

**MINUTES
BOROUGH OF LAVALLETTE
REGULAR MEETING
OF THE PLANNING BOARD
Wednesday, October 26, 2022 – 7:00 P.M.**

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

Richard Emery - present
Alex Barletta – present

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

Flag Salute: Mr. Cataline

Public Notice Announcement:

This is the Borough of Lavallette Planning Board Regular meeting of October 26, 2022. 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:

Mrs. Filippone and Mr. Shenewolf were not eligible to hear the application.

Application # 6-22, Soo-Yung Lew, 114 Reese Ave. (Rear) – Block 34.02, Lot 21

The applicant is proposing to reconstruct a two-story condominium dwelling in place of the existing rear dwelling and elevate it to meet flood plain management regulations.

Gregory Hock, Esq., applicant's attorney, gave a description of the current dwelling and the proposed construction. He stated that the property was damaged during hurricane Sandy, however, Mr. Hock had no details as to whether or not it was "substantially damaged." Ms. Lew purchased the property in 2019 and would like to become a full-time resident of Lavallette. He gave testimony that the new plan will eliminate two side yard problems, and will reduce the

impervious coverage on the lot. He stated that the new structure will be more compliant, and in his opinion, the benefits will outweigh the negatives.

He then introduced Jason M. Marciano, Professional Engineer and Planner, with East Coast Engineering, Inc., 508 Main Street, Toms River, NJ. The Board accepted Mr. Marciano's credentials. He went on to describe the lot and its location. Some of the items of discussion were:

- Base Flood elevation
- Set backs
- Current square footage (737 sq. ft.)
- Second-story with interior staircase
- Proposed square footage (1,375 sq. ft.)
- Amount of bedrooms
- Off-street parking
- Attic access
- Placement of mechanicals

Mr. Marciano pointed out that this is a vertical expansion only and that the proposed plan satisfies the negative criteria.

Mr. Palinsky stated that the proposed construction is not in accordance with our Master Plan. There was also Board discussion regarding:

- Condo ownership
- Number of dwellings in the front building
- Height of first floor ceilings
- Building height measurement
- Curb cuts

Chairman Cataline opened the meeting for public comment at approximately 7:50 p.m.

Claudio Spadacento of 113 Vance Ave., was sworn in and gave testimony against the approval of this application.

Carol Nierstedt of 115 Vance Ave., was sworn in and gave testimony against approving the application.

Cody Nierstedt of 115 Vance Ave., was sworn in and gave testimony against granting approval of this application.

Alexander Jones of 113 Reese Ave., was sworn in and testified in favor of the application.

At approximately 8:00 p.m. the public portion of the hearing was closed.

The Board rendered their comments and a motion to deny the application was moved by Mr. Borowski, seconded by Mr. Palinsky. Roll call vote to deny: Borowski, yes; Palinsky, yes; Bennett, no; Calderaro, yes; Marino, yes; Restaino, yes; Cataline, yes. The application was denied.

At 8:15 p.m. the Board took a five-minute recess.

At approximately 8:20 p.m. the meeting resumed.

Review & Approval of Minutes:

A motion to accept the minutes of the Regular Planning Board meeting of September 28 was moved by Mr. Bennett, seconded by Mr. Borowski. All who were present at that meeting voted in favor.

Resolution Memorialized:

N/A

New Business:

N/A

Discussion:

Mrs. Filippone suggested that the Board members review our Ordinances.

Adjourn:

Mr. Borowski moved to adjourn the meeting, seconded by Mr. Palinsky. The meeting was adjourned at approximately 8:40 p.m.

Respectfully submitted,

Joyce Deutsch, Secretary