

**MINUTES
BOROUGH OF LAVALLETTE
WORKSHOP MEETING
OF THE PLANNING BOARD
Wednesday, March 15, 2017 – 7:00 P.M.**

Chairman Lionel Howard presiding

Roll Call: Lionel Howard, Chairman - present
William Zylinski, Vice Chairman - present
John Borowski - present
Joanne Filippone – absent
Joseph Palinsky – absent
Len Calderaro – present
Jack Sauer – present
Anthony Cataline - absent
John Bennett – absent

Barbara Brown – absent
Vincent Marino – absent

Terry F. Brady – present

Public Notice Announcement:

This is the Borough of Lavallette Planning Board Workshop meeting of March 15, 2017. 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 were posted on the bulletin board located in the Borough Hall Planning Board Office, filed with the Borough Clerk, and supplied to the Asbury Park Press and the Ocean Star the official Borough newspapers.

Review & Approval of Minutes:

The Board decided to hold over the adoption of the minutes of the February 1 meeting until Mr. Bennett has an opportunity to provide an update on the questions regarding 12-14 Dickman Drive.

Resolutions Memorialized:

Application # 15-16, 2 Philly, LLC – 2 Philadelphia Ave., Block 13, Lot 5.01 – Reconstruction on a Non-conforming Lot – approved with conditions

Application # 16-16, Gloria Russomanno – 216 & 218 Westmont Ave., Block 1113, Lot 9 – Minor Subdivision – approved with conditions

Correspondence:

N/A

New Business:

Resolution Number: 2017-105, Date: February 21, 2017. This resolution rescinds the 2013 “Fast Track” resolution. There was a question about elevating a non-conforming structure without coming to the Planning Board. Mr. Brady clarified that there is currently a State law (NJSA 58:16A-103) providing limited exemption from development regulations to allow certain structures to be raised as high as the highest applicable flood elevation standard.

Discussion:

Mr. Howard asked about the final outcome of the Sullivan case, and Mr. Brady reiterated that the judge agreed with the plaintiff that the condition could be removed.

Workshop:

Mr. Brady mentioned a topic that Mr. Bennett requested for discussion, “when a nonconforming use is being reconstructed or added, how much is grandfathered.”

Mr. Brady clarified that:

- there can be no addition to a grandfathered building
- no part of the non-conformity can be expanded

He reminded members that the Planning Board’s first job is to support the laws of this State which include the Borough ordinances and not necessarily the Master Plan. Mr. Brady talked about a flexible C variance and asked why would the Board want to see a deviation rather than just to side with the applicant? He also stated that the Board must look at the requested variances from the town’s perspective, not the applicant’s.

Mr. Calderaro questioned how we would change some ordinances, and Mr. Brady instructed that the Board could adopt a resolution recommending changes to the Council.

Mr. Howard said that our Master Plan has some of our suggestions for ordinance changes. The Board Secretary will research this for a future Workshop topic.

Mr. Brady asked Board members that if there are any particular items that they would like to discuss, to please let him know. He does, however, recommend more research into flexible C variances. Another topic for future discussion is “self-created hardships.”

Public Hearings:

The Board approved the postponement of Application # 2-17 to the April 5 agenda, and a public announcement was made.

New Business:

N/A

Adjourn:

A motion to adjourn the meeting was made by Mr. Borowski, seconded by Mr. Zylinski with all members in favor. The meeting was adjourned at approximately 7:40 p.m.

Respectfully submitted,

Joyce Deutsch, Secretary