce Deutsch, Secretary