

**MINUTES
BOROUGH OF LAVALLETTE
REGULAR MEETING
OF THE PLANNING BOARD
Wednesday, July 28, 2021 – 7:00 P.M.**

Roll Call: Anthony Cataline - present
Robert Brice - present
John Borowski – present
Len Calderaro - present
Joanne Filippone - present
Vincent Marino - present
Joseph Palinsky - present
*Thomas Restaino – present
George Shenewolf - present

Richard Emery - present
Alex Barletta - present

Also Present: Terry Brady, Esq.

Flag Salute: Mr. Cataline

Public Notice Announcement:

This is the Borough of Lavallette Planning Board Regular meeting of July 28, 2021. 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.

Public Hearing:

Application # 03-2021 – Clifford Vandermay, 14 Princeton Ave., Block 22, Lot 17 – Construction of Accessory Building

Mr. Brady announced that the applicant's attorney requested a postponement to the September 22 Planning Board meeting. A motion was moved by Mr. Palinsky, seconded by Mrs. Filippone to approve the request waiving all statutory time limits through September 22, 2021. Roll call vote: Palinsky, yes; Filippone, yes; Borowski, yes; Brice, yes; Calderaro, yes; Marino, yes; Shenewolf, yes; Cataline, yes.

Resolutions Memorialized:

N/A

*Mr. Restaino arrived at 7:25 p.m.

New Business:

Substantially Damaged Determination Appeals

Mr. Brice primed the Board members about future appeals to the Substantially Damaged Determinations made after Superstorm Sandy in 2012. FEMA and the NFIP (National Flood Insurance Program) extended the deadline for elevating these properties to October 29, 2021. Currently there are 44 properties out of compliance. Mr. Brice turned the meeting over to Doug Erb, Lavallette's current Flood Plain Manager.

Mr. Erb explained that these substantially damaged determinations are attached to the property, as a variance would be, and become a part of the property record. The homeowner has the right to appeal this determination based on:

- Insufficient information
- Errors
- Repair/Improvement costs that should be included/excluded
- Inappropriate valuations of costs for proposed work
- Inappropriate method to determine the market value of the building

Mr. Erb further explained that substantial damage is calculated at 50% of the assessed value of the improvement cost to repair the damage to ratio of the market value at the time.

There was further discussion regarding:

- Equalization Ratio
- Consequences to homeowner
- Reasons for appeal
- Procedure to file appeal
- Results of appeal memorialized as a resolution

Doug Erb supplied the following handouts to Board members:

- Definition and calculation of Equalization
- FEMA Q & A about Substantially Improved/Substantially Damaged Buildings

Mr. Cataline asked, and it was confirmed that these appeals have to come to the Planning Board before October 29. It was agreed that we may need to schedule an additional meeting to handle these appeals timely.

Mr. Brice let the Board members know that we have made the appropriate changes to the existing Planning Board Application Package to accommodate these appeals. These changes were approved at the July 26 Council Meeting.

Small Cell Wireless Application

Mr. Brice notified Board members that Cellco Partnership (dba Verizon Wireless) has submitted an application to install small cell wireless facilities at seven additional locations in Lavallette. The plans are currently under review by the Borough Engineer and Attorney. The Planning Board will review these applications and the Engineer's report and make recommendations to Mayor and Council at the August 25, 2021, meeting.

The locations are near the following addresses:

1. 1103 Oceanfront
2. 1406 Oceanfront
3. 598 Ocean
4. 110 White Ave.
5. 1608 Bay Blvd.
6. 76 Grand Central Ave.
7. 110 Pennsylvania Ave.

Discussion:

There was a brief discussion regarding 65 Grand Central Ave.

Mr. Calderaro asked for an update regarding areas in the Borough with no curb cuts. Mr. Brice replied that the LPD did canvass some residents who did not think it was an issue. Mr. Calderaro still feels that every home in this town should have a driveway.

Review & Approval of Minutes:

A motion was made by Mr. Marino to accept the minutes of the Regular Meeting of May 26, 2021, with all who were present at the meeting voting in favor.

Adjourn:

Mr. Borowski moved to adjourn the meeting, seconded by Mr. Brice. The meeting adjourned at approximately 8:35 p.m.

Respectfully submitted,

Joyce Deutsch, Secretary