

**MINUTES
BOROUGH OF LAVALLETTE
REGULAR MEETING OF THE PLANNING BOARD
Wednesday, August 26, 2009 – 7 P.M.**

Chairman Howard presiding

Roll Call:

Vincent Marino, Designee of Mayor LaCicero -present
 Councilwoman Joanne Filippone, - present
 Lionel Howard, Chairman – present
 William Zylinski – Vice-Chairman - present
 Christopher Parlow, Borough Administrator - present
 Joseph Baginski, - present
 Rosangela Zaccaria - present
 Anthony Cataline - absent
 Len Calderaro – present

Joseph Palinsky - present
 Barbara Brown – present

Terry Brady, Esq. – Board Attorney

Public Notice Announcement:

This is the Borough of Lavallette Planning Board meeting of August 26, 2009. 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 newspapers.

Flag Salute:

Chairman Howard deferred the flag salute to the public portion of the meeting.

Review of Minutes:

The Board reviewed the minutes of the Regular Meetings of July 22, 2009.

Review of Resolutions to be Memorialized:

9-08 Astorino, Robert & Margaret, Administrative Approval, 2 Elizabeth Avenue;

1-09 Ashby, Gary & Gail, 105A Grand Central Avenue

Review of Cases:**Application No. 4-09 John Buzzi, 504 Grand Central Avenue, Block 32.01, Lot 3**

The property is located on the west side of NJSH Route 35 North in the B-2 Zone. The site contains 5000 square feet. A 2-story commercial building exists on the property, which is currently vacant. The applicant is proposing improvements to the existing building and site, and third floor addition to the existing building. The first floor will continue as a commercial use and the second and third floors will be for a residential use.

The applicant has filed an application for site plan review, with variance and has requested waivers for many of the site plan filing requirements. The Board will decide if the requests can be granted or denied, prior to the application being scheduled for hearing.

There was some discussion on the process and Mr. Brady, the Board Attorney advised the Board of its options. There was also discussion regarding the check list and Mr. Brady stated it has to be adopted by Ordinance. The Board plans to prepare a new list.

Mr. Calderaro brought up the topic of the \$488,000. grant the Borough received recently and inquired about the plans. Mr. Parlow explained that “until the shovel hits the ground”, the cost for plans is on the taxpayers. There was also discussion on Belgium block curbing and that it had been pointed out that it is sturdier and less costly to repair than standard curbing but the State will not approve it without an agreement by the Borough to maintain it.

New/Old Business:

Chairman Howard mentioned that in reviewing the revised plan on the Ashby application, it was noted the figures do not seem to add up correctly.

Mrs. Filippone stated it should also show that the shower and air conditioner are to be relocated. The Board requested the Board Secretary to contact applicant’s attorney for a corrected plan.

Correspondence:

None

Workshop portion of meeting adjourned at 7:35 p.m.

PUBLIC MEETING (To commence at 7:35 p.m.)

Chairman Lionel Howard presiding.

Roll Call:

Vincent Marino, Designee of Mayor LaCicero -present
 Councilwoman Joanne Filippone, - present
 Lionel Howard, Chairman – present
 William Zylinski – Vice-Chairman - present
 Christopher Parlow, Borough Administrator - present
 Joseph Baginski, - present
 Rosangela Zaccaria - present
 Anthony Cataline - absent
 Len Calderaro - present

Joseph Palinsky - present
 Barbara Brown – present

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Flag Salute:

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

Approval of Minutes:

A motion was made by Mr. Calderaro, seconded by Mr. Zylinski, to approve the minutes of the July 22, 2009 meeting, with one correction to the roll call. All present eligible members voting in favor.

Resolutions to be Memorialized:**9-08 Astorino, Robert & Margaret, Administrative Approval, 2 Elizabeth Avenue;**

A motion was made by Mr. Baginski, seconded by Mr. Calderaro to approve the Resolution granting the administrative change to allow for the half story storage space in lieu of the cathedral ceiling in the living room with pull down stairs for storage only and to place the entrance stairs to the west to eliminate the problem with parking associated with the original design presented to the Board. On roll call: Mr. Baginski, yes-, Mr. Calderaro, yes-, Mrs. Zaccaria, yes-, Mr. Parlow, yes-, and Mr. Howard, yes. Motion carries.

1-09 Ashby, Gary & Gail, 105A Grand Central Avenue

A motion was made by Mrs. Filippone, seconded by Mr. Baginski to approve the Resolution granting approval of setback variances, subject to the following conditions: (1) applicant shall revise the plans to show a 1.2 foot narrower house with a 3 foot setback on either side of the dwelling; (2) applicant will further revise plan to reflect elimination of the rear yard setback variance based upon movement of the house forward to within 18 feet of the front property line and further to indicate the corrected lot coverage based upon the revisions herein stated. On roll call: Mrs. Filippone, yes-, Mr. Baginski, yes-, Messrs. Marino, Calderaro, Palinsky and Howard, yes. Motion carries.

Public Hearings:

Application No. 4-09 John Buzzi, 504 Grand Central Avenue, Block 32.01, Lot 3

The property is located on the west side of NJSH Route 35 North in the B-2 Zone. The site contains 5000 square feet. A 2-story commercial building exists on the property, which is currently vacant. The applicant is proposing improvements to the existing building and site, and third floor addition to the existing building. The first floor will continue as a commercial use and the second and third floors will be for a residential use.

The applicant has filed an application for site plan review, with variance and has requested waivers for many of the site plan filing requirements. The Board will decide if the requests can be granted or denied, prior to the application being scheduled for hearing.

John Buzzi was present and stated his attorney and architect were unavailable but he had met with his architect and reviewed the items in the First Engineer's Review by Mr. O'Donnell dated August 5, 2009. He went over each and every item contained therein with the Board. He agreed to file all the submissions comments of Mr. O'Donnell, with the exception of Section 53A-8F as to the existing and proposed contours that Mr. O'Donnell does not feel necessary for this development.

Chairman Howard opened the hearing to the public.

No one spoke in favor or against the application.

Chairman Howard closed the public portion of the meeting.

A motion was made by Mr. Baginski, seconded by Mrs. Zaccaria, to waive the submission requirement regarding existing and proposed contours and all other requirements as outlined in Mr. O'Donnell's review dated August 5, 2009 will met. On roll call: Mr. Baginski, yes, Mrs. Zaccaria, yes-, Mr. Marino, yes-, Mrs. Filippone, yes-, Mr. Calderaro, yes-, Mr. Zylinski, yes-, Mr. Parlow, yes-, Mr. Palinsky, yes-, Mr. Howard, yes. Motion carries.

New/Old Business:

Chairman Howard discussed the proposed ordinance regarding the Business District and stated he had made the changes suggested by the Board at the last meeting.

The Board made another review and had lengthy discussion and made minor changes.

It was agreed that it will be forwarded for recommendation to the governing body.

Mr. Calderaro suggested that when the final Ordinance is sent to the Council, the entire background should be given as to why this Ordinance was conceived, discussions with the business owners etc. and the intent to keep businesses in the Borough.

The Board fully reviewed the Ordinance.

Adjourn:

On motion by Mrs. Filippone, seconded by Mr. Marino, with all in favor, the public meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Rosemary Robertson
Secretary