

**MINUTES
BOROUGH OF LAVALLETTE
REGULAR MEETING OF THE PLANNING BOARD
Wednesday, February 26, 2025 – 5:00 P.M.**

The following Board Member was re-appointed and sworn in for the appropriate terms:

- Jennifer DeRienzo, Alternate # 2

ROLL CALL:

Alex Barletta – absent	Joseph Palinsky – present
John Bennett – present	Thomas Restaino – present
Anthony Cataline – present	George Shenewolf – present
Joanne Filippone – present	Mary Chyb (1 st alternate for Alex Barletta)– present
Jennifer Hartman-Sica – present	Jennifer DeRienzo – present
Vincent Marino – present	

Also Present: Terry F. Brady, Esq. and Michael Goldstein, PE, PP, CFM

Flag Salute: Chairman Cataline

Public Notice Announcement:

This is the Borough of Lavallette Planning Board Regular meeting of February 26, 2025. 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.

This meeting is a judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the Board may legally consider in reaching a decision and decorum appropriate to a judicial hearing must be maintained at all times.

The Chairman addressed a request brought to the Board regarding a special meeting. The Board discussed the possibility of having a special meeting with the applicant of 506 Grand Central Ave. A tentative date of March 19th was floated. The board made a motion to have the meeting should it be needed. The applicant needed to confirm that his professionals were available.

Application # 14-2024 – 169 Pershing Blvd. James and Patricia Dolan, Block 959, Lot 23

2. Application:

The applicant is seeking variance relief to permit the grading and retaining walls installed in the side and rear yards of the property.

The applicant's attorney, Gregory Hock, Esq., stated that they were unfortunately in error installing retaining walls and grading without permits. He stated that the homeowner would like to rectify the situation while addressing the common problem of flooding that occurs.

A photo was shared with the Board members (exhibit A-1) from January 2023. Areas discussed were

- Grading, roughly 18 inches
- Goals to address bay & rain water away from home, neighbors, town
- Ordinance regarding grading
- Structure and total coverage

Witnesses for the applicant:

1. Daniel Paul Wheaton, RA, PP; Ten 10 Architecture, 714 N. Main St., Manahawkin, discussed the following:
 - a. Joined the team after the framing inspection & construction had stopped.
 - b. Coverage of structure (greater than 18" above curb) and pavers
 - c. Elevation
 - d. Use of fill
 - e. Minimize stagnant water near and around the property.

Questions were addressed regarding

- Grading
- Underground drainage
- Pool
- Timing
- Top of curb
- Height of house
- Impact on neighbors
- Timing of work
- Flooding
- Fencing
- Clarification from Michael Goldstein, PE as to classification of pool, structural coverage, BFE, drainage pattern, fence height

Chairman Cataline opened the hearing for public comment.

- Richard Marra of 171 Pershing Blvd. was sworn in and gave testimony in favor of the application. Likes the retaining walls and feels they help him. Thanked the applicant.
- Christine Minardi of 167 Pershing Blvd. was sworn in and gave testimony in favor of the application. Her house was in the photo presented. In April the county came out and fixed the street drainage, & has been much better. She is OK with the placement of the fence.

Board Discussion

- a. concerns with coverage of structure
- b. curb, retaining wall
- c. square footage

After Board deliberation, a motion to deny the application was made by Mr. Bennett, seconded by Mr. Palinsky. Roll call vote: Bennett, Aye; Palinsky, Aye; Chyb, Aye; Filippone, Nay; Hartman-Sica, Aye; Marino, Aye; Restaino, Aye; Shenewolf, Aye; Cataline, Nay.

Mr. Brady summarized the vote; 2 to approve and 7 to deny. The application fails.

The Chair heard from Mr. Conte re: 506 Grand Central Ave and the special meeting that the 19th does not work, but will be heard on the 26th of March.

The Board took a five minute recess.

Application # 16-2024 –13 Brown Ave., Catherine and Kenneth Meiser, Block 10, Lot 18

Application:

The applicant has proposed to eliminate the rear/north composite deck, the easterly concrete walkway, the existing front landing and stairs, two chimneys, and relocate the existing utilities. The applicant has proposed to construct an approximately 585 S.F. addition to the rear/north second story of the dwelling, one new chimney in the rear along a newly proposed first story rear screened porch where the composite deck presently exists. The applicant seeks to convert a portion of the first story front facing living space to a screened front porch.

The applicant's attorney, Lynne A. Dunn, Esq., applicant's attorney of HDDS, PC, opened with an interview of the owner Kenneth Meiser. A discussion of making the home ADA compliant while keeping the character of the home was shared.

An overview of the changes on the revised plans was provided by the architect and the engineer.

Witnesses for the applicant:

1. Matthew C. Hockenbury, PE, PP, of MCH Engineering Inc., who was sworn in and reviewed the existing conditions and the proposed changes to the property. There were discussions regarding:
 - a. Changes to front portion of the house
 - b. Reviewed existing nonconformity
 - c. Coverage of structure
 - d. Comparison of improvements
 - e. Parking

Board comments & questions:

- a. Age of home/first renovation
 - b. Construction prohibited above front deck, limited by Ordinance
 - c. Deck size
 - d. Compressor location
2. Paul D. Rugarber, AIA, RA of PDR Designs, was sworn in and reviewed the
 - a. Living space
 - b. Neighboring homes
 - c. Community
 - d. Second floor
 - e. Structure coverage
 - f. Deck
 - g. Siding
 - h. FEMA

Board comments & questions:

- a. Setback and porch
- b. Deck

Matthew Hockenbury presented photos (exhibit A-1) showing the neighborhood decks/houses.

Chairman Cataline opened the hearing for public comment.

None

After Board deliberation, a motion to approve the application with conditions was made by Mr. Palinsky, seconded by Mrs. Hartman-Sica. Roll call vote: Palinsky, Aye; Hartman-Sica, Aye; Bennett, Aye; Chyb, Aye; Filippone, Aye; Marino, Aye; Restaino, Aye; Shenewolf, Aye; Cataline, Aye.

Mr. Brady summarized the vote; 9 to approve with conditions and 0 to deny. The application is approved with conditions.

Resolutions to be memorialized:

- None

Review and Adoption of Minutes:

- Re-Organization and regular Planning Board Meeting of January 22, 2025.

All votes were in favor of accepting the minutes, none opposed, none abstained.

Old Business:

- None

New Business:

- Next meeting March 26nd

Correspondence:

- None

Discussion:

- Discussion regarding 'hardship', deviation, zoning, law

Adjourn:

On motion by Mr. Bennett, seconded by Mr. Marino the meeting was adjourned at 7:45 pm. All in favor of adjournment.

Respectfully submitted,
C. Nunziato, Secretary