

**MINUTES  
BOROUGH OF LAVALLETTE  
REGULAR MEETING  
OF THE PLANNING BOARD  
Wednesday, July 15, 2015**

Chairman Howard presiding

**Roll Call:** Lionel Howard, Chairman - present  
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 - absent  
Christopher Parlow - present

Barbara Brown - absent  
Vincent Marino - present

Terry F. Brady - present

**Flag Salute:** Chairman Howard

**Public Notice Announcement:**

This is the Borough of Lavallette Planning Board Regular meeting of July 15, 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.

**Resolutions to be memorialized:**

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

**Review and Adoption of Minutes:**

A motion was made by Chairman Howard to accept the minutes of the June 17, 2015, Board meeting. All who were present at the meeting voted in favor.

**New Business:**

N/A

## **Public Hearing:**

### **Application # 5-15, Peter & Laura Frampton, 103 Camden Ave. – Block 37.01, Lot 8 – Reconstruction on a Non-conforming Lot**

The property is located on the north side of Camden Ave. approximately 167 feet west of Route 35 Northbound in Residential District A. The property contains 3,300 square feet with a two story frame dwelling, and a two car detached garage. The applicant is proposing to elevate the existing dwelling with a two car garage below and a 521 SF addition to the first and second stories. (expansion, side setbacks, structure coverage, and lot coverage)

Louis Felicetta, the applicants' attorney, presented his opinion that the doctrine of *res judicata* does not apply to this application. Chairman Howard asked the Board to take a moment to review the July 13, 2015, letter from Mr. Felicetta.

Mr. Brady explained that the Board makes the final determination on whether or not to proceed with this application.

After discussing and comparing this application to the previously denied application, a motion was moved by Mr. Sauer baring this second application from consideration. The motion was seconded by Mr. Zylinski. Roll call vote: Sauer, yes; Zylinski, yes; Filippone, yes; Palinsky, yes; Calderaro, yes; Parlow, yes; Marino, yes; Howard yes.

### **Application # 7-15, James Cresbaugh, 3A Guyer Ave. – Block 5, Lot 8.02 – Reconstruction on a Non-conforming Lot**

The property is located on the north side of Guyer Ave. approximately 630 ft. east of Route 35 No. in Res. District A. The property contains 3,300 sq. ft. with a two story single family dwelling. The applicant is proposing to demolish the existing dwelling and construct a new elevated two story single family dwelling with a two-car garage below. (side setbacks, building height, structure coverage, lot coverage)

James F. Cresbaugh, owner of 3A Guyer Ave., was sworn in and outlined the plans for the proposed dwelling. He introduced his engineer, Mr. Frank Baer of WSB Engineering, who was sworn in and gave testimony regarding the proposed new construction. The following items were discussed:

- Elevation of the property – 11.5 front , 7.6 rear
- Height of proposed dwelling from sill plate to ridge - 28 ft.
- Three off-street parking spaces proposed
- Attic height – 4 ft. proposed
- House was built in 1920
- Currently 3 bedrooms – proposed 4 bedrooms
- Side yard setbacks proposed 5 and 5
- Need for rear stairs as second egress
- Proposed 12 ft. curb cut

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

Mr. Parlow commented that in his opinion the negative criteria was satisfied and moved to approve this application, seconded by Mrs. Filippone. Roll call vote: Parlow, yes; Filippone, yes; Palinsky, yes; Calderaro, yes; Zylinski, yes; Marino, yes; Sauer, no; Howard, yes. The application was approved.

**Discussion:**

Mr. Brady informed the Board that the decision in the Vallata Gardens case upheld the Planning Board's decision for denial. Procedurally there is a 45 day window to appeal.

Mr. Brady pointed that the Rutgers Training Course took place for many of us years ago. Therefore, he would like to take a few minutes at the end of our meetings to talk about land issues. If the Board has any interest, he has prepared a list of topics for further discussion. It was proposed that we set aside our Workshop meetings for training purposes.

Chairman Howard brought up the possibility of having our Board engineer attend application hearings. It was suggested that we give it a try. The Board secretary will inform Mr. O'Donnell. All Board members present were in favor.

**Adjourn:**

A motion to adjourn was made by Mr. Parlow, seconded by Mr. Zylinski with all present voting in favor. The Regular meeting was adjourned at approximately 8:45 p.m.

Respectfully submitted,

Joyce Deutsch, Secretary