

**MINUTES
BOROUGH OF LAVALLETTE
REGULAR MEETING
OF THE PLANNING BOARD
Wednesday, August 17, 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 - present
Joseph Palinsky - present
Len Calderaro - present
Jack Sauer - present
Anthony Cataline - present
John Bennett – absent

Barbara Brown - absent
Vincent Marino - present

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

Public Notice Announcement:

This is the Borough of Lavallette Planning Board Regular meeting of August 17, 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

Review & Approval of Minutes:

A motion was made by Mrs. Filippone to accept the minutes of the August 3, 2016, meeting with specified changes; seconded by Mr. Palinsky with all present at that meeting voting in favor.

Resolutions Memorialized:

N/A

New Business:

Planning Board Staff Contact List was approved; each member maintains a copy.

Public Hearing:

Mr. Marino will sit for Mr. Bennett who is absent.

Application # 8-16, 2 Philly, LLC, 2 Philadelphia Ave., Block 13, Lot 5.01 – Reconstruction on a Non-conforming Lot

The property is located on the south side of Philadelphia Ave. approximately 650 feet east of Route 35 North in Residential District A. The property contains 3,000 sq. ft. with a two story single family frame dwelling. The applicant is proposing to demolish the existing dwelling and construct a new, elevated two story, single family dwelling.

Philip G. Mylod, applicants' attorney, described the property as being an undersized lot with many pre-existing non-conformities.

Mr. Mylod began by pointing out that the Lavallette Lifeguard Station is directly to the east of the property and blocks the applicants view of the ocean. He continued that this is part of the reason the applicants are asking for relief from the proposed second story deck; and he is prepared to prove that there would be no negative impact.

Mr. Brady interjected that an argument regarding beneficial use is not necessary in this case.

Michael Melillo, A.I.A., 402 Higgins Ave. in Brielle was sworn in and gave testimony and supporting Exhibits:

- A-1 Survey of Property by Ronald W. Post, dated 12-28-2015
- A-2 Color photograph of existing dwelling
- A-3 Color photograph of lifeguard station to the east and the property and deck to the west
- A-4 Plot Plan prepared by Melillo Architecture revised August 15, 2016
- A-5 Color drawing of proposed front elevation prepared by Melillo Architecture revised August 15, 2016
- A-6 First page: Aerial photograph of Philadelphia Ave. with green dots depicting second story porches complying with the 15 ft. setback and red dots depicting second story porches encroaching into the 15 ft. setback.
Second page: Photo printout from Google earth of the east view of Philadelphia Ave. with red arrows indicating non-conforming second story decks
- A-7 Color photo of Lifeguard Station construction site

Some Board members were in agreement that the proposed structure would be an improvement, however, it is too big. Mrs. Filippone asked if this particular house is proportionate to other houses that are built on other non-conforming, undersized lots? She pointed out that overall, the size of the house should be proportionate to the size of the land.

At approximately 8:30 p.m. the Chairman called for a five-minute recess.

At approximately 8:35 p.m. the hearing was resumed.

Mr. Mylod introduced Mr. Richard Taylor of 1202 Oceanfront who is the owner of 2 Philly, LLC and who also owns 1 Philadelphia Ave. Mr. Taylor was sworn in and avowed that he is asking for a little bit more and creating good, sensible construction for his family. Chairman Howard reminded Mr. Taylor that the relief goes with the property, not with the owner.

The meeting was opened for public comment at approximately 8:58 p.m.

Mr. Gary Hunsinger of 8 Philadelphia Ave. wanted to point out that there will be a lot of things happening in the neighborhood; and therefore, zoning is important, and we need to take that into consideration. Mr. Mylod asked Mr. Hunsinger if he had any objection to the proposed deck being over the porch. Mr. Hunsinger replied that he is concerned about the number of variances.

The public hearing was closed at approximately 9:05 p.m.

Mr. Mylod requested that the application be carried to the October 19th Planning Board meeting, waiving time limits. A motion to approve the adjournment to the October 19th meeting was moved by Mrs. Filippone; seconded by Mr. Borowski. Roll call vote: Filippone, yes; Borowski, yes; Palinsky, yes; Calderaro, yes; Zylinski, yes; Sauer, yes; Cataline, yes; Marino, yes; Howard, yes.

Discussion:

Mr. Brady notified Board members that the Sullivan vs. Lavallette Planning Board case will be heard on October 13, at 10 a.m.

Adjourn:

A motion to adjourn the meeting was made by Mr. Marino, seconded by Mr. Palinsky. Roll call vote: Marino, yes; Palinsky, yes; Borowski, yes; Filippone, yes; Calderaro, yes; Zylinski, yes; Sauer, yes; Cataline, no; Howard, yes. The meeting was adjourned at approximately 9:10 p.m.

Respectfully submitted,

Joyce Deutsch, Secretary