

**MINUTES
BOROUGH
REGULAR MEETING OF THE PLANNING BOARD
Wednesday, March 22, 2023 – 7:00 P.M.**

Roll Call:

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

Also Present: Terry Brady, Esq.

Flag Salute:

Public Notice Announcement:

This is the Borough of Lavallette Planning Board Regular meeting of March 22, 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.

Mary Chyb was sworn in as Alternate # 1 to complete the term of Richard Emery who resigned effective December, 2022.

Roll Call:

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

Public Hearing:

Application # 13-22: Michael Swartz, 146 Elizabeth Ave. – Block 62, Lot 29

The applicant is proposing to elevate the existing one-story dwelling in the front to conform to FEMA regulations and to add a second story to the elevated home.

The Board Secretary read an email from Harvey York, Esq., applicant's attorney requesting a postponement to the May 24 Planning Board Meeting.

A resolution to approve this postponement was moved by Mr. Barletta, seconded by Mr. Palinsky. Roll call vote: Barletta, yes; Palinsky, yes; Marino, yes; Shenewolf, yes; Cataline, yes.

Mr. Brady announced that this application will be heard on May 24, 2023, and no further notice is required.

Resolutions Memorialized:

Application # 10-22: Craig & Susan Hubert, 122 Washington Ave. – Block 53, Lot 5 - denial

Review & Approval of Minutes:

Mr. Shenewolf made a motion to accept the minutes from the Regular Planning Board meeting of February 22, 2023, seconded by Mr. Barletta with all who were present at that meeting voting in favor.

New Business:

Mr. Marino asked about the possibility of holding a workshop meeting since he had some questions that he would like addressed.

It was determined that we would review our attorney's schedule and decide on what date to hold a workshop. Some of the topics to be addressed are: conflicts of interest, ordinances such as the fence ordinance for corner lots.

The Planning Board Secretary will advise Board members of the date and time and prepare an agenda.

Discussion:

While discussing the upcoming April agenda, a few Board members had a question as to whether or not the Zoning Appeals, 11-22 and 12-22 were to be carried to the May agenda also. Mr. Brady will confirm the postponement date/s.

Mrs. Filippone questioned Mr. Brady regarding the wording of ordinances, if something isn't specifically mentioned, then is it prohibited? Mr. Brady answered that "if it is not listed, it is not permitted."

During the discussion about ordinances, Mr. Brady noted that many times the rules do not keep up with the new trends. Ms. Hartman-Sica asked how often the zoning codes are updated, to which Mrs. Filippone answered, whenever issues are brought to the attention of the Ordinance Committee.

The discussion touched briefly on Certificates of Non-conformity and what the rules are regarding non-conforming properties. Mr. Brady stated that any work to repair or restore a non-conforming use is allowed. However, any work that adds to the non-conformity is not allowed.

Adjourn:

Mrs. Filippone moved to adjourn the meeting, seconded by Mr. Palinsky. The meeting adjourned at approximately 8:00 p.m.

Respectfully submitted,

Joyce Deutsch, Secretary