

**MINUTES
BOROUGH OF LAVALLETTE
RE-ORGANIZATION & REGULAR MEETING
OF THE PLANNING BOARD
Wednesday, January 4, 2017 – 7:00 P.M.**

William Zylinski, Vice Chairman, presiding

Roll Call: William Zylinski, Vice Chairman – present
Len Calderaro – present
Anthony Cataline – present
Jack Sauer – present
Joseph Palinsky – present

Barbara Brown – absent

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

Flag Salute: Vice Chairman Zylinski

Public Notice Announcement:

This is the Borough of Lavallette Planning Board Re-Organization meeting of January 4, 2017. 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 Planning Board office at 1306 Grand Central Ave., filed with the Borough Clerk, and supplied to the official Borough newspapers, the Ocean Star and the Asbury Park Press.

New Business:

The following Board Members were re-appointed for the appropriate terms:

John Borowski, Class I
John Bennett, Class II
Joanne Filippone, Class III
Lionel Howard, Class IV
Vincent Marino, Alternate #2

After the swearing in ceremony, the newly appointed members took their seats as Planning Board members.

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 - present

Barbara Brown - absent
Vincent Marino - present

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

Mr. Zylinski nominated Lionel Howard for Chairman for the year 2017. Mrs. Filippone seconded the nomination. Roll call vote: Zylinski, yes; Filippone, yes; Borowski, yes; Palinsky, yes; Calderaro, yes; Sauer, yes; Sauer, yes; Cataline, yes; Bennett, yes; Marino, yes.

Mr. Howard took the Chair.

Chairman Howard nominated William Zylinski for Vice Chairman for the year 2017, seconded by Mr. Cataline. Roll call vote: Howard, yes; Cataline, yes; Borowski, yes; Filippone, yes; Palinsky, yes; Calderaro, yes; Sauer, yes; Bennett, yes; Marino, yes.

Chairman Howard asked for a resolution for Planning Board Secretary for the year 2017. Chairman Howard nominated Joyce Deutsch, seconded by Mr. Palinsky. Roll call vote: Howard, yes; Palinsky, yes; Borowski, yes; Filippone, yes; Calderaro, yes; Zylinski, yes; Sauer, yes; Cataline, yes; Bennett, yes; Marino, yes.

Chairman Howard asked for a motion to approve a Resolution appointing Brady & Kunz as the Planning Board Attorney for the year 2017. A motion was made by Mr. Howard, seconded by Mr. Calderaro. Roll call vote: Howard, yes; Calderaro, yes; Borowski, yes; Filippone, yes; Palinsky, yes; Zylinski, yes; Sauer, yes; Cataline, yes; Bennett, yes; Marino, yes.

Chairman Howard asked for a motion to approve a Resolution reappointing O'Donnell, Stanton & Associates, Inc., as the Planning Board Engineer for the years 2017 through 2018. A motion was made by Mrs. Filippone, seconded by Mr. Cataline. Roll call vote: Filippone, yes; Cataline, yes; Borowski, yes; Palinsky, yes; Calderaro, yes; Zylinski, yes; Sauer, yes; Marino, yes; Howard, yes.

The Chairman asked for a resolution to adopt the Planning Board Rules & Procedures for the year 2017. A motion to adopt was made by Mr. Zylinski, seconded by Mrs. Filippone. Roll call vote: Zylinski, yes; Filippone, yes; Borowski, yes; Palinsky, yes; Calderaro, yes; Sauer, yes; Cataline, yes; Bennett, yes; Marino, yes; Howard, yes.

The Chairman asked for a resolution approving the meeting dates for the year 2017. A motion to approve the dates was made by Mr. Calderaro, seconded by Mr. Palinsky. Roll call vote: Calderaro, yes; Palinsky, yes; Borowski, yes; Filippone, yes; Zylinski, yes; Sauer, no; Cataline, yes; Bennett, yes; Marino, yes; Howard, yes.

Chairman Howard asked for a resolution approving the Ocean Star and the Asbury Park Press as the official Planning Board newspapers for the year 2017. A motion for approval was made by Mrs. Filippone, seconded by Mr. Cataline. Roll call vote: Filippone, yes; Cataline, yes; Borowski, yes; Palinsky, yes; Calderaro, yes; Zylinski, yes; Sauer, yes; Bennett, yes; Marino, yes; Howard, yes.

Resolutions Memorialized:

N/A

Review & Approval of Minutes:

A motion was made by Mr. Sauer, seconded by Mr. Zylinski to approve the minutes of the December 7, 2016, meeting with all present at that meeting voting in favor.

Public Hearing:

Application # 13-16, Eric & Susan Reith – 102 Kerr Ave., Block 30.01, Lot 7 – Elevation and Addition to Non-Conforming Use

Mrs. Susan Reith of 102 Kerr Ave., was sworn in and gave testimony that they have owned the property for the past five years and were totally devastated by hurricane Sandy. She explained that they are extending their State grant in order to completed the proposed work.

Paul Moore, Architect, of 4702 Spring Street, Wall Township, NJ was sworn in and explained that the building needs to be elevated, and FEMA provided additional funds to put in a small utility room. He further testified that the proposed utility room would be an increase of approximately 73 sq. ft. and that the deck and the front porch will be raised resulting in an increase in structure coverage. It was determined that the overall expansion of this non-conforming use would be approximately 162 sq. ft.

There was discussion regarding:

- Attic access
- Existing basement to be filled in
- Placement of air handlers and A/C units
- Rear dwelling
- Number of bedrooms not being changed
- Siding for both dwellings will remain the same
- No equipment will be placed below BFE
- Elevation will be at 12
- Removal of back patio
- Removal of wood walkway
- Maintaining lot coverage at 37.6

The following exhibits were presented:

- A-1 through A-4: Black and white photos of existing property.

At approximately 8:10 p.m. Chairman Howard opened the public hearing. Kirk Tilton of 104 Kerr Avenue was sworn in and testified in favor of the application. The public portion of the hearing was closed at approximately 8:12 p.m.

A motion to approve this application with specific conditions was moved by J. Palinsky, seconded by J. Bennett. Roll call vote: Palinsky, yes; Bennett, yes; Calderaro, yes; Zylinski, yes; Sauer, yes; Cataline, yes; Howard, yes. Mr. Bennett objected to the placement of the pool because it encroached on the set-backs creating a self-imposed hardship.

At approximately 8:15 p.m. there was a five-minute recess.

The hearing resumed at 8:21 p.m.

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 - present

Barbara Brown - absent
Vincent Marino - present

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

Application # 14-16, Sherry & Augustine Vivenzio – One Hines Court, Block 972, Lot 26 – Elevation and Addition with Variances – Non-Conforming Lot

Sherry Vivenzio of One Hines Court, Lavallette, was sworn in and provided testimony regarding the nature of the property and the process for the proposed lift and renovations.

The following exhibit was submitted:

- A-1: Three Color photos of existing property:
 1. front view facing long side of Hines Ct.
 2. side view facing the short side of Hines, viewable from Dickman Dr.
 3. close-up front view long side of Hines Ct.

There was discussion regarding:
One-of-a-kind property
Bulk variances on all sides
Process for lifting and renovating
Demolition of garage and breezeway
In-ground pool
Number and size of curb cuts
Reducing size of second floor addition
Repositioning of A/C units

Determination of where to place the pool ... how far from property line.

Matt Hockenbury, of MCH Engineering, Inc., 1010 Commons Way, Toms River, was sworn in and testified that the proposed finished floor is at 13 ft. He referenced Mr. O'Donnell's letter where is leaving it to the Board to actually determine the appropriate setbacks.

Chairman Howard opened the meeting to the public at approximately 9:10 p.m.; hearing no comments, the public portion was closed.

A motion to approved the application with specific conditions was moved by Mr. Zylinski, seconded by Mr. Calderaro. Roll call vote: Zylinski, yes; Calderaro, yes; Borowski, yes; Filippone, yes; Palinsky, yes; Sauer, yes; Cataline, yes; Bennett, no; Howard, yes.

New Business:

The Board Secretary explained that there were no new applications scheduled until February 1. Therefore, it was moved by J. Bennett, seconded by J. Borowski with all voting in favor to not schedule a January 18, 2017, meeting.

Mr. Brady will prepare a list of discussion topics for proposed Workshop sessions.

Adjourn:

A motion to adjourn the meeting was made by Mr. Bennett, seconded by Mr. Cataline with all present voting in favor. The meeting was adjourned at approximately 9:15 p.m.

Respectfully submitted,

Joyce Deutsch, Secretary