

**MINUTES  
BOROUGH OF LAVALLETTE  
REGULAR MEETING OF THE PLANNING BOARD  
Wednesday, May 23, 2012 – 7 P.M.**

Chairman Lionel Howard presiding

**Roll Call:**

Vincent Marino, Designee of Mayor LaCicero –present  
Councilwoman Joanne Filippone, - present  
Lionel Howard, Chairman – present  
William Zylinski – Vice-Chairman - present  
Christopher Parlow, Borough Administrator - absent  
Joseph Baginski, - present  
Rosangela Zaccaria - present  
Anthony Cataline - absent  
Len Calderaro – present

Joseph Palinsky - present  
Barbara Brown – present

Terry F. Brady, Esq., - present

**Public Notice Announcement:**

This is the Borough of Lavallette Regular Planning Board meeting of May 23, 2013. 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, filed with the Borough Clerk, and supplied to the Ocean Star one of the official newspapers.

**Mr. Palinsky will be sitting in the absence of Mr. Cataline**

**Mrs. Brown will be sitting in the absence of Mr. Parlow**

**Flag Salute:**

Chairman Howard deferred the flag salute to the public portion of the meeting.

**Review and Approval of Minutes:**

The Board reviewed the Minutes of the Regular Meeting of April 25, 2012.

A motion was made by Mrs. Filippone, seconded by Mrs. Brown to approve the Minutes of the

April 25, 2012 meeting. All present voting in favor with the exception of Mrs. Zaccaria who was absent for that meeting.

**Review and Adoption of Resolutions to be Memorialized:**

Application No. 4-09 –Administrative Approval Resolution  
John Buzzi, 504 Grand Central Avenue, Block 32.01, Lot 3 B-2 Zone

A motion was made by Mrs. Filippone, seconded by Mr. Baginski to adopt the Administrative Approval Resolution. On roll call: Mrs. Filippone, yes-, Mr. Baginski, yes-, Mr. Marini, yes-, Mr. Calderaro, yes-, Mr. Zylinski, yes-, Mrs. Zaccaria, yes-, Mr. Palinsky yes-, Mrs. Brown, yes- Mr. Howard yes. Motion carries.

**Review of Cases:**

**Application No. 1-12 – Michael & Carol Gasko, 2302 Oceanfront, Block 24, Lot 2**

The property is located o the oceanfront approximately 50 feet south of Newark Avenue in Residential District A and contains 5000 square feet. The site currently contains a two story frame dwelling with walkout basement and first and second story decks. A timber bulkhead runs north and south along the front property line. The applicant is proposing to demolish the existing dwelling and construct a new two story dwelling with first and second story decks. The timber bulkhead will remain in place as required by NJDEP.

This application was heard on April 25, 2012 and continued to May 23, 2012.

Applicant’s attorney forwarded a letter requested the application be carried to the June 27, 2012 meeting with time frames waived.

There was discussion about cases being carried so many times and the assumption that the requests will be granted. In addition, there are other applications waiting for hearings.

A motion was made by Mr. Zylinski, seconded by Mrs. Brown to carry this application to the June 27<sup>th</sup>, 2012 meeting. All present voting in favor with the exception of Mr. Baginski and Mrs. Zaccaria who abstained from voting.

**Application No. 3-12 – Michael Jordan, 217 Westmont Ave., Block 1113, Lot 46**

The property is located on the north side of Westmont Avenue approximately 400 feet west of New Jersey State highway Route No. 35 southbound in the Residential C District and contains 4,250 square feet. The survey provides for an additional 39 square feet of “upland area” for a total lot area of 4,289 square feet. The site currently contains a two-story single family dwelling. The applicant is proposing to reconstruct the second story within the existing first story footprint.

**New/Old Business:**

Mr. Brady read 3 letters from an attorney on the Dolinaj matter and he will be responding. Mrs. Filippone stated they are way out of time to appeal according to the law why should we be hearing any appeal that is too late. Mr. Brady agreed.

There was some discussion regarding the CAFRA issues facing the West Point Island Association and Mr. Brady advised we do not have jurisdiction.

Chairman Howard stated the Planning Board's position is and will continue to be that it has no jurisdiction over this matter.

There was some discussion about the letter from Mr. Remy, the Zoning Officer to the owner of 1702 Grand Central Avenue and that Mr. DeMassi was told the Board had no authority over this matter and to bring it to the governing body.

Mrs. Filippone reported that Mr. DeMassi came back to the Mayor and Council and the dumpster is set in concrete and there will be further discussion regarding the signs on the side of the building.

**Adjournment:**

On motion, made and seconded, the workshop portion of the Regular meeting was adjourned at 7:30 p.m.

**The Board took a 5 minutes recess.****PUBLIC MEETING**

Chairman Howard presiding

**Roll Call:** Vincent Marino-Mayor Walter LaCicero's Designee- present  
 Lionel Howard, Chairman- present  
 William Zylinski – Vice-Chairman- present  
 Councilperson Joanne Filippone- present  
 Christopher Parlow, Business Administrator- absent  
 Joseph Baginski-present  
 Leonard Calderaro- present  
 Roseangela Zaccaria- present  
 Anthony Cataline- absent

Joseph Palinsky- present  
 Barbara Brown- present

Attorney: Terry Brady, Esq.- present

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**PUBLIC MEETING:****Application No. 3-12 – Michael Jordan, 217 Westmont Ave., Block 1113, Lot 46**

The property is located on the north side of Westmont Avenue approximately 400 feet west of New Jersey State highway Route No. 35 southbound in the Residential C District and contains 4,250 square feet. The survey provides for an additional 39 square feet of "upland area" for a total lot area of 4,289 square feet. The site currently contains a two-story single family dwelling. The applicant is proposing to reconstruct the second story within the existing first story footprint.

Paul Barlow, Barlow Associates in Brick, NJ was sworn in. He testified he is a licensed architect and professional planner. He stated there is an existing building that sits back in the setback and 12 feet is required and they have 10 feet. The plan is to fill in the dormers on the second floor over the existing first floor and within the footprint. They meet the rear and front setbacks; he testified the plan is not to add additional bedrooms but to make them larger, with some storage space and a bathroom on the second floor. The present height is 22 feet and it is being increased to 24' 7.5" and will be below the two adjacent houses and the proposed structure coverage is 30.8%. There will be a pull down stair through the laundry room and they meet the flood requirements. He testified there may be an air handler in the attic and there are two units for heat and air.

Michael Jordan was sworn in and stated he is a permanent resident and he feels this is a modest plan and that the non-conformities are pre-existing. He stated the front yard is used for parking as everyone else does also.

Mrs. Filippone raised some concern about increasing the non-conformity.

Mr. Baginski stated that the setbacks and coverage are all unchanged and the foot print and the structure coverage is less than required as is the height.

Mr. Calderaro agreed.

Mr. Palinsky stated he thinks it was a well thought out plan.

Mrs. Brown agreed that parking is a problem for everyone and cars are parked on the fronts.

A motion was made by Mr. Baginski, seconded by Mr. Calderaro, to approve the application subject to the usual conditions: On roll call: Messrs. Baginski and Calderaro, yes-, Mr. Marino, yes-, Mrs. Filippone, yes-, Mr. Zylinski, yes-, Mrs. Zaccaria, yes-, Mr. Palinsky yes-, Mrs. Brown, yes, Mr. Howard abstain.

**OLD/NEW BUSINESS:**

None

**Adjournment:**

On motion by Mr. Marino, seconded by Mr. Zylinski the public meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Rosemary Robertson  
Secretary