

**MINUTES - REVISED
BOROUGH
REGULAR MEETING OF THE PLANNING BOARD
Wednesday, April 24, 2024 – 5:00 P.M.**

Roll Call:

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

Mary Chyb – present
Jennifer DeRienzo – present

Also Present: Terry Brady, Esq.
Michael Goldstein, PE

Flag Salute: Chairman Cataline

Public Notice Announcement:

This is the Borough of Lavallette Planning Board Regular meeting of April 24, 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 Hearing:

Mary Chyb will sit for John Bennett, and Jennifer DeRienzo will sit for Jennifer Hartman-Sica.

Application # 1-2024 – 2022 Nancy J. Padovano Dynasty Trust, 103 Bay Boulevard, Block 28.02, Lot 23

The applicant is proposing to construct a roof over the existing uncovered deck on the front of the building. And an expansion of the steps from the front yard to the front patio. The applicant is proposing an alteration of a non-conforming property, which requires Board approval in accordance with 90-32, "Construction of Alteration to Non-conforming Lots."

Lynne Dunn, applicant's attorney, introduced Matt Hockenbury, Professional Engineer, and president of MCH Engineers, LLC, 1010 Commons Way, Toms River, NJ.

Mr. Hockenbury was sworn in and gave testimony as to the location of the property and the size of the lot (4,838 sq. ft.). He further testified that the applicant is planning to replace the front awning with a permanent roof structure and will require a variance for coverage. The following Exhibit was introduced:

Exhibit A-1: A color photo of the Southeast view of the property from Bay Boulevard
A color photo of the Northeast view of the property from Bay Boulevard

Citing Ordinance 90.24 H. (2), Mr. Hockenbury testified that the proposed construction will be compliant. He added that in his opinion, there would be no negative impact the roof would provide a better aesthetic.

There was discussion regarding:

- Verification of a one-family resident
- Outdoor shower vs. rinsing station
- Placement of air conditioners

Ms. Dunn introduced Paul Rugarber, AIA, of PDR Designs, 401 Laurel Avenue, Pt. Pleasant Beach, NJ. Mr. Rugarber was sworn in and reviewed the proposed plans adding that the roof is an upgrade to the town and the stairs are safer with no detriment to the neighbors.

Chairman Cataline opened the hearing for public comment at approximately 6:25 p.m. and hearing none, the public portion was closed.

After Board deliberation, a motion to approve the application with the condition that the roof be removed from the existing shower was made by Mr. Barletta, seconded by Ms. Filippone. Roll call vote: Barletta, yes; Filippone, yes; Marino, yes; Palinsky, no; Shenewolf, yes; Chyb, yes; DeRienzo, yes; Cataline, yes.

Application # 2-2024 – Kelli Rabke, 18A Kerr Avenue, Block 4, Lot 21.02

The applicant is proposing a lateral and vertical addition to the building in the rear of the site and raise the finished floor of the home above to the local design flood elevation. The applicant proposes to reduce both the ground coverage, structure coverage and seeks variance relief for various existing non-conformities relating to the lot dimensions and size and setbacks.

Lynne Dunn presented a copy of the deed, which was marked as Exhibit A-1. Matt Hockenbury the applicant's engineer, established that this lot was never sub-divided. The property was developed on this lot in the 1920s, and the applicant's grandfather purchased it in 1942.

Mr. Hockenbury outlined all of the existing non-conformities and explained the proposed changes:

- Elevating to 9 BFE with a 3 ½ ft. crawl space
- Second story addition – 3 bedrooms
- Adding central air and locating the condensers on the roof

He further commented that:

- There is no change in density

- There is no off-street parking
- Currently there is a shared driveway with neighbor
- Applicant will apply for one on-street parking spot
- The plan will maintain or reduce existing non-conformities.

In Mr. Hockenbury testified that the proposed changes would improve the functionality of the structure.

There was discussion regarding:

The number of variances being requested

The number of bedrooms

The front landing

Roof above the porch

Development in the rear of the property

The style of the roof

Rear decking

Ten foot expansion in back of house for the kitchen

Second floor addition of one bath, a family room and bedroom

Kelli Rabke, owner of the property, was sworn in and testified how the driveway condition works. It was ascertained that there is no formal easement in place, and it was recommended that one be put in place.

Mr. Shenewolf pointed out that the living space would be increasing from 1,100 to 1,520 sq. ft. Mr. Palinsky commented that in his opinion a variance for no off street parking should not be considered.

Exhibit A-2 was presented showing color photos of:

- the southwest view of property from Kerr Avenue
- the southeast view of property from Kerr Avenue
- view of the rear yard facing northwest
- view of the rear yard facing northeast

Chairman Cataline opened the hearing for public comment at approximately 6:50 p.m.

Pamela MaGuire of 18 Kerr Avenue was sworn in. She is the neighbor who share the driveway and spoke in favor of the application.

Dorothy Koernig of 20 Kerr Avenue was sworn in and expressed concerns about the proposed rinse station becoming an outdoor shower and possible run-off onto her property. Mr. Hockenbury answered that he does not see any impact to her property from the proposed rinse station. Mr. Rugarber concurred.

The public portion of the hearing was closed at approximately 7:00 p.m.

Based on the extent of the renovations, Mr. Shenewolf made a motion to deny the application. The motion failed, and Mr. Barletta offered a motion to approve with specific conditions. This motion was seconded by Ms. Filippone. Roll call vote: Barletta, yes; Filippone, yes; Marino, no; Palinsky, yes; Restaino, yes; Shenewolf, no; Chyb, yes; DeRienzo, no; Cataline, yes.

Resolutions Memorialized:

Application # 10-23 - Eric Ramirez, 110 Virginia Ave., Block 43.01, Lot 15 – denial of appeal

Review & Approval of Minutes:

Mr. Marino made a motion to accept the minutes from the Regular Planning Board meeting of March 27, 2024, seconded by Mrs. Filippone with all who were present at that meeting voting in favor.

New Business:

Discussion:

Adjourn:

Mr. Palinsky moved to adjourn the meeting, seconded by Mrs. Filippone. The meeting adjourned at approximately 7:15 p.m.

Respectfully submitted,

Joyce Deutsch, Secretary