

AVON-BY-THE-SEA PLANNING BOARD MEETING MINUTES AUGUST 11, 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 : V. Ernst, M. Kenny, Chair R. Maloney, S. Mazouat, F. McGovern, S. McLaughlin, J. Oldakowski, J. Ryan, C. Talmage, Board Attorney M. Kitrick & Board Engineer C. Rooney

ABSENT : Egan, Davey

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

MOTION by McGovern seconded by McLaughlin to approve the July 14, 2016 meeting minutes.

The Vote:

Aye: Ernst, Kenny, Maloney, Mazouat, McGovern, McLaughlin, Oldakowski, Ryan, Talmage

No: 0

Motion passed.

MOTION by Ryan seconded by Kenny to memorialize the resolution for Maryanne & Gerald Freda – 428 Garfield Avenue.

The Vote:

Aye: Ernst, Kenny, McLaughlin, Ryan, Talmage

No: 0

Motion passed.

MOTION by Maloney seconded by McLaughlin to memorialize the resolution for Greenlow – 114 Sylvania.

The vote:

Aye: Ernst, Kenny, Maloney, McLaughlin, Ryan

Abstain: Mazouat, McGovern, Oldakowski, Talmage

No: 0

MOTION by Maloney seconded by McGovern that the Amato Amended Application be carried to the September 8, 2016 meeting.

The vote:

Aye: Ernst, Kenny, Maloney, Mazouat, McGovern, McLaughlin, Oldakowski, Ryan, Talmage

No: 0

Motion passed.

MOTION by Maloney and seconded by Ryan that the application for Tomljanovic 216 Washington Avenue be carried to the Septer 8, 2016 meeting.

The vote:

Aye: Ernst, Kenny, Maloney, Mazouat, McGovern, McLaughlin, Oldakowski,

New application for Patricia Elmiger seeking Variance Relief "C" (Bulk and Variance Relief "D" (Use) for her property located at 415 Woodland Avenue, Block 15 Lot 8.

Board members Ernst and Oldakowski recuse themselves.

Attorney Michael Rubino is representing Patricia Elmiger. Mr. Rubino gives a description of the property as being in disrepair. Patricia Elmiger suffers from clinical dementia. Her daughter Mary Elmiger here as representation. Mr. Rubino states that they wish to take down the principal residence and build new. They would also like to keep the rear garage apartment. The new residence will meet all land use requirements set forth in Avon's Land Development ordinances.

Mr. Rubino marks into evidence **A1 & A2 colored site plans on board**

A3- photo board

A4 – architectual plans on board

A5 - property record card

A6 – tax cards of the property

Witnesses are sworn in - Architect Paul Grabowski, Mary Elmiger (Patricia's daughter with power of attorney) , Engineer Daniel Caruso & board engineer Charlie Rooney.

Mr. Grabowski testifies that he was hired by the Elmigers to design a new house. He has designed the house to be ADA Compliant in consideration for Patricia Elmiger's needs. The garage apartment is preexisting and nonconforming. There are a number of garage apartments

in the direct area and would not be out of character. The front structure is in disrepair. Mr. Grabowski refers to exhibits **A1, A2**.

Mr. Grabowski & Mr. Rooney discuss Mr. Rooney's review letter dated April 18, 2016.

No questions from the public of architect Grabowski's testimony.

Engineer for applicant Mr. Caruso testifies. Mr. Caruso addresses the issue of water runoff and the fact that run off will not be increased. Discussion with Mr. Caruso & Mr. Rooney concerning the impervious coverage of the ramps & steps. Mr. Rubino states that they will revise plans to be under 50% coverage.

Mr. Rubino calls Mary Elmiger to testify. Ms. Elmiger is her mother's full time care taker with help from family members. She has full power of attorney. Ms. Elmiger states that the house as it exists is in much disrepair. The garage apartment has been rented in the past and at times used by family members.

Rubino rests.

Comments from the public.

Lorraine Talmage 121 Sylvania Avenue is sworn in and states that she is in favor of the project.

Board member Mazouat asks if the shed could be moved? He is in overall approval of the application. Board member Ryan states that the proposal is an improvement in the neighborhood. Board member McLaughlin would like to see the shed removed and is in favor of the application.

Motion by McGovern to approve the application with the removal of the sheds\ and revised plans, seconded by Ryan.

The vote:

Aye: Kenny, Maloney, Mazouat, McGovern, McLaughlin, Ryan, Talmage

No: 0

Motion passed.

Motion by Maloney to adjourn. Aye all.

Minutes approved at the September 8, 2016 meeting.

MOTION by Ryan seconded by Maloney to approve minutes as written.

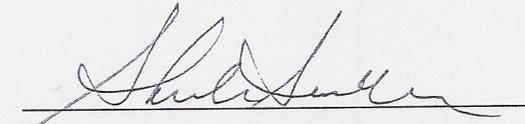
The vote:

Aye: Kenny, Maloney, Mazouat, McGovern, Ryan, Talmage

No: 0

Abstain: Davey Ernst, Mahon,

MOTION passed.

A handwritten signature in cursive script, appearing to read 'Sheila Sullivan', written over a horizontal line.

Sheila Sullivan / Planning Board Secretary