

## AVON-BY-THE-SEA PLANNING BOARD MEETING AUGUST 13, 2015

A REGULAR MEETING OF THE AVON-BY-THE-SEA PLANNING BOARD was held on the above date at the Avon Elementary School, Fifth Avenue NJ 07717.

PRESENT: Vice Chair T. Egan, V. Ernst, M. Kenny, Mayor R. Mahon, Chair R. Maloney, F. McGovern, S. McLaughlin, J. Oldakowski, R. Ryan, C. Talmage, Board Engineer C. Rooney, T & M Engineer Robert Mullin, Attorney M. Kitrick

ABSENT: M. Davey, R. McGovern

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

First on the agenda is the approval of the July 9, 2015 meeting minutes.

Motion to approve minutes as written by Maloney seconded by Egan.

The vote:

Aye: Egan, Kenny, R. Mahon, Maloney, F. McGovern, Ryan, Talmage

Abstain: Ernst, McLaughlin, Oldakowski

No: 0

Second on the agenda is a Motion by Maloney to carry Gluck Sub Division application of 36 Lincoln Avenue to the September 10, 2015 meeting with no further notices seconded by Ryan.

Aye: Egan, Ernst, Kenny, Maloney, F. McGovern, McLaughlin, Oldakowski, Ryan, Talmage

Motion passed.

Third on the agenda is a new application for Robert Serafin, 22 Poole Avenue.

Board member Ernst recuses himself.

The applicant Mr. Serafin is represented by Attorney Michael Rubino.

Attorney Kitrick swears in Mr. Rubino, Mr. Serafin, Engineer Joseph Kociuba, Architect Paul Brabowski and Engineer Robert Mullin.

Mr. Rubino describes the property as having been destroyed by super storm "SANDY" and plan on rebuilding a new 2 story home. They are here tonight requesting several variances.

He notes that the house will be kept less than the %10 then what is allowed to keep it as a "Bulk" variance and not a "Use" variance.

Mr. Rubino enters into evidence:

A 1- Elevation

A2- Plot Plan

A3- Aerial photo

A4- Floor plan

A5 Picture Board

A6- Resolution by board for 24 Poole Avenue renovation.

A7 Building sections

Architect P. Grabowski testifies as to his qualifications. Mr. Grabowski addresses the board as to requirements of FEMA and building height above the Base Flood Elevations. He states that the plan brings the elevation 2' to 3' above the Base Flood Elevations. The house being right on the river, the Serafins are asking for height relief (22') to stay high and dry and safe. Mr. Grabowski describes the elevations, porches, building coverage, living area, the need for an elevator and the 5' crawl space.

Question's from the board?

Egan asks about the height of the first floor. Mr. Grabowski states that it will be 9".

Mr. Serafin testifies that they purchased the property in 2014. They fell in love with Avon over the previous years. They plan on making this new home a permanent residence. They are asking for a little extra coverage to accommodate the elevator, deck and garage for storage and parking. Rubino asks Mr. Serafin about Engineer Mullin's review letter referring to an existing concrete slab. Mr. Serafin states that the plan is to remove it.

No questions from the public.

No questions from the board.

Engineer & Planner J. Kociuba testifies to his qualifications. Mr. Kociuba gives a description of the lot and surrounding properties. The lot is undersized and requires variances. The conditions of property are existing. The Flood Hazard Control Act requires them to be at a minimum elevation of 11'. We are proposing 12' with the intent to avoid potential hazardous situations. The FEMA Freeboard Fact Sheet promotes going over the required state minimum as it would reduce flood insurance, promote the general welfare, less damage and easier clean up. The

height proposed is substantially less than the neighbors. Mr. Kociuba and Board Engineer R. Mullin address Mr. Mullin's review letter dated July 14, 2015. Roof lines are discussed.

No questions or comments from the board.

Public comments or questions.

Mr. John Mesko of 20 Poole Avenue comments that he has no objection to the application.

Back to board for discussion.

Board member Ryan believes that the applicant and his professionals have done a fine job with the design and should be granted variances. Chairperson Maloney reiterates Ryan's sentiments.

Motion by Motion by Maloney seconded by Ryan that application be approved with the conditions of dry well installation and concrete slab removed.

The vote:

Aye: Egan, Kenny, Maloney, F. McGovern, McLaughlin, Oldakowski, Ryan

No: Talmage

Recuse: Ernst

Motion to approve application is passed.

Fourth on the agenda is a new application for Richard and Mary Gallagher, 27 Garfield Avenue. The Gallaghers are represented by Dennis J. Barrett, Esq. . The applicants are seeking to add a two story addition in the rear of the principal building, extension of covered porch to include east and west sides of addition, decks in front and rear of principal building. They are asking for a height variance for new addition of 37.49' where 35' is the maximum allowed.

Vice Chair Egan has been noticed and is recused.

Mr. Barrett addresses the board as to the need for a "USE" variances as the property has a garage apartment which makes it a nonconforming lot. He references the age of the house (110 years old) and the height variance need. The height of the principal building is 38.41'.

Board Attorney Kitrick swears in Mary Gallagher, Architect Chris Rice and Architect Dustin Brown.

Mrs. Gallagher testifies that they purchased the house in 2010. The current kitchen is antiquated. They have four daughters and grandchildren who visit often. They would also add a master bedroom and bath over the kitchen. They do not want to tear down the house as keeping the old feel and appearance of the house is important to them.

Questions from the public? None

Architect Chris Brown testifies as to his qualifications. Mr. Rice along with Mr. Brown give an over view of property. A2 – Site Plan is entered into evidence.

The house is a classic colonial seashore house. They want to preserve and restore the existing house. All of the new work proposed meets zoning criteria with exception to the height of the addition. Mr. Rice addresses the new roof lines. He discusses the building elevations proposed and existing.

A1 – 3D Color rendering of proposed home.

A2 – Site Plan on Board

A3 – Floor Plan

A4 – Floor Plan

A5 – Roof lines

A6 – Building Elevations

A7 - Building Elevations

A8- Building Sections

Board Engineer Rooney's Review letter dated June 25, 2015 is addressed by Mr. Rice and discussed with Mr. Rooney.

Revised plans need to be submitted based on the smaller deck change as per Rooney's letter.

Questions from the public.

Missy Codey Peters- her mom lives at 307 Ocean Avenue, asks if they need coverage variances. Mr. Rice states that the allowable is 35% where the proposed will be under that at 34.8%.

Mr. Rooney refers to a letter dated July 17, 2015 from the architects giving a detailed breakdown of building and impervious lot coverage. Mr. Rooney was in agreement with the numbers.

Questions from the board? None

Questions or comments from the public? None

Back to the board. Mr. Maloney states that he feels that the application makes total sense to keep the character of the house. He is in favor of the application.

Motion by Ernst seconded by Ryan to approve the application.

The vote:



Aye: Ernst, Kenny, Maloney, F. McGovern, McLaughlin, Oldakowski, Ryan, Talmage

No: 0

Recuse: Egan

Motion is passed.

At this point Board Attorney Kitrick addresses the board in the matter of John Mesko who is in the audience. Mr. Mesko had previously come in front of the board and received a Resolution at the July 9, 2015 meeting. As per the Resolution Mr. Mesko was to appear at tonight's meeting with documentation requested in the Resolution. The Resolution had also stated that Mr. Mesko's engineer (Shourd) was to have a drainage plan submitted prior to tonight's meeting. Mr. Rooney states that he had received a voice mail tonight at 6:25 this evening and promised he would supply a submittal next week. The condition's stated in the resolution have not been met. Mr. Kitrick also states that Mr. Mesko is represented by counsel. Since Mr. Mesko's attorney is not present Mr. Kitrick feels that it would be inappropriate to take testimony at this evening meeting. The board will notify the Building Department and Construction Official that conditions have not been met.

Motion to adjourn by Maloney.

Aye all

Motion to approve minutes by Frank McGovern seconded by Teresa Egan.

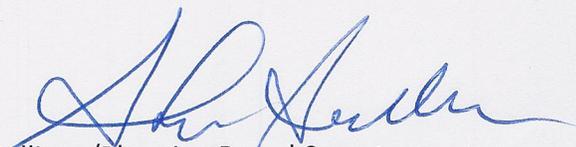
The vote:

Aye: Egan, Kenny, Mahon, Maloney, F. McGovern, Ryan

No: 0

Abstain: R. McGovern

Minutes approved



Sheila Sullivan/Planning Board Secretary