

**AVON-BY-THE-SEA PLANNING BOARD MEETING MINUTES MARCH 9, 2017**

**A REGULAR MEETING OF THE AVON-BY-THE-SEA PLANNING BOARD** was held on the above date at the Avon Elementary School, Fifth Avenue, Avon, NJ.

**PRESENT :** Vice Chair T. Egan, V. Ernst, M. Kenny, Chair R. Maloney, S. Mazouat, Board Engineer C. Rooney, Board Attorney M. Kitrick, T&M Engineer R. Savacool .

**ABSENT:** M. Davey, Mayor J. Magrini, F. McGovern, S. McLaughlin, J. Oldakowski, J. Ryan, C. Talmage

Chairman Maloney opens the meeting at 7 PM and reads the Public Statement in compliance with the Open Public Meetings Law. Maloney leads the Pledge of Allegiance to The Flag.

Mr. Maloney states that the Amato application is adjourned. The applicant is required to re-notice in order to be placed on the calendar.

Attorney Kitrick speaks to applicant Randy J. Csik ( 517 Jefferson Ave. ) and his representing attorney Robert McAnanly (aside). The applicant requests to be carried with no further notices to April 13, 2017. The reason being the low number of board members in attendance (5).

**MOTION** by Maloney to approve second by Egan

**THE VOTE:**

**AYE:** Egan, Ernst, Kenny, Maloney, Mazouat

Motion passed

**MOTION** by Maloney seconded by Egan to approve Land Development Amendments and Recommendations for change.

**THE VOTE:**

**AYE:** Egan, Ernst, Kenny, Maloney, Mazouat

Motion Passed.

**MOTION** by Maloney second by Ernst to approve Landman- 100 Norwood Avenue Resolution.

**THE VOTE:**

**AYE:** Ernst, Kenny, Maloney, Mazouat

**Abstain:** EGAN

Motion passed.

**MOTION** by Maloney second by Kenny to approve Bourke - 34 Garfield Avenue Resolution.

**THE VOTE:**

**AYE:** Ernst, Kenny, Maloney, Mazouat

**NO:** 0

**ABSTAIN:** Egan

Motion passed.

Next on the agenda is a new application for Cynthia Landon – 101 Washington Lane.

Ms. Landon is sworn in with her architect Tom Peterson. Ms. Landon describes her property as being 20' from the water. In Super Storm "SANDY" the house had two feet of water on the first floor it. They did complete renovations, however have decided to raise the home as their neighbors have done.

Architect Tom Peterson describes elevation of the house and the damage caused from "SANDY". Two feet 2' of water was in the first floor.

First floor elevation is currently at 9.19'. They are in the ten foot zone. The state law allows people to raise homes three feet above base flood elevation. Three feet would put the structure just above the high water mark. The ductwork, mechanicals, floor joists and structural girders would still be in the flood zone. They are looking to raise the house 4'. This puts the structure 1' above the high water mark, therefore reducing the risk of damage. The current elevation of the house is 34.35'. The 4' variance would put the house at just under 38.19'. The application is not unusual case. They are staying below allowable building and impervious coverage. Only seeking height variance.

No questions from the public.

Mr. Maloney discusses elevations of finished floor and house proposed height.

Ms. Landon states that they want to raise for security and feels strongly that allowing 4' is reasonable.

Questions from the public.

Mr. Hoo of 105 Washington Avenue is sworn in.

Mr. Joseph Hoo of 105 Washington questions the need for the height variance and does the board plan on making a decision this evening. Mr. Hoo has not reviewed the plans although he had been "noticed". This is brought to his attention. Mr. Hoo asks that the decision be delayed. Mr. Kitrick states that if the board wants to vote this evening they can.

Engineer Rooney goes over his review letter dated January 16, 2017.

Public comments.

Ms. Sally Chan of 105 Washington Avenue is sworn in. Ms. Chan questions the vote required to approve the variance. Mr. Maloney answers that the requirement would be the majority of the board members present. This variance is a "C" variance. Mr. Rooney explains the distinction of height. If it is less than 10% of what is allowable which this application is ( 38.19') then it is a "C" variance. If they were asking for over 10%, 38 ½ ' or higher it would be a "D" variance and would require 7 members and of which 5 must vote for approval.

Petersen summarizes application. No basement and they will fill existing crawl space.

**MOTION** by Ernst to approve application second by Kenny.

**THE VOTE:**

**AYE:** Egan, Ernst, Kenny, Maloney, Mazouat

**NO:** 0

**MOTION PASSED**

At the April 13, 2017 meeting the above meeting minutes were approved.

**MOTION** by Egan second by Kenny to approve March 9, 2017 meeting minutes as written.

**THE VOTE:**

**AYE:** Egan, Ernst, Kenny, Mazouat

**NO:** 0

**ABSTAIN:** Davey, Magrini, McGovern, McLaughlin, Oldakowski, Ryan, Talmage

  
Sheila Sullivan / Planning Board Secretary