

## **REORGANIZATION OF THE AVON-PLANNING-BOARD & REGULAR MEETING**

**JANUARY 14, 2016**

**Attendance:** M. Davey, Vice Chair T. Egan, V. Ernst, M. Kenny, Mayor J. Magrini, Commissioner R. Mahon, Chair R. Maloney, S. McLaughlin, J. Ryan, C. Talmage, Board Engineer C. Rooney, Board Attorney M. Kitrick

**Absent:** J. Oldakowski

**Late:** F. McGovern

Board Attorney Mark Kitrick swears in Mayor John Magrini.

Board Secretary S. Sullivan opens the meeting at 7PM, reads opening statement and leads the Pledge of Allegiance to the Flag.

**Resolution** offered by Maloney seconded by Ryan that,

**Whereas**, the Open Public Meetings Law (**CH 231, P.L. 1975**) became effective on January 19, 1976, and

**Whereas**, in accordance with said act, it is necessary for the Borough of Avon-By-The-Sea Planning Board, as a public body, to post and maintain a schedule of the regular meetings of the public body to be held during the succeeding year.

**NOW, THEREFORE, BE IT RESOLVED** that the Secretary of the Planning Board is hereby authorized to do the following:

1. Post the schedule of meetings on the bulletin board in Borough Hall, which sets the time, date and location of all regular and workshop meetings. The public as always will be allowed to participate in the regular meetings and a portion of the meetings will be set aside for public comment.
2. Mail a copy of the schedule to the official newspapers.

3. Each regular meeting of the Planning Board of the Borough of Avon-By-The-Sea shall convene at 7 pm. The caucus being held at 6:30 pm. The location of all meetings shall be at the Avon Elementary School.

And adopted by roll call vote:

**Aye:** Davey, Egan, Ernst, Kenney, Magrini, Mahon, Maloney, McLaughlin, Ryan, Talmage

**Absent:** F. McGovern, Oldakowski

**Resolution** by Ryan seconded by McLaughlin that the Asbury Park Press or The Coast Star will be the official newspaper for advertising for the Avon Planning Board for the year 2016.

And adopted by the following roll call vote:

**Aye:** Davey, Egan, Ernst, Kenny, Magrini, Mahon, Maloney, McLaughlin, Ryan, Talmage

**Absent:** Oldakowski, F. McGovern

**Motion** offered by Egan seconded by Mahon that Richard Maloney be the Chairperson of the Avon Planning Board beginning on January 1, 2016 and ending on the first meeting of 2017.

**The vote.**

**Aye:** Davey, Egan, Ernst, Kenny, Magrini, Mahon, McLaughlin, Ryan, Talmage

**No:** 0

**Absent:** Oldakowski, F. McGovern

Motion passed.

**Motion** offered by Ryan seconded by Maloney, that Teresa Egan be the Vice Chairperson of the Avon Planning Board beginning on January 1, 2016 and ending on the first meeting of the year 2017.

**The vote.**

**Aye:** Davey, Ernst, Kenny, Magrini, Mahon, Maloney, McLaughlin, Ryan, Talmage

**No:** 0

**Absent:** F. McGovern, Oldakowski

Motion passed.

**Motion** by Maloney seconded by Mahon that Sheila Sullivan be the Secretary for the Avon Planning Board beginning on January 1, 2016 and ending on the first meeting of the year 2017.

**The vote:**

**Aye:** Davey, Egan, Ernst, Kenny, Magrini, Mahon, Maloney, McLaughlin, Ryan, Talmage

**No:** 0

**Absent:** McGovern, Oldakowski

Motion passed.

**Motion** offered by Maloney seconded by Talmage that;

**Whereas,** there exists the need for professional services of an attorney for the Planning Board of the Borough of Avon-By-The-Sea;

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Borough of Avon-By-The-Sea that Mark G. Kitrick, Esq. be appointed Planning Board Attorney for the year 2016 and shall continue to serve during the succeeding year until the 2017 Reorganization Meeting, and be paid pursuant to a contract with the Planning Board for services rendered at a rate not to exceed \$130.00 per hour.

The vote:

**Aye:** Davey, Egan, Ernst, Kenny, Magrini, Mahon, Maloney, McLaughlin, Ryan, Talmage

**No:** 0

**Absent:** McGovern, Oldakowski

Motion passed.

**Motion** offered by Maloney and seconded by Kenny that.

**WHEREAS**, there exists the need for professional services of an engineer for the Planning Board of the Borough of Avon-By-The-Sea;

**NOW, THEREFORE, BE IT RESOLVED BY THE** Planning Board of the Borough of Avon-By-The-Sea that Charles Rooney, P.E be appointed Planning Board Engineer for the year 2016 and shall continue to serve the succeeding year until the 2017 Reorganization Meeting, and be paid pursuant to a contract with the Planning Board for services to be rendered at a rate not to exceed \$135.00 per hour

The vote:

**Aye:** Davey, Egan, Ernst, Kenny, Magrini, Mahon, Maloney, McLaughlin, Ryan, Talmage

**No:** 0

**Absent:** McGovern, Oldakowski

Motion passed.

**MOTION** offered by Maloney and seconded by Egan that the Minutes of the December 10, 2015 be approved as written.

The vote:

**Aye:** Davey, Egan, Ernst, Kenny, Maloney, F. McGovern, McLaughlin, Talmage

**No:** 0

**Abstain:** Magrini, Ryan

**Absent:** Oldakowski

Motion to approve December 10, 2015 Minutes is passed.

Next on the agenda is the Ruane application carried without further notice from December 10, 2015 meeting. The application seeking Subdivision Approval and Bulk "C" Variance Relief for 134 & 138 Washington Avenue.

Present are the Ruane's attorney Mr. Mark Aikins, Architect Tom Peterson, Planner Patrick Ward and Mr. Thomas Ruane.

Attorney Aikins briefly discusses where they had left off at the last meeting. Mr. Aikins recalls Mr. Peterson to testify. Mr. Peterson enters into evidence A6 -2 sheets of drawings of the side and front elevations of the garage apartment at 138 Washington. Roof design is discussed. Mr. Peterson adds that they have reduced the height of the proposed new house to 38'.

There are no questions from the board or public.

Mr. Aikins recalls the Planner Patrick Ward to testify. Mr. Ward enters into evidence A7- Revised Site Plan for subdivision. Mr. Ward states that the revisions are minor in nature. They propose two new parking spaces on each lot. Mr. Ward will now refer to the Lots as 5.03 & 5.04. He has included area coverage of both lots as requested by the board from last meeting. Mr. Ward refers to the chart on the revised plan. Variance relief still exists for both lot's driveways as they are close to the existing property lines and structures. They believe this condition is a hardship and triggers the C1 Variances.

The applicant is proposing to use a “Grass Pave” system for driveways. They present this as functioning as pervious according to the manufacturer. It has the appearance of a lawn.

Discussion follows as to whether this “Grass Pave” is Conforming to Avon’s Land Development Code. Mr. Aikins states that his clients will to pave driveways to be in compliance they will defer to the board’s preference. However it is not the applicants preference.

Engineer Rooney refers to existing walkway surfaces. He does not believe that they are clear on the plans as to which will be removed. Walkways are addressed by Mr. Ward. Mr. Rooney refers to the cross access easement between lots. Mr. Aikins states that when the property is sold they will remove the connecting walkway by Deed Restriction.

Board member Kenny asks Mr. Ward if the driveway goes directly alongside the house. Mr. Ward states that is correct. Board member Talmage asks how you would exit vehicle? Discussion follows.

No questions from board members or the public.

Mr. Aikins states that the applicant is seeking to clean up the property. They will renovate the garage apartment. They plan on correcting the unusual site line and create two conforming lots. He asks that the board approve the application.

Public comments or questions.

Janice Scrabis 126 Washington Avenue. Ms. Scrabis states her concerns that the applicant might seek to expand the building coverage on Lot 5.04 if they sell.

Vice chair Egan comments on the word “clean” used by applicant. The driveway areas do not make sense. The garage apartment renovations will not improve the looks in. This application is not clean.

Chair Maloney believes that the application is an improvement of the western lot. He would be in favor of concrete strips.

F. McGovern would like the driveways to be improved. He is in favor.

Kenny agrees with Egan that there is an opportunity to improve and really clean up the lots. There are too many variances asked for. The parking is serious

problem. The size of the garage apartment contributes to the problem. She is not inclined to approve.

Talamage does not think the application comes near to being aesthetically pleasing. The parking is not acceptable.

Mr. Aikins asks for a break.

Mr. Aikins addresses the board that given the negative comments the applicants would like to carry to the next meeting ( February 11,2016).

Motion by Maloney seconded by McLaughlin the application be carried with no further notices to the next board meeting.

The vote:

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

Abstain: Ryan, Magrini

Absent: Oldakowski

Before adjournment Mr. Rooney states to the board that he had received a change to the application for the McAndrew residence at 511 Third Avenue. The McAndrews ask to relocate the A/C units. Mr. Rooney has reviewed the site plan and finds it is a reasonable request. Mr. Rooney had wanted to brief the board and get their thoughts. There are no objections.

Motion to adjourn by Maloney.

Aye: All

Minutes approved at the February 11, 2016 meeting.

Motion by Egan seconded by Ryan to approve the January 14, 2016 meeting minutes as written.

The vote:

Aye: Egan, Kenny, Mahon, McGovern, McLaughlin, Ryan, Talmage

No: 0

Abstain: Oldakowski

Absent: Davey, Ernst, Mayor Magrini, Chair R. Maloney, Mazouat

Sheila Sullivan/ Planning Board Secretary