

AVON –BY-THE-SEA PLANNING BOARD MEETING JUNE 9, 2016

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 07717.

PRESENT : M. Davey, Vice Chair T. Egan, V. Ernst, M. Kenney, Mayor J. Magrini, Commissioner R. Mahon, Cahir R. Maloney, S. Mazouat, F. McGovern, J. Oldakowski, J. Ryan, Board Engineer C. Rooney, Board Attorney M. Kitrick.

ABSENT : S. McLaughlin, C. Talmage

Chair R. Maloney opens the meeting in compliance with the Open Public Meeting Law and leads the Pledge of Allegiance to the Flag at 7PM.

MOTION by Egan seconded Oldakowski that the minutes of the May 12, 2016 meeting be approved as written.

The vote:

Aye: Davey, Egan, Kenny, Magrini, Mahon, Oldakowski, Ryan

Abstain: Ernst, Maloney, McGovern

No: 0

MOTION by Kenny seconded by Ryan to approve the Resolution for Karen Welch 108 Washington Avenue, new single family residence.

The vote:

Aye: Davey, Egan, Kenny, Mazouat, Oldakowski, Ryan

Abstain: Ernst, Maloney, McGovern

No: 0

MOTION by Egan seconded by Davey to approve the Resolution for Bridget & Howard Beissel 116 Fourth Avenue, new single family residence.

The vote:

Aye: Davey, Egan, Kenny, Oldakowski

Abstain: Ernst, Maloney, Mazuoat, McGovern, Ryan

No: 0

MOTION by Maloney seconded by McGovern to carry Ruane subdivision application to the October 13, 2016 meeting.

The vote:

Aye: Davey, Egan, Ernst, Kenny, Maloney, Mazouat, McGovern, Oldakowski, Ryan

No: 0

Next on the agenda is an application by the Borough of Avon-By-The-Sea seeking subdivision of 435 Sylvania Avenue, Block 26 Lot 1 into two conforming building lots 1.01 & 1.02.

Attorney Kitrick swears in Mr. Rooney, Borough Clerk/ Administrator Timothy Gallagher and Borough Attorney Barry Cooke.

Mr. Gallagher describes the property and the intention to subdivide the lot. The town will demolish one building on the corner and keep the single family home as is. Mr. Cooke comments that there is a variance required for the house that will remain, pertaining to the side yard setback. The garage of the house sits 3 feet from the property line. Mr. Cook describes this as a preexisting condition. Mr. Rooney recommends that the board approve the subdivision with the variance.

No questions or comments from the board or public.

Motion by Ernst seconded by McGovern that the application be approved.

The vote:

Aye: Davey, Egan, Ernst, Kenny, Maloney, Mazouat, McGovern, Oldakowski, Ryan

No: 0

Next on the agenda is a new application by Kerry Boyle 434 Jefferson Avenue, Block 46 Lot . Ms. Boyle is seeking Bulk variances as the lot is nonconforming in size, two front yard setbacks nonconforming, side yard (East) setback is nonconforming. The proposed height would be 30' whereas 28' is permitted.

Mr. Kitrick swears in Ms. Boyle, Architect James Watt Attorney Michael Rubino, Mr. Ed Reagoso and Board Engineer Rooney.

Representing Ms. Boyle is attorney Mr. Rubino gives testimony as to the description of the property and the variances needed to do improvements.

Mr. Rubino submits into evidence

A1- Survey dated 12/16/15

A2- photo front view of existing house

A3- photo 5th Ave. view stone wall

A4- photo 5th Ave. view side of house

A5- photo 5th Ave. view of property

A6- photo backyard

A7- photo path from front

A8- Site Plan

A9- color rendering of proposed house

A10- photo front corner view of property

A11- photo next door path from front

A12- photo front view of property

A13- photo side view of property

Mr. Rubino reviews Mr. Rooney's letter dated March 28, 2016. Mr. Rooney has withdrawn comment 2.1.

Ms. Boyle testifies that she has always dreamed of living in Avon. The house she purchased is quite small and she hopes to renovate to make it more livable for her, her fiancé and son.

Vice Chair Egan will it remain 2 bedroom?

Ms. Boyle replies that they will leave one existing bedroom on first floor for her mother when she visits.

Mr. Rubino and Mr. Reagoso (fiancé of Ms. Boyle) discuss the yard and the placement of the A/C units.

Mr. Rooney feels that the A/C units would be more appropriate for the units. He would also like to see more accurate representation of coverage.

Chair Maloney refers to the patio, shed and fence are not shown on plans. He would like to see a more accurate representation of coverage. Mr. Rubino states that they will revise plans . Would the Board consider they do this without coming back to the board. Mr. Rooney is of the opinion that this will be acceptable.

Board member Ryan asks if the foundation support the renovations? Mr. Rubino responds that there will be no problem. Ms. Boyle states that before she moved in she had a beam put in the basement for support.

Architect James Watt testifies to the challenges in designing with such a small lot. They are not affecting the footprint. They are proposing a second floor and believes it is a modest proposal.

Mr. Rooney questions Mr. Watt concerning the roof overhang closer than 2 feet next to the neighbor's roof. This could be hazardous. Mr. Watt explains that during the construction they can lower the plate to alleviate any concerns Mr. Rooney would like confirmation on the revisions. Mr. Watt states that the house does have a basement used for storage. The foundation is sound and they will shore up if necessary. Proposed height is discussed with Maloney.

Mr. Rooney goes over his review letter dated March 18, 2016.

No questions or comments from the public.

Board member Ryan states that this was a tough property to work with and they have tried to make it fit in with the neighborhood. He would like to see the impervious and A/C placement on revisions.

Chair Maloney agrees with Ryan that they have done a reasonable job and would like to see the plans cleaned up before a formal vote.

Rubino asks if the board would consider to have Mr. Rooney review revised plans to alleviate the applicants coming before the board again.

Vice Chair Egan finds this acceptable as does Mr. Rooney.

Motion by Ryan the plans be approved subject to conditions set, seconded by Kenny.

The vote:

Aye: Davey, Egan, Ernst, Kenny, Maloney, Mazouat, McGovern, Oldakowski, Ryan

No: 0

Next on the agenda is an application by Brian and Kathleen Fitzpatrick for 419 Norwood Avenue, Block 12 Lot 8. The applicants are proposing to demolish the existing primary residence and reconstruct a new residence on a lot with a detached garage apartment. This proposal represents an expansion of a non-conforming use in that zone. Applicant is requesting a USE variance. The applicants are also seeking a variance for the side yard setback of the gravel driveway.

Attorney Kitrick swears in Mr. Fitzpatrick, board engineer Rooney and contractor Ryan Meyers.

Mr. Fitzpatrick states that he would like to build new home and keep the garage apartment. He believes that the garage apartment is not abnormal to surrounding properties. The new home will not require any variances.

Mr. Fitzpatrick submits evidence.

A1- photo three views of property

A2- photo rear driveway

Applicants contractor Ryan Meyers testifies. He describes the proposed house as an open floor plan. Evidence **A3-** rendering ,plans and elevations is entered. Mr. Meyers refers to this submission. Mr. Meyers enters **A4-** photo of existing house and rendering of front view of proposed house.

Discussion follows with Mr. Mazouat, Mr. Rooney and Mr. Fitzpatrick concerning tree removal.

Mrs. Egan asks if the gravel driveway will be paved. Mr. Fitzpatrick had planned to rake the gravel. He now will do partial paving.

Mr. Fitzpatrick describes the garage apartment. The garage has a washer and dryer on one side. The garage can fit two cars if one vehicle is small. Driveway can accommodate two more cars.

Engineer Rooney goes over his review letter dated March 30, 2016. Particularly the justification of demolishing the existing house and build new. Mr. Fitzpatrick states that the current house is antiquated, the lay out has issues.

Evidence **A5** –Revised Plot Plan dated 5/24/16. This revision addresses Rooney's concerns.

Exhibit **A6**- updated rendering dated 6/1/2016

Question's from the public?

Annette Lanzafama 415 Norwood Avenue. Would like to see the two large trees be removed. She is concerned about future storms compromising the trees stability.

Vice Chair Egan comments that she feels that the applicants have done a very good job in keeping the house modest and is in favor of the application. Mr. Ryan agrees as does Chair Maloney.

Motion by Egan with conditions sited seconded by Ryan.

The vote:

Aye: Davey, Egan, Ryan, Maloney, McGovern

No: 0

Motion to adjourn by Maloney.

Aye: All

Minutes were approved at the July 14, 2016 meeting.

MOTION by Egan seconded by Ryan to approve the June 9, 2016 minutes.

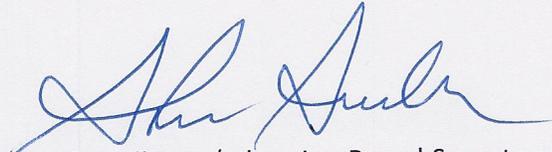
The vote:

Aye: Davey, Egan, Ernst, Kenny, Maloney, Mazouat, McGovern, Oldakowski, Ryan

No: 0

Abstain: McLaughlin, Talmage

Motion to approve June 9, 2016 meeting minutes as written is passed.



Sheila Sullivan / Planning Board Secretary