

**MINUTES
BOROUGH OF LAVALLETTE
REGULAR MEETING OF THE PLANNING BOARD
Wednesday, December 18, 2024 – 5:00 P.M.**

Roll Call:

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

Also Present: Terry F. Brady, Esq. and Michael Goldstein, PE, PP, CFM

Flag Salute: Chairman Cataline

Public Notice Announcement:

This is the Borough of Lavallette Planning Board Regular meeting of December 18, 2024. 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 Hearings:

Application # 15-2024 – 1903 Grand Central Ave. LLC, 1903 Grand Central Ave., Block 20, Lot 30 – Proposed construction of a mixed use structure.

Application:

The applicant is proposing to demolish the existing improvements and proposes to install a mixed-use structure containing commercial space on the first floor and a residential apartment on the second floor. The total floor area of the proposed building is 3,837 S.F. and two off-street parking stalls are proposed for the apartment dwelling.

The applicant's attorney, Michele R. Donato, Esq. introduced the application with the existing structures discussed and the decision to build new structure to work with the area.

Witnesses for the applicant:

1. Marie O'Neill, previous owner of Colonial Bakery who sold the business to her 3 children and is currently a partner in the LLC.
2. Richard Tokarski, RA, AIA; discussed the following:
 - a. Square footage, sales & bakery downstairs & a second floor residential.
 - b. Exhibit A-1 rendering of bakery– same as the black and white image on the plans

- c. Delivery area & parking for the residents discussed
 - d. Lighting all wall mounted, reduce spillover to neighbors. Exterior elevations also show bollards, low wattage.
 - e. Discussed flood compliance with FEMA specifications. Also to store flood barriers to deploy as needed.
 - f. AC condenser location discussed – on the roof
 - g. Square footage on the plans was incorrect – correction will be made.
 - h. Delivery discussion and use of driveway – suggestion to increase the site triangle by removing some shrubs. Mr. Goldstein stated that the state – for Rt 35, NJDOT has jurisdiction over the site triangle. Discussion included removing any obstructions to ensure pedestrians are visible – agreed to address. A minivan will be used for delivery to the side of the building.
 - i. Refuse area on the side of the building
3. Graham L. MacFarlane, PE, PP, CME
- a. Exhibit A-2 shows the Arial map – reference old building and redevelop site to a 2 story with a driveway for the resident and delivery, setbacks
 - b. Use of porous pavers and underground recharge to decrease runoff
 - c. NJDOT application is necessary for business
 - d. Lighting revisited
 - e. Areas of improvements agreed upon and will address the engineering technical comments from Mr. Goldstein. Including parking, pavers, refuse, lighting, utility connections,
4. Mark Speaker of 111 Brown Ave spoke in support of the application.

Chairman Cataline opened the hearing for public comment.

- Mark Speaker of 111 Brown Ave. was sworn in and gave testimony in favor of the application.

A motion to approve the application with conditions was made by Mrs. Filippone, seconded by Mr. Marino. Roll Call vote: Filippone, yes; Marino, yes; Palinsky, yes; Restaino, yes; Shenewolf, yes; Chyb, yes; DeRienzo, yes; Cataline, yes.

At approximately 6:00 p.m. the Board took a five minute recess. The hearing reconvened at approximately 6:07 p.m.

Application # 08-2024 – Rizzo Family Lavallette Trust, 2307 Baltimore Ave., Block 50.02, Lot 32 – Home lift and renovations – continued from August 28 to September 25 to October 23, 2024 to December 18, 2024

Application:

The applicant is proposing to raise their existing home and construct a second-floor addition composed of two new bedrooms, one new bath, and a second story rear and side deck. The applicant is seeking variance relief for an existing front and side yard setback, ground coverage and structure coverage.

The applicant's attorney, Robert C. Shea, Esq., applicant's attorney, gave testimony that the family has owned the home for decades, changed from a 2 family to a single family home, variance application history.

Summary by M. Goldstein PE touched on square footage, structure coverage & footprint, ground coverage, parking spaces, sidewalk. Comparison of existing to proposed once raised, stairs and building. The existing and proposed structure coverage are non-compliant.

An overview of the changes on the revised plans was provided by the architect and the engineer.

Witnesses for the applicant:

1. Edward S. Dec, PE, CME, of Guarriello & Dec Associates, LLC, who was sworn in and reviewed the existing conditions and the proposed changes to the property. There were discussions regarding:
 - a. Second-story deck
 - b. Change in structure coverage
 - c. Height
 - d. Curb cut
 - e. Driveway
 - f. Agreed with all on the engineer letter
 - g. Decking
 - h. Setbacks

2. Rogers Charles Winkle, AIA, RA
 - Introduction of Exhibit A2A showing the elevations past and proposed
 - a. Decking & railing
 - b. Stairs
 - c. Number of bedrooms
 - d. Square footage
 - e. Entrances/ exits
 - f. Attic space

Open to the public for comment

- None

Board comments:

- a. Application time frame.
- b. Property and development
- c. Overages reduced from original proposal, but still over ground, structure, and combined coverages
- d. Exits and steps; exterior and interior
- e. Board discussion to deliberate

After Board deliberation, a motion to approve the application with no conditions was made by Mr. Palinsky, seconded by Mr. Cataline. Roll call vote: Palinsky, yes; Cataline, yes; Marino, no; Restaino, no; Shenewolf, no; Chyb, no; DeRienzo, no; Filippone, no

Mr. Brady summarized the vote; 2 to approve and 6 to deny. The application fails.

- Mr. Shea asked what reasons?
- Mr. Brady responded stating that the resolution will provide the details.

Resolutions to be memorialized:

- None

Review and Adoption of Minutes:

Regular Planning Board Meeting of November 13, 2024.

Motion to accept the minutes by Mrs. Filippone and seconded by Mr. Shenewolf. All votes were in favor of accepting, none opposed, none abstained.

Old Business:

- Date of January meeting was confirmed by T. Brady for January 22, 2025 for the re-organization meeting.

- Correction on application under additional fees:
 - Currently reads, Applicants requesting a special meeting or requesting that their matter be held over to a third meeting shall pay all fees required by ordinance prior to the holding of such meeting.

 - Should read, “Applicants requesting a special meeting shall pay all fees required by ordinance prior to the holding of such meeting.”

New Business:

- Affordable housing discussion with State changes to all municipalities.
 - Guidelines
 - Mount Laurel
 - Land
 - Affordability
 - Adding a 1% (or 1.5%) fee on the cost of any new construction to be used
- Mrs. Filippone asked Mr. Brady question re proposed law on elevations
- Brief discussion led by Mr. Goldstein; REAL resilient environments and landscapes and Flood map adoption, possible addition of 5 feet to BFE, limitation of ground coverage with re-development.
- Next meeting January 22nd

Correspondence:

- None

Adjourn:

On motion by Mr. Marino, seconded by Mr. Shenewolf the meeting was adjourned at 8:15 pm. All in favor of adjournment.

Respectfully submitted,

Christine Nunziato, Secretary