

**MINUTES  
BOROUGH OF LAVALLETTE  
RE-ORGANIZATION & REGULAR MEETING  
OF THE PLANNING BOARD  
Wednesday, January 11, 2023 – 7:30 P.M.**

The following Board Members were re-appointed for the appropriate terms:

Jennifer Hartman-Sica, Class I Member, Mayor's Designee  
John Bennett, Class II Member, Municipal Official  
Joanne Filippone, Class III Member, Council Representative  
Anthony Cataline, Class IV Member  
Vincent Marino, Class IV Member

**Roll Call:**

Alex Barletta – present  
John Bennett – present  
Anthony Cataline – present  
Joanne Filippone – present  
Jennifer Hartman-Sica – present  
Vincent Marino – present  
Joseph Palinsky – present  
Thomas Restaino – present  
George Shenewolf – present

Richard Emery – absent

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

**Flag Salute:** Mr. Brady

**Public Notice Announcement:**

This is the Borough of Lavallette Planning Board Re-Organization and Regular meeting of January 11, 2023. 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.

**Re-organization:**

Joseph Palinsky nominated Anthony Cataline as Chairman for the year 2023, seconded by Joanne Filippone. Roll call vote: Palinsky, yes; Filippone, yes; Barletta, yes; Bennett, yes; Hartman-Sica, yes; Marino, yes; Restaino, yes; Shenewolf, yes.

Mrs. Filippone nominated George Shenewolf as Vice Chairman for the year 2023, seconded by Anthony Cataline. Roll call vote: Filippone, yes; Cataline, yes; Barletta, yes; Bennett, yes; Hartman-Sica, yes; Marino, yes; Palinsky, yes; Restaino, yes.

A motion was made by John Bennett, seconded by Joanne Filippone to appoint Terry F. Brady, Esq., of Brady & Kunz as Planning Board attorney for the year 2023. Roll Call vote: Bennett, yes; Barletta, yes; Hartman-Sica, yes; Marino, yes; Palinsky, yes; Restaino, yes; Shenewolf, yes; Cataline, yes. Resolution to be memorialized at the February 22, 2023 meeting.

A motion was made by Alex Barletta, seconded by Joseph Palinsky to continue the appointment of Van Cleef Engineering, as Planning Board Engineer for the year 2023. Roll Call vote: Barletta, yes; Palinsky, yes; Bennett, yes; Filippone, yes; Hartman-Sica, yes; Marino, yes; Restaino, yes; Shenewolf, yes; Cataline, yes.

A resolution designating the Ocean Star and the Asbury Park Press as the official newspapers for the year 2023 was offered by Joanne Filippone, seconded by George Shenewolf. Roll call vote: Filippone, yes; Shenewolf, yes; Barletta, yes; Bennett, yes; Hartman-Sica, yes; Marino, yes; Palinsky, yes; Restaino, yes; Cataline, yes.

A resolution to adopt the Meeting Schedule for the year 2023 was offered by Joanne Filippone seconded by John Bennett. Roll call vote: Filippone, yes; Bennett, yes; Barletta, yes; Hartman-Sica, yes; Marino, yes; Palinsky, yes; Restaino, yes; Shenewolf, yes; Cataline, yes.

A resolution to adopt the Planning Board Rules & Procedures for the year 2023 was offered by John Bennett, seconded by George Shenewolf. Roll call vote: Bennett, yes; Shenewolf, yes; Barletta, yes; Filippone, yes; Hartman-Sica, yes; Marino, yes; Palinsky, yes; Restaino, yes; Cataline, yes.

The Board reviewed the Planning Board 2022 Annual Report for submission to Mayor and Council. Upon the advice of Mrs. Filippone to include the Substantially Damaged Appeals, the Board Secretary will include that information before submitting to Mayor and Council.

### **Public Hearing:**

#### **Application # 9-22: Eric Birchler, 1503 Grand Central Ave. – Block 16, Lot 30**

Mr. Marino recused himself from this hearing.

Mrs. Donato, applicant's attorney, outlined the details of the application and emphasized that all of the proposed height addition is freeboard.

Mrs. Donato introduced Amanda Lanuto, R.A., A.I.A., to the Board, and her credentials were accepted. Ms. Lanuto discussed the amended plans. She cited the NJDEP freeboard requirements and the FEMA recommendations. The following exhibit was presented:

- Exhibit A-1: Copy of FEMA article, *Designing for Flood Levels Above the BFE*

Ms. Lanuto gave further testimony on the advantages of increased freeboard, and that some towns have already increased their requirements. It is her intention to plan ahead on this project.

There was further discussion regarding:

- Attic height
- Pitch of roof and other options

- Structure height requirements
- Placement of A/C condensers and mechanicals
- Off-street parking
- Height of first and second floors
- Height of garage and size of band beam
- Ground elevation

Mrs. Donato concluded that the proposed building is a better zoning alternative, and introduced Gordon Gemma, PP, from Oceanport, NJ. Mr. Gemma cited the concerns of our Master Plan with regard to flooding and following FEMA objectives. He further indicated that the B-1 Zone height is treated differently in our ordinance. He pointed out that the B-1 Zone is a gateway to our town, and one of the goals of our Master Plan is to improve the Business District. Therefore, the proposed building plan contributes to the purposes of zoning. The following exhibit was presented:

- Exhibit A-2: Google Earth aerial photo of properties to the north and to the south of the property

At approximately 9:25 p.m. Chairman Cataline opened the meeting for public comment. Hearing none, this portion of the meeting was closed.

The Board discussed:

- The use of a product like Hardie board siding to address fire concerns
- Lowering the overall height by one foot wherever possible
- Approval from Lavallette Police Chief regarding parking space

A motion to approve this application with conditions was moved by Joanne Filippone, seconded by Alex Barletta. Roll call vote: Filippone, yes; Barletta, yes; Bennett, yes; Hartman-Sica, no; Palinsky, no; Restaino, yes; Shenewolf, no; Cataline, yes.

**Resolutions Memorialized:**

N/A

**Review & Approval of Minutes:**

Mr. Barletta made a motion to accept the minutes from the Regular Planning Board meeting of December 14, 2022, seconded by Mr. Marino with all who were present at that meeting voting in favor.

**New Business:**

New email server being installed. Board members will be given instructions.

**Discussion:**

**Adjourn:**

Mr. Barletta moved to adjourn the meeting, seconded by Mr. Palinsky. The meeting adjourned at approximately 9:45 p.m.

Respectfully submitted,

Joyce Deutsch, Secretary