

**MINUTES
BOROUGH
REGULAR MEETING OF THE PLANNING BOARD
Wednesday, June 26, 2024 – 5:00 P.M.**

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 – absent
George Shenewolf – present

Mary Chyb – present
Jennifer DeRienzo – present

Also Present: Tom Kunz, Esq.
Michael Goldstein, PE

Flag Salute: Chairman Cataline

Public Notice Announcement:

This is the Borough of Lavallette Planning Board Regular meeting of June 26, 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 Thomas Restaino who is absent.

Application # 5-2024 – Danielle De Vita, 407 Bay Boulevard, Block 31.02, Lot 32 – continued from May 22, 2024 meeting

The applicant is proposing to raise their existing home, and construct a new grade level deck facing Bay Boulevard and a second-floor deck, facing both Bay Boulevard and Guyer Ave. The applicant is seeking variance relief for lot size, front yard setback on both frontages, side yard setback, structure coverage, combined coverage and building height.

Lynne Dunn, attorney for the applicant, called Matthew Hockenbury, PE and president of MCH Engineering, LLC, 1010 Commons Way, Toms River, NJ. Mr. Hockenbury testified that the existing dwelling is on an undersized lot (3,956 sq. ft.) and reviewed the pre-existing non-conformities:

- Front setback #1
- Side setback
- Ground Coverage
- Structure coverage
- Combined coverage
- Curb cut

He then outlined the proposed changes and the additional variances that are being requested:

- Front setback #2
- Building height

Mr. Hockenbury explained that the proposed plans eliminate the ground coverage variance, and although the structure and total coverage are being reduced, variances will still be needed. He further testified that the applicant is requesting to raise the existing structure one foot higher than the ordinance allows. There was further discussion regarding:

- No change in footprint
- Flood compliance
- Porch vs. deck
- Impact of stairs
- Height of ceilings
- Explanation of height calculations
- BFE standards ongoing
- Second story wrap-around deck – impact on combined coverage
- Lot depth = 79 ft.

The following exhibit was presented:

A-1: Color photos of existing structure

Paul Rugarber, AIA, of PDR Designs, LLC, 501 Laurel Ave., Pt. Pleasant Beach, was sworn in, gave an explanation of their design plan, and fielded questions about:

- Ground level deck
- Reducing the size of the second-story deck
- Width of the openings
- Size of raised deck
- Confirmation of first floor ceiling height

Danielle De Vita of 407 Bay Boulevard was sworn in and testified that she has been a lifelong resident of Lavallette, and her main goal is to keep the house safe and protect it from flood by lifting it. She stated that the deck is used 24/7 while they are here and that connecting the stairs is an access issue only.

Chairman Cataline opened the hearing for public comment at approximately 6:10 pm. and

hearing none, the public portion was closed.

Mr. Barletta pointed out the undersized lot as being a hardship, and in his opinion the changes would be a dramatic improvement besides being flood compliant. He also mentioned that the existing non-conformities would still be there even if the applicant did nothing. Based on this rationale, he made a motion to approve the application as presented.

Mrs. Filippone asked if the applicant could reduce the width of the wrap-around porch and voiced her concerns about the overall coverage and pointed out that 10% of the structure coverage is the stairs and the deck.

The motion to approve the application as presented was seconded by Ms. Hartman-Sica. Roll call vote: Barletta, yes; Hartman-Sica, yes; Bennett, yes; Filippone, no; Marino, no; Palinsky, no; Shenewolf, no; Chyb, no; Cataline, yes. The application was denied.

Application # 6-2024 – Drew and Tina Markewicz, 2101 Bay Blvd., Block 61, Lot 31

The applicant is proposing to raise the existing house and construct a second-story addition including a second-story deck fronting Bay Blvd. A covered porch fronting Princeton Ave. is also proposed. Parking for two vehicles is provided through a new curb cut on Bay Blvd. The applicant is seeking variance relief for front and side yard setbacks to the dwelling, shed and front landing.

Tina and Drew Markewicz, owners of 2101 Bay Boulevard were sworn in and submitted the following exhibits:

- A-1: A color photo of the residence taken from Bay Blvd.
- A-2: A color photo of the living room at 2101 Bay Blvd.

They explained the proposed improvements and why they need them:

- Adding a laundry
- Adding household storage
- Flood compliance

They also expressed their desire to maintain as much green space as possible.

Matt Hockenbury, PE and president of MCH Engineering, LLC, 1010 Commons Way, Toms River, NJ, described the property: 50 X 129, developed in 1965. The following items were discussed:

- Mechanical shed
- No change in bedroom count
- Storage shed
- Additional parking
- New curb cut
- Preservation of open/green space along Bay Blvd.
- Outdoor shower

The following exhibits were introduced:

- A-3: A color rendering of the proposed additions showing left-side, front, and right-side elevations
- A-4: Color photos showing views of the residence from Princeton Ave. (SE), Bay Ave. (south), Shed area, and 2007 Bay Blvd. (directly across Princeton Ave.)

At approximately 7:10 p.m. the Board took a five minute recess, and Mr. Bennett had to leave the proceedings. Ms. De Rienzo will sit for Mr. Bennett. The hearing continued at approximately 7:15 p.m.

There were questions regarding:

- Crawl space height (6 ½ ft.)
- Elimination of the detached shed
- Placement of mechanicals inside the dwelling

At approximately 7:25 p.m. Chairman Cataline opened the hearing for public comment, and hearing none, the public portion was closed.

Mr. Barletta made a motion to approve the application with conditions, which was seconded by Mr. Marino. Roll call vote: Barletta, yes; Marino, yes; Filippone, yes; Hartman-Sica, yes; Palinsky, yes; Shenewolf, yes; Chyb, yes; De Rienzo, yes; Cataline, yes.

Resolutions Memorialized:

Application # 3-2024 – Rizzo Family Lavallette Trust, 2307 Baltimore Ave., Block 50.02, Lot 32 – denial

Application # 4-2024 – Mark & Gina Benaquista, 247 Westmont Ave., Block 1113, Lot 32 – approved with conditions

Review & Approval of Minutes:

Mr. Barletta made a motion to accept the minutes from the Regular Planning Board meeting of May 22, 2024, seconded by Mr. Shenewolf with all who were present at that meeting voting in favor.

New Business:

N/A

Discussion:

The discussion regarding time frame for conditions to resolutions was tabled until the July 24 meeting.

Ms. Dunn asked the Board if further testimony from Mr. Rugarber could be heard regarding her clients' application. Mr. Brady explained that since the Board had already voted, it could not be allowed. He suggested they file a new application.

Adjourn:

Mr. Palinsky moved to adjourn the meeting, seconded by Mr. Shenewolf. The meeting adjourned at approximately 7:40 p.m.

Respectfully submitted,

Joyce Deutsch, Secretary