

AVON-BY-THE-SEA PLANNING BOARD MINUTES OCTOBER 11, 2018

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

PRESENT : Michael Davey, Commissioner Robert Mahon, Chairman Richard Maloney, Steven Mazouat, Frank McGovern, Sandra McLaughlin, Joseph Oldakowski, John Ryan, Cal Talmage, Board Engineer Charles Rooney and Board Attorney Mark Kitrick

ABSENT : Vice Chair Teresa Egan, Vincent Ernst, Marie Kenny, Mayor John Magrini

Chairman Richard Maloney opens the meeting at 7PM and reads the Public Statement in Compliance with the Open Public Meeting Law. Mr. Maloney leads the Pledge of Allegiance to the Flag.

MOTION by Ryan second by Commissioner Mahon that the Minutes from the September 13, 2018 be approved as written.

THE VOTE

AYE : Davey, Mahon, Maloney, Mazouat, McGovern, McLaughlin, Ryan, Talmage

ABSTAIN : Oldakowski

NO : 0

MOTION PASSED

MOTION by Ryan second McGovern that the resolution for Tuttle, 425 Washington Avenue be memorialized.

THE VOTE

AYE : Davey, Maloney, Mazouat, McGovern, McLaughlin, Ryan, Talmage

ABSTAIN : Oldakowski

NO : 0

MOTION PASSED

MOTION by Maloney second by McLaughlin to carry the Amato application for Block 54 Lot 11 to the December 13, 2018 meeting.

THE VOTE :

AYE : Maloney, Mazouat, McGovern, McLaughlin, Oldakowski, Ryan, Talmage

NO : 0

RECUSED : Davey

MOTION PASSED

Next on the Agenda is applicant Mr. Eric Reiter , 32 Lincoln Avenue. Mr. Reiter is represented by Attorney Timothy Middleton & Professional Planner Mr. Joseph Kociuda. Mr. Reiter is appealing the decision of the zoning official which prohibited the installation of an HVAC system to his detached garage. Mr. Reiter would like to use the loft area as a hobby room.

Mr. Middleton gives account of Mr. Reiter's last appearance before the board on April 14, 2016 where Mr. Reiter obtained approval to build a detached garage with a Gambrel roof. The resolution was memorialized May 12, 2016. Discussion follows with Mr. Kitrick as to the conditions set forth in the resolution, in particular that the garage will not be conditioned or used for habitable space.

Entered into evidence are colored photos (taken by Mr. Reiter) of garages throughout town.

A1-318 Garfield Ave.

A2 -100 Norwood Ave.

A3-227 Sylvania Ave.

A4-433 Norwood Ave.

Mr. Reiter states that at his last hearing in April 2016, he did not understand the wording of "conditioned". He states that he has no plans to add a kitchen, bath or heat.

Board member Mazouat questions Mr. Reiter as to the existence of the unit already installed. Board member Talmage asks if this unit can be used to heat? Mr. Reiter replies "yes".

Mr. Joseph Kociuda professional testifies to the 2016 Resolution and definition of dwelling.

Middleton discusses the request for an amendment to the 2016 Resolution and the need for set back variances. Discussion with board members, Mr. Reiter and Mr. Middleton as to height of the garage. Engineer Rooney's letter dated 1/16/2018.

Question from the public.

Louise Weidel owner at 35 Garfield Avenue. Ms. Weidel is in opposition to the project. She states that the ductless unit was installed illegally and against code. She believes the application was incomplete. Ms. Weidel asks the board deny the application.

Mr. Middleton summarizes.

MOTION by Maloney to deny the application second by Talmage.

THE VOTE

AYE : Maloney, Mazouat, McGovern, McLaughlin, RyanTalmage

RECUSE : Davey

NO : Oldakowski

MOTION PASSED.

Next on the agenda is a new application by Mr. Al Cupo, 19 Stanton Place, Block 13.01 Lot 6

The application requests Variances for an addition to a one family dwelling requiring a Use Variance for an expansion of a nonconforming residential use in a commercial zone. , bulk variances for Minimum Lot Area, Width, Depth, Minimum setbacks and exceeding Lot coverage.

Mr. Kitrick swears in Mr. Cupo, attorney William Torre, architect Mark Stefanelli, professional Planner Mr. Ed Colling and board engineer Charles Rooney.

Mr. Torre describes the application and states that the interior of the house was destroyed by water damage this past January.

Mr. Cupo testifies to the reasons the renovation is needed. He would like to modernize and expand for summer use.

Mark Stefanelli testifies as to the proposed project. He enters into evidence **A1-existing conditions of the house on board.**

A2- photo board of adjacent properties

Discussion follows with board members concerning lot coverage, front yard setback, paved rear yard, water damage to the basement and foundation.

Professional Planner Mr. Ed Colling testifies and describes the planned renovations and variances needed. He believes improvements will add to the aesthetics of the neighborhood.

Mr. Rooney goes over his review letter dated 8/28/2018.

Mr. Torre summarizes.

Board Chair Maloney states that the second floor bump out is a major issue as is the rear paved yard. Board members Ryan and Talmage agree. Board member McLaughlin would like to see the lot impervious coverage come down. Discussion follows concerning these issues with applicant, and Mr. Stefanelli.

From the public:

Sharon Mooney 510 West End Avenue is sworn in. She is in favor of the project.

Ted Grubowski 608 Woodland Avenue. He is in favor of the application.

MOTION by Maloney second by Oldakowski to carry the application to the November 8, 2018 meeting without further notice.

THE VOTE :

AYE : Maloney, Mazouat, McGovern, McLaughlin, Oldakowski, Ryan, Talmage

NO : 0

MOTION PASSED

NEXT on the agenda is a new application by 702 Main Street, LLC ("Applicant") Block 2 Lots 1,2,3. The application seeks site plan and minor subdivision to remove an existing gas station/auto repair facility and construct single family homes on each of the 2 newly created lots.

Attorney for the applicant Mr. Louis Felicetta, architect Tom Petersen, Mr. W. Caruso , applicant (Mr. Vito Cucci) and board engineer Charles Rooney are sworn in.

Mr. Caruso describes the proposal in detail.

Environmental issues discussed.

From the public:

Donna Welling 519 West End Avenue – Asks how ill the excavation affect her property?

Mr. Felicetta replies that all issues have been addressed.

Mr. Tom Petersen gives overview of plans and the applicant's proposal and the variances needed. Discussion follows on the proposed height of 35' on an undersized lot.

Mr. Rooney goes over his review letter dated July 16, 2018.

At this point Mr. Kitrick states that the meeting will be closed for a time constraint. It is now 11PM.

MOTION by Maloney to carry the application to the November 8, 2018 meeting with no further notices, second by McGovern.

THE VOTE

AYE : Maloney, Mazouat, McGovern, McLaughlin, Oldakowski, Ryan, Talmage

NO : 0

MOTION PASSED

MOTION by Maloney to adjourn second by Rayan.

AYE : All

MOTION PASSED

Minutes approved at the November 8, 2018 meeting.

MOTION by Talmage second by McLaughlin to approve minutes as written.

THE VOTE:

AYE: Davey, Mazouat, McLaughlin, Oldakowski, Talmage

Abstain: Kenny

No: 0

MOTION PASSED



Sheila Sullivan/Plannning Board Secretary