

Reorganization & Minutes of Planning Board Open Session- February 14, 2013

Attendance:

Davey, Egan, Ernst, Kenny, Mahon, Maloney, F. McGovern, McLaughlin, Placitella, Talmage
Also present Borough Engineer Charles Rooney & Planning Board Attorney Mark Kitrick

Absent:

R. McGovern, O'Malley, Ryan

Chairperson Maloney reads the opening statement.

Chairperson Maloney opened the meeting at 7pm with the motions for reorganization of board.

Motion by Davey seconded by Placitella that Richard Maloney be appointed Chairperson for the Avon Planning Board for the year 2013.

The vote:

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

No: 0

Absent: R.McGovern, O'Malley, Ryan

Abstain: 0

Motion passed.

Motion by Maloney seconded by McLaughlin that Teresa Egan be appointed Vice Chairperson for the Avon Planning Board for the year 2013.

The vote:

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

No: 0

Absent: R.McGovern, O'Malley, Ryan

Abstain: 0

Motion passed

Motion by Egan seconded by Placitella that Sheila Sullivan be appointed the Secretary to the Avon Planning Board for the year 2013.

The vote:

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

No: 0

Abstain: 0

Absent: R.McGovern, O'Malley, Ryan

Motion passed.

Motion by Maloney seconded by Egan that Mark Kitrick be appointed the attorney for the Avon Planning Board for the year 2013.

The vote:

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

No: 0

Abstain: 0

Absent: R. McGovern, O'Malley, Ryan

Motion Passed.

Motion by Maloney seconded by Kenny that Charlie Rooney be appointed the engineer for the Avon Planning Board for the year 2013.

The vote:

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

No: 0

Abstain: 0

Absent: R. McGovern, O'Malley, Ryan

Motion passed.

Motion by Maloney that the Coast Star and the Asbury Park Press be the official newspapers for the board seconded by Egan.

The vote:

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

No: 0

Abstain: 0

Absent: R. McGovern, O'Malley, Ryan

Motion passed.

Motion by Maloney that the meeting dates will be on the second Thursday of every month at the Avon Elementary School with caucus at 6:15 PM and regular meeting at 7 PM.

The vote:

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

No: 0

Abstain: 0

Absent: R. McGovern, O'Malley, Ryan

Motion passed

Motion by Egan seconded by McLaughlin that the flag be saluted at the opening of each meeting.

The vote:

Aye: All present Abstain: 0

Second on the agenda is the continuation of Young (316 & 318 Woodland Ave.). Attorney Mike Rubino gives brief recap of the application. Mr. Rubino states that the Youngs need a Use variance to merge the lots. The Young's plan on demolishing the main residence and garage at 318 Woodland Ave. and demolishing the nonconforming three car garage at 316 Woodland Ave. The plan is to replace with one nonconforming three car garage with second floor den-activity room on the merged lot to the west @318 Woodland Avenue. They believe this proposal would be more ascetically pleasing then what is there now.

Architect Tom Peterson goes over revisions and reintroduces the evidence marked A1 photocopy of home at 316 under construction), A2 (6 sheets of photos of both properties & aerial photo), A3 (Fema Map), A4 (Photo Board) and A5 (revised plans and elevations).

Mr. Peterson states that the purpose of the project has not changed but they have made adjustments to satisfy the board's concerns as to the size of the proposed structure. The revisions will reflect the size reductions in size and height. Revised plans show the width being reduced from 35' to 32', depth from 42' to 39'. The proposed structure has been pushed further back from lane where existing setback is 5.8' it will now be 10' from lane.

Mr. Peterson states they have also changed the characteristic of the structure whereas before it looked like a two story they have changed the roof lines to give it more of a one and half story look.

First floor has a three car garage, an exercise room, mechanical room and bathroom. The second floor is one large open area with a powder room (no longer fullbath), a small kitchen area with an under counter refrigerator. There are no kitchen facilities nor are there any bedroom facilities. It is not the owners intent to have the structure be used as a residence.

Mr. Peterson gives detail on proposed room sizes, floor area space, lot widths, set backs, impervious and building coverage. Mr. Peterson comments on the surrounding structures in the lane and that the proposed structure not being out of character in fact it is less imposing. Discussion follows with Mr. Rooney on proposed width in relation to surrounding structures.

Chairperson Maloney asks for questions from the board? There are none.

Chairperson Maloney asks for questions or comments from the public.

Mr. John Magrini resident of 338 Woodland Avenue. Mr. Magrini is sworn in by Attorney Kitrick. Mr. Magrini speaks in favor of the project.

Mr. Dan Sheehan resident 612 Fourth Avenue is sworn in by Mr. Kitrick. Mr. Sheehan expresses his approval of the project.

Mr. William Stratton resident of 314 Woodland Avenue is sworn in by Mr. Kitrick and speaks in favor of proposal.

Frank McGovern resident of 335 Woodland asks if the color scheme will be kept.

Mr. Young answers affirmatively.

Mr. Maloney brings the discussion back to the board.

Borough Engineer Charlie Rooney refers to his report and asks about proposed landscaping. Mr. Young answers that there will be lawn to the fence and existing shrubbery will stay.

Ms. Egan asks for a description of the type of material to be used for fence. Mr. Young answers that the fence will be wood and brick. Discussion on fence height and additional fence follows.

Motion by Ernst that application be approved, seconded by Maloney.

The vote:

Aye: Davey, Egan, Ernst, Kenny, Maloney, Placitella, Talmage

No: 0

Abstain: F. McGovern, McLaughlin

Absent: R. McGovern, O'Malley, Ryan

Motion passed.

Next on the agenda is a new application for a Use("D") Variance at 340 Woodland Avenue. The applicants are Steve & Mary Mazouat.

Mr. Mazouat and architect Tom Peterson are sworn in by Board Attorney Kitrick.

Mr. Mazouat states that he and his wife would like to make renovations to their home in order to make the second floor more comfortable with the intention of making it their primary residence. They would like to keep the existing two (2) family designation. That triggered the variance.

Architect Tom Peterson testifies that the application calls for an extension of a nonconforming use. Mr. Peterson enters exhibit A1 (FEMA Advisory Flood Map) which shows that the property is not in the flood zone. Exhibit A2 (Aerial photo) and exhibit A3 (4 sheets of photographs).

Chairperson Maloney makes note that there are 7 voting members.

Mr. Peterson describes property at 340 Woodland Avenue as an undersized lot.

Pre-existing nonconforming coverage's exist. There are no plans to change coverage. The plan is to extend the second floor. Currently the access to the second floor is outside as it is a two family. The proposal is to create a hallway from first floor to a stairway to the second floor. The existing second floor kitchen will be removed. A master bath and walk in closets will be created. The Mazouats would like to retain the two family designation. Mr. Peterson refers to sheet #2 of the plans showing elevations. He states that the addition to the dormer will not be very noticeable. The height of the house will still be below 35'.

Borough Engineer Charlie Rooney refers to his report. Mr. Rooney asks the Mazouats to provide some planning testimony for retaining the two family designation and how it would benefit the town.

Discussion follows with Tom Peterson, Mr. Mazouat and Mr. Rooney.

Chairperson Maloney asks for any questions or comments from the board.

Ms. Kenny comments in favor of the plan for one family. It is her experience that the board has disallowed two families in the past and hopes that they continue in this manner.

Ms. Kenny states she would not be able to vote for this application as is.

Mr. Peterson enters exhibit A4 (survey of property) in response to Vice Chair Egan's question on a curb cut.

Chairperson Maloney asks for any questions from the public. There are none.

Chairperson Maloney comments that he has concerns with expansion of a nonconforming use. He is hesitant to approve the application.

Ms. Egan comments that she agrees the proposal to retain the two family is a tough sell and sees it as the board's opportunity to get rid of a two family.

Chairperson Maloney asks for any questions or comments from the public.

John Magrini sworn in by Attorney Kitrick

John Magrini of 338 Woodland Avenue speaks in favor of the application

Louise Sella sworn in by Attorney Kitrick.

Louise Sella of 614 Forth Avenue speaks in favor of application.

Mr. Peterson asks for a break. After the break Mr. Peterson addresses the board and states that the Mazouats would be happy to give up the two family designation. The application now becomes a Bulk variance.

Chairperson Maloney motions to approve the application seconded by Egan.

The vote:

Aye: Davey, Egan, Ernst, Kenny, Maloney, McLaughlin, Placitella, Talmage

No: 0

Abstain: F. McGovern

Absent: R. McGovern, Ryan

The motion passes.

Next on the agenda is a new application for a Use variance at 304 Lincoln Avenue. The garage apartment gives the property a pre-existing non-conforming designation. The owners Donna & Fred Dunne are proposing an expansion of first floor kitchen and raising the roof for storage purposes.

Chairperson Maloney recuses himself as he had been noticed. Vice Chair Teresa Egan takes the chair.

Attorney Kitrick swears in Mrs. & Mr. Dunne.

Mrs. Dunne states that they are very happy in Avon, love their house and plan on eventually moving here full time. Their family has grown with children and grand children who visit often. They would like to expand aspects of the first floor and raise roof for storage purposes.

Mr. Dunne states that the new attic area will be accessed by a pull down staircase. They have been home owners in Avon for 26 years. They plan on making Avon their permanent home within a few years. They are not adding any living space.

Tom Peterson introduces exhibits A1 (FEMA Advisory Map), A2 (aerial photograph of the block), A3 (set of photos of property). Mr. Peterson explains that the existing garage apartment in the back makes the application a Use variance. Mr. Peterson describes the technical aspects of the project. The property is a conforming lot size. Proposal is to put first floor addition on main residence. Plan is to increase living area 550'. The new bulk mathematics are all within what is allowed and in conformance. They will be adding a pervious deck in the back which is below the allowable. The existing roof is in poor condition. They plan on raising the roof pitch while staying below the 35' max allowed. Vice chair Egan asks for the average front yard setback on the block. Mr. Peterson refers to the aerial photo that shows the homes on the block.

Egan asks if the board has any questions or comments for the applicant.

Engineer Charlie Rooney questions the third floor height. Mr. Peterson responds that at the very highest point it is about 7 ½' and pitches down to 5 ½'. Discussion follows between Rooney and Peterson as to whether the space could be used as habitable space. Mr. Rooney states that the space could not be used as habitable.

Board member Cal Talmage asks for the distance between the rear deck & garage. Mr. Peterson gives the distance as approximately 33'.

Egan asks for any questions from the audience. There are none.

Engineer Rooney reviews his letter on the application. He asks for testimony as to how this application would be seen as beneficial as to the goals and intentions of the Master Plan.

Mr. Peterson states that from a planning standpoint the fact that the home will be used year round which is one of the goals of the Master Plan. The density or intensity of the use is not being increased.

Board member S. McLaughlin asks if the garage apartment is seasonal. Mr. Dunne answers that the only heat is electrical space heaters and it is only seasonal.

Mr. Rooney asks that a/c units be shown on the plan for construction.

Egan asks for any questions or comments from the audience.

Attorney Kitrick swears in Michael Lake of 404 Lincoln Avenue. Mr. Lake endorses the petition before the board.

Attorney Kitrick swears in Mr. Chris Romney of 307 Garfield Avenue. Mr. Romney endorses the proposal.

Vice Chair Egan brings it back to the board for comments.

Board member M. Placitella states that she sees no adverse criteria and endorses the application.

Egan brings it back to the board. Ernst motions for approval seconded by F. McGovern.

The vote:

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

No: 0

Abstain: Maloney

Absent: R. McGovern, O'Malley, Ryan

Motion to approve is passed.

Talmage motions to adjourn

Aye: All

Minutes of this meeting were approved at the March 14, 2013 meeting.

Sheila Sullivan/ Planning Board secretary

