

AVON-BY-THE-SEA PLANNING BOARD MINUTES DECEMBER 13, 2018

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 Teresa Egan, Marie Kenny, Mayor John Magrini, Commissioner Robert Mahon, Chair Richard Maloney, Steve Mazouat, Frank McGovern, Sandra McLaughlin, Jack Ryan, Cal Ralmage, Board Engineer Charles Rooney, Board Attorney Mark Kitrick

ABSENT : Michael Davey, Vincent Ernst, Joe Oldakowski

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

MOTION by Talmage second by Mazouat to approve the November 8, 2018 meeting minutes as written.

THE VOTE :

AYE: Kenny, Mazouat, McLaughlin, Talmage

ABSTAIN : Egan, Ernst, Magrini, McGovern, Ryan

NO : 0

MOTION PASSED

MOTION by Maloney second by Ryan to approve the Resolution for the Main Street Corridor Report by T&M Associates.

THE VOTE :

AYE : Egan, Kenny, Maloney, Mazouat, McGovern, McLaughlin, Ryan, Talmage

ABSTAIN : 0

NO : 0

MOTION PASSED

MOTION by Kenny second by Mazouat to approve resolution for Cupo application , 19 Stanton Place

THE VOTE:

AYE : Kenny, Mazouat, McLaughlin, Talmage

ABSTAIN : Egan, Ernst, Maloney, McGovern, Ryan

NO : 0

MOTION PASSED.

MOTION by Maloney second by Ryan to approve the resolution of Reiter denial for garage conditioning at 32 Lincoln Avenue.

THE VOTE:

AYE: Maloney, Mazouat, Mclaughlin, Ryan, Talmage

ABSTAIN : Egan, Kenny,

NO : 0

MOTION PASSED

MOTION by McLaughlin second by Kenny to approve the minor subdivision and Bulk Variance for Cucci at 702 Main Street and a resolution to approve the Use Variance for same property.

THE VOTE:

AYE: Kenny, Mazouat, McLaughlin

ABSTAIN : Egan, Ernst, Maloney, McGovern, Ryan

NO : 0

Next on the agenda is a review and comments requested from the governing body on the proposed ordinance to ban Marijuana Dispenseries.

Discussion amongst board members that the ordinance to Ban dispensaries is consistent with the Borough's Master Plan.

MOTION by Maloney second by Egan to approve the ordinance.

THE VOTE :

AYE : Egan, Kenny, Maloney, Mazouat, McGovern, McLaughlin, Ryan, Talmage

NO : 0

MOTION PASSED

Next on the agenda is a minor subdivision submitted by Charles Smith for 26 & 24 Lincoln Avenue.

Representing Mr. Smith is attorney Gregory Vella and Mr. Michael Trizano (care taker for SFR) sitting in for Mr. Smith. Mr. Kitrick swears both in along with board engineer Charles Rooney.

Mr. Vella states to the board that this is a simple lot adjustment no variances should be needed.

Mr. Rooney goes over his review letter dated October 15, 2018.

Discussion follows on the garage located on lot 11.01. Discussion on impervious coverage that has been added to Lot 11.02 since the previous "AS BUILT" survey after completion of the new single family home. Mr. Vella agrees to conditions to bring Lot 11.02 in compliance with 50% and submit revised plans.

Next on the agenda is a new application submitted by Noele and Sean Dugan for the property known as 117 Sylvania Avenue (Block 34 Lot 6.02). The applicant seeks approval to construct 1 ½ story detached garage on a lot with anew 2 ½ story residence. The following variances are required – the proposed footprint of 26' x 28'whereas the maximum permitted is 26' x 26' – proposed width exceeds the maximum permitted width of 33.3% of the total roof length where the applicant proposes 67% of roof length- the applicant proposes building height of 21.3 '.The applicant proposes a height of 21.3' where maximum permitted is 18'.The applicant is proposing to use the upper floor of the garage as a play room with a ½ bath. This is not a permitted within a garage structure. The applicant is proposing a building lot coverage of 38.4% whereas a maximum of 32% or 35%.

Representing the Dugan's are Attorney Gregory Vella , Planner Christine Cafone, Architect Paul Grabowski. Mr. Kitrick swears in the applicant , board Engineer Charles Rooney and professionals

Marked in for exhibits were:

1. Photo of 109 Sylvania Avenue, home two yards to the east with garage apartment, marked as A-1
2. Photo of 110 Garfield Lane with garage apartment, marked as A-2
3. Photo of two-story building on Lane, marked as A-3
4. Photo of 132 Garfield Lane, with garage apartment, marked as A-4
5. Photo of another garage apartment, marked as A-5
6. Photo of 2nd Avenue, neighboring house, marked as A-6
7. Photo of neighboring house, marked as A-7
8. Floor Plans of Garage and elevation renderings, marked as A-8
9. Building section for garage, marked as A-9
10. Single family home elevation, marked as A-10
11. Floor plan of single family home, marked as A-11
12. Aerial of neighborhood, marked as A-12

Sean Dugan testifies on behalf of his application.

Architect Paul Grabowski testifies in support of the application.

Christine Cafone, PP testifies on behalf of the application as an expert in the field of planning.

Mr. Rooney goes over his review letter dated September 4, 2018.

Public portion:

Mr. Peter Smith, 403 First Avenue states that he is favor of the application.

Marie Dolan, 109 Sylvania, testifies in support of the application.

Kathleen Smith, 403 First Avenue states that she is also in support of application.

Discussion follows regarding the fact that the applicant cannot build a basement as it is in a flood zone, in so creating a (C1) hardship. Discussion on the proposed dormer and proposed height. Board discussion on installing heat and A/C on upper floor as setting a precedent.

Mr. Vella states that this is a “Unique” application and that the Dugan’s are burdened with the lack of a basement.

After a brief break Architect Grabowski proposes narrowing the dormer, reducing the building coverage. The garage new proposal will be 26’x26’. He also proposes a DEED restriction that the upper floor will not be rented to the public and the proposed shower will be removed.

Mr. Vella asks for a vote:

MOTION by Maloney second by Ryan to approve application with conditions.

THE VOTE:

AYE: Egan, Maloney, McGovern, McLaughlin, Ryan

NO : Kenny

RECUSE: Talmage

MOTION PASSED.

MOTION by Maloney second by Mazouat to carry Amato to the January 1, 2019 meeting with no further notices.

THE VOTE:

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

NO: 0

MOTION PASSED

MOTION to adjourn by Maloney

AYE: ALL

MOTION PASSED