

**MINUTES
BOROUGH OF LAVALLETTE
REGULAR MEETING
OF THE PLANNING BOARD
Wednesday, June 15, 2016 – 7:00 P.M.**

Chairman Lionel Howard presiding

Roll Call: Lionel Howard, Chairman - present
William Zylinski, Vice Chairman - present
John Borowski - present
Joanne Filippone - absent
Joseph Palinsky - present
Len Calderaro - absent
Jack Sauer - present
Anthony Cataline - present
John Bennett – present

Barbara Brown - present
Vincent Marino - present

Terry F. Brady – present
M. O'Donnell – present

Public Notice Announcement:

This is the Borough of Lavallette Planning Board Regular meeting of June 15, 2016. 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 were posted on the bulletin board located in the Borough Hall, filed with the Borough Clerk, and supplied to the official Borough newspapers.

Flag Salute: Chairman Howard

New Business:

Change of wording on Planning Board Packet to be reviewed by Mayor & Council.

Review & Approval of Minutes:

A motion was made by Mr. Palinsky to accept the minutes of the May 18, 2016, meeting, seconded by Mr. Zylinski with all present at that meeting voting in favor.

Resolutions Memorialized:

N/A

Public Hearing:

Mrs. Brown will sit for Mr. Cataline, and Mr. Marino will sit for Mr. Calderaro.

Application # 1-16, Gerard & Lynne Cafone, 99 Bay Blvd., Block 27.02, Lot 14 – Elevation and Addition to Non-Conforming Use – **Carried from the May 18, 2016, Planning Board Meeting**

The property is located on the northeast corner of Ortley Ave. and Bay Blvd. in residential District A. The property contains 5,411 sq. ft. with a two story dwelling and a detached garage. The applicant is proposing a 139 sq. ft. addition and 280 sq. ft. of alterations to a second story bedroom.

Philip G. Mylod, applicants' attorney, reintroduced the application and testified that the property has been a two-family dwelling since 1979 and was damaged during hurricane Sandy. He also pointed out that the applicants are no longer seeking a variance for off-street parking since they are planning to remove a ground level wood deck to allow for additional off-street parking.

Chairman Howard asked about the two curb cuts shown, to which Mr. Mylod responded that these curb cuts were pre-existing and the applicants would like them to remain.

Mr. Michael Melillo, AIA, of 402 Higgins Ave., Brielle, NJ was sworn in and presented the following exhibits:

- Exhibit A-1: Existing floor plans dated May 20, 2015
- Exhibit A-2: Proposed floor plans dated May 20, 2015
- Exhibit A-3: Existing Southeast View and Proposed Southeast View dated May 20, 2015

Mr. Melillo testified that the plans show separate entrances for both the first and second floor units and that the proposed addition is 139 sq. ft. and 280 sq. ft. of alterations to a second story bedroom bringing the total new area to 419 sq. ft.

There was discussion regarding:

- Staircase
- Height of the attic
- Location of furnace and A/C
- Space under garage

Walter G. Kosenski, General Contractor, of 2000 Bay Blvd., Lavallette, was sworn in and testified that the house was remediated after the storm and that there were structural problems when lifting the home.

There was discussion regarding:

- Location of second floor washer/dryer
- Location of the heating system
- Access to attic

M. Mylod cited that the new construction would be an asset to the environment and would add to the safety and general welfare of the area. In Mr. Mylod's opinion, the additional 139 sq. ft. is not a substantial impairment to the Master Plan. Mr. Brady explained that although Mr. Mylod's argument addresses the "c" variances; it does not address the "d" variance whereby "special reasons" must be presented.

Lynne Cafone, property owner of 99 Bay Boulevard, was sworn in and testified that she and Mr. Cafone have owned the two-family home since 1985. She further testified that they did suffer substantial damage to their home and have since raised it to comply with FEMA height regulations.

At this time, Mr. Mylod submitted the following exhibits:

Exhibit A-4 through A-11: Color photos of the neighboring property
Exhibit A-12: Color photo of existing second floor bedroom
Exhibit A-13: Color photo of existing home with view of second story deck and ground level deck

There was further discussion regarding:

- Curb cuts
- Downsizing the proposed upstairs bedroom

Chairman Howard opened the meeting for public comment at approximately 9:20 p.m.

Anthony Cataline of 201 Westmont Ave. and Walter Kosenski of 2000 Bay Blvd. testified in favor of the application.

The public portion of the meeting was closed at approximately 9:25 p.m.

The conditions of approval:

- (1) remove westerly ground level deck
- (2) keep both curb cuts
- (3) eliminate the additional 139 sq. ft. from the second floor bedroom
- (4) change the plans which were incorrectly dated May 20, 2015, to May 20, 2016.

A motion to approve the application with the above conditions was made by Mr. Palinsky, seconded by Mrs. Brown. Roll call vote: Palinsky, yes; Brown, yes; Zylinski, yes; Sauer, yes; Bennett, yes; Marino, yes; Howard, no.

Adjourn:

A motion to adjourn the meeting was made by Mr. Bennett, seconded by Mrs. Brown with all present voting in favor. The meeting was adjourned at approximately 9:50 p.m.

Respectfully submitted,

Joyce Deutsch, Secretary