

**MINUTES
BOROUGH OF LAVALLETTE
WORKSHOP MEETING OF THE PLANNING BOARD
Wednesday, June 13, 2007 – 7 P.M.**

Chairman William Zylinski presiding

Roll Call:

Barbara Brown, Mayor LaCicero's Designee - present
William Zylinski, Chairman - present
Joseph Baginski, Vice-Chairman - present
Councilwoman Filippone - present
Christopher Parlow, Business Administrator - present
Anthony Cataline - present
Len Calderaro - present
Rosangela Zaccaria – present
Vincent Marino - absent

Joseph Palinsky - present

Public Notice Announcement:

This is the Borough of Lavallette Planning Board meeting of June 13, 2007. 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, filed with the Borough Clerk, and supplied to the Ocean Star one of the official Borough newspapers.

Flag Salute:

Chairman Zylinski led the audience in the salute to the flag.

Review and Adoption of Minutes:

A motion was made by Mrs. Zaccaria, seconded by Mrs. Filippone, to approve the minutes of the Regular Meeting of May 23, 2007, with corrections. All present voting in favor.

Review and Adoption of Resolutions:

Application No. 6-05, Car-Lou, Inc., Amended Site Plan-2400 Route 35N, Block 51, Lots 1,2,3 & 4.02

A motion was made by Mr. Baginski, seconded by Mr. Parlow to approve the Resolution granting an amendment to the site plan to construct a 10' x 10' refreshment area with an addition and stating that no front setback variance is granted. On roll call: Messrs. Baginski and Parlow, yes-, Mr. Cataline, yes-, Mrs. Zaccaria, yes-, Mrs. Filippone, yes-, Mrs. Brown, yes-, Mr. Zylinski, yes. Motion carries.

Application No. 13-06, Robert & Joanne Giuffre & Beverly DeFino, 23 Trenton Avenue, Block 24, Lot 28

A motion was made by Mr. Calderaro, seconded by Mr. Baginski to approve the Resolution granting an expansion of a non-conforming use. On roll call: Mr. Calderaro, yes-, Mr. Baginski, yes-, Mrs. Zaccaria, yes. This was the majority of those eligible to vote on this matter. Motion carries.

Application No. 18-06, Edmund and Ruth Lazzara, 110 Trenton Avenue, Block 51.01, Lot 9

A motion was made by Mrs. Filippone, seconded by Mr. Palinsky, to approve the Resolution granting bulk variance on an undersized lot. On roll call: Mrs. Filippone, yes-, Mr. Palinsky, yes-, Messrs. Baginski, and Calderaro, yes-, Mrs. Zaccaria, yes-, Mr. Parlow, yes-, Mr. Zylinski, yes. Motion carries.

Old/New Business:

Mr. Parlow reported that an architect had made inquiry this week regarding a revision to make 23 Trenton Avenue a one-family dwelling. He also explained the situation surrounding Oven pizza and the reason for placing the table and chairs ordinance into the zoning ordinance in order to create an appeal process for relief.

Mr. Baginski brought up discussion regarding the current Alcoholic Beverage Ordinance in regard to the 1500 feet apart issue. He distributed and read a prepared statement entitled "Reasons to Consider Rescinding Restriction" and an attachment of "Shore Communities-Liquor Licenses" which enumerated 8 shore communities, the population and the number of liquor licenses held. The statement and attachment are attached to the within minutes. He also mentioned options about parking i.e. Municipal lot, and the potential of valet parking or trolley service.

Mr. Baginski further stated there is a strong element of control and involvement with details as per Lavallette's Site Plan Ordinance. He further stated he would like to see the Planning Board send a letter to the Mayor and Council attaching the above reasons to consider for rescinding the 1500-foot restriction.

Mr. Cataline commended Mr. Baginski for his information and stated that personally he has no problem but whatever action the Board takes is directed solely at the question of the Ordinance and is not directed at any individual business and that the trolley service is a creative option and moving ahead requires change.

Mr. Calderaro stated he does not agree with the parking suggestions and would like to keep the two issues separate. Mr. Baginski stated that he will remove the parking suggestions from the list of reasons to rescind if it is sent to the Mayor and Council.

Mrs. Zaccaria stated that the Planning Board has been pro-business and what is best for the entire Borough of Lavallette and moving ahead and that rescinding the restriction needs consideration.

Mr. Cataline stated he would like to hear any reasons for keeping the restriction.

Councilwoman Filippone stated she is still working on data with the Court Administrator.

Mr. Parlow stated if any action is taken to reduce the footage you are always going to have “not in my backyard” from the people who are impacted. There is only one license and if it is not one block it will be another. If the footage is not going to be changed, it would be best to get rid of the license because while the question of getting another restaurant is great, but where do you put it.

There was discussion regarding the Music Man establishment and its success probably affecting the surrounding streets.

Mrs. Brown stated that the problems that occurred at Tycoons usually took place outside and there was no problem when it was the Old School House Inn.

Councilwoman Zalom asked the Chairman for permission to speak as a member of the public. Chairman Zylinski permitted her to do so. She stated she heard that Mr. Shubert wanted to make certain that nothing was close to the Old School House Inn.

Mrs. Joy Grosko spoke and agreed with Mrs. Zalom’s statement and stated that problems only occurred when it became Tycoons. She further stated Lavallette has been living in the past and using good judgment, she thinks a small restaurant where you can buy a beer is a good thing.

Mr. Calderaro stated several people told him it was a good idea and the Mayor and Council cannot listen to a few residents who show up at a meeting.

Councilwoman Filippone stated she would not vote on any motion since this may come before the Council. She further mentioned that the people who are on the plus side of this issue should come out to the council meeting.

A motion was made by Mr. Baginski, seconded by Mr. Cataline to have Mr. Baginski prepare a letter for Chairman Zylinski’s signature, to the Mayor and Council, attaching the “Reasons to Consider Rescinding Restriction” and removing the parking references, for the June 18th meeting of the Council. On roll call: Messrs. Baginski and Cataline, yes-, Mr. Calderaro, yes-, Mrs. Zaccaria, yes-, Mr. Parlow, yes-, Mrs. Brown, yes-, Mr. Palinsky, yes-, Mr. Zylinski, yes. Motion carries.

There was a discussion regarding zoning permit fees and making a suggestion to the governing body to consider amending the fees appropriately.

A motion was made by Mr. Baginski, seconded by Mrs. Brown and unanimously approved, to send a letter to the Mayor and Council recommending the zoning permit fees be amended as follows: \$25.00 for sheds, fences, roof, siding and windows; \$50.00 for other items; and \$100.00 for new construction.

The Board reviewed proposed Ordinance No. 20007-05 (1016) moving the table and chair ordinance into the Zoning Ordinance that was sent to the Board for approval by the Borough Clerk, prior to final reading and adoption by the Borough Council.

Chairman Zylinski asked if there were any objections to the Ordinance. Hearing none, the Board

Secretary was directed to forward a letter to the Borough Clerk stating the Board had no planning objection.

Chairman Zylinski advised the Board that the three applications that were scheduled to be heard on June 27, 2007 had been rescheduled to the July 25th meeting, at the request of the applicant's attorney and no other cases were complete for hearing. As a result, it was suggested that the June 27th, 2007 regular meeting of the Board be cancelled.

A motion was made by Mr. Cataline, seconded by Mr. Baginski, to cancel the June 25th, 2007 meeting. All present voting in favor and the Board Secretary will advertise the cancellation.

Chairman Zylinski also asked the Board if they would consider canceling the workshop meetings for the months of July and August, due to various vacation commitments.

A motion was made by Mr. Cataline, seconded by Mr. Baginski, to cancel the workshop meetings of July and August. All present voting in favor and the Board Secretary will advertise the cancellations.

Adjourn:

On motion by Mrs. Filippone, seconded by Mrs. Zaccaria, with all in favor, the meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Rosemary Robertson
Secretary