

**MINUTES
BOROUGH OF LAVALLETTE
REGULAR MEETING
OF THE PLANNING BOARD
Wednesday, June 17, 2015**

Chairman Howard presiding

Roll Call: Lionel Howard, Chairman - absent
Jack Sauer, Mayor's Designee - present
Joanne Filippone - present
Joseph Palinsky - present
Len Calderaro - present
William Zylinski, Vice Chairman - present
Rosangela Zaccaria - absent
Anthony Cataline - present
Christopher Parlow - present

Barbara Brown - present
Vincent Marino - absent

Terry F. Brady - present

Flag Salute: Vice Chairman Zylinski

Public Notice Announcement:

This is the Borough of Lavallette Planning Board Regular meeting of June 17, 2015. 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, temporarily located in Trailer #1 at 125 Washington Ave., filed with the Borough Clerk, and supplied to the Ocean Star, one of the official Borough newspapers.

Mr. Zylinski will sit for Chairman Howard, and Mrs. Brown will sit for Mr. Zylinski.

Resolutions to be memorialized:

Application # 3-15, Edward & Catherine Stark, 8 Sterling Ave. – Block 944.06, Lot 21 – Construction of Elevated Deck – bulk variances for lot coverage and rear yard setback - denial

Review and Adoption of Minutes:

A motion was made by Mr. Parlow, seconded by Mrs. Brown to approve the minutes of the June 3, 2015, Workshop Meeting. All who were present at the meeting voted in favor.

New Business:

Mr. Brady gave a brief overview of the Sub-Committee meeting for the re-examination of the Master Plan. He said that it was a general meeting to discuss Lavallette's goals so that everyone would be on the same page. He further stated that we can expect a draft within the next few weeks. Please note that Mr. Brady's notes were distributed to the members via e-mail.

Public Hearing:

Application # 6-15, Kevin Realty Management, 15 Newark Ave. – Block 23, Lot 20 – Construction of Rear Landing with Variances – accessory structure, ground coverage, lot coverage.

The property is located on the north side of Newark Ave. approximately 300 ft. east of Route 35 North in Residential District A. The property contains 5,000 sq. ft. with a two story frame dwelling And an in-ground pool in the rear yard. The applicant is proposing to construct a landing with stairs to access the rear yard from the dwelling.

Michele Donato, applicants' attorney, outlined the circumstances surrounding the application. She stated it is the intention of the applicant to eliminate all excess ground coverage. Therefore, the applicant is not seeking a variance for excess ground coverage.

Manu (Mark) Kakar of 6 Carnegie Street, Monroe, NJ, was sworn in and testified that he and his wife are the principals of Kevin Realty Management and are the owners of the property at 15 Newark Ave. Mr. Kakar explained the course of events leading up to making application to the Planning Board.

The following exhibits were submitted:

- A-1: Photo of a mound of dirt and a door without stairs
- A-2: Photo of the pool
- A-3: Original Plot plan for building the house

Mr. Kakar testified that he was not aware of the setback requirements. He further explained that the pool company has now dumped the problem into his lap.

There was discussion regarding:

- back door
- size of landing
- position of stairs
- position of pool
- removal of original deck
- exact dimensions of the proposed landing
- possibility of moving the pool

Mrs. Donato introduced Bob Kuhne, representing the engineering firm of Najarian Associates of 1807 Grand Central Ave., Lavallette. Mr. Kuhne was sworn in and confirmed that his firm drew up the original Plot Plan. His company also prepared an "as built" survey showing the pool.

Mr. Brady submitted the following Board exhibit:

- B-1: Survey submitted for pool permit

Mr. Parlow asked the Board to consider how much of a setback they would approve.

Mr. Zylinski opened the hearing for public comment at approximately 8:15 p.m.; hearing none, the public portion was closed.

Mr. Parlow made a motion to grant a variance with the following conditions:

- provide a minimum of a 7.4 ft. setback with a good faith effort to achieve 8 ft.
- install 1 ft. of drainage stones bordering the pavers along the property line
- approve 2.8ft. side yard setback
- reduce the size and modify the location of the landing and staircase
- no shower variance requested, none granted.

Mr. Sauer seconded the motion. Roll call vote: Parlow, yes; Sauer, yes; Filippone, no; Palinsky, no; Calderaro, yes; Zylinski, yes; Cataline, yes; Brown, yes.

Discussion:

Mr. Brady introduced dialog regarding a Flexible C variance as a better zoning alternative. This type variance benefits the community, not the applicant. Mr. Brady will prepare an example of a Flexible C variance for the Board's reference and for further discussion.

Adjourn:

A motion to adjourn was made by Mr. Sauer, seconded by Mr. Palinsky with all present voting in favor. The Regular meeting was adjourned at approximately 8:35 p.m.

Respectfully submitted,

Joyce Deutsch, Secretary