

AVON PLANNING BOARD MEETING JULY 11, 2013

6:20 PM Chairperson Maloney opens caucus session.

Attorney Kitrick discusses with board members the proofs needed to obtain Use Variance's. N.J.S.A. 40:55d-70(d). Discussion on D variance and "special reasons" for granting.

7PM Chairperson Maloney reads opening statement and leads flag Salute.

Roll call:

Attendance:

Davey, Vice Chair Egan, Ernst, Kenny, Mayor Mahon, Chairperson Maloney, F. McGovern, Ryan, Talmage

Absent:

Commissioner R. McGovern, McLaughlin, O'Malley

First on the agenda is the approval of the June 13, 2013 meeting minutes.

Motion to approve by Maloney seconded by Egan.

The vote:

Aye: Egan, Maloney, Ryan, Talmage

Abstain: Davey, Ernst, Kenny, Mahon

No: 0

Motion to approve is passed.

Mayor Mahon addresses the board that member Marilyn Placitella has sent him a letter of resignation, effective immediately.

Attorney Kitrick states the need to officially recognize Marilyn Placitella's resignation.

Motion to accept Placitella's resignation by F. McGovern and seconded by Ryan.

The vote:

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

Abstain: 0

Motion passed.

Next on the agenda is a new application, Erin and Brendan Reilly owners of 505 Fifth Avenue Block 14 Lot 8.02. The Reilly's seek approval to expand

the existing single family residence and the continued use of the garage apartment.

Attorney Michael Rubino, Erin Reilly, Brendan Reilly, Architect Paul Moore and Board Engineer Rooney are sworn in by Mr. Kitrick.

Mr. Rubino introduces exhibits A1 (Site Plan), A2 (Architectural Drawings) and A3 (Photo Board). Mr. Rubino briefly describes the application , noting that the lot is oversized at 70' x 130' and lot area of 9,100 s.f.

Mr. Rubino calls Mr. Reilly to testify. Mr. Reilly states that the house was originally built by his grandfather and has been in the family since. The house is small and in need of renovations. Mr. Reilly and his wife would like to expand the residence to accommodate them and their four daughters. The Reilly's would like to add a front porch, an addition for bedrooms / baths and a rear patio for grilling and outdoor dining. Mr. Reilly has spoken to his immediate neighbors and has had no negative response.

Chairperson Maloney asks for questions from the board.

Board member Ryan asks about driveway coverage. He is told that it is 1,192 sq ft.

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

Architect for the applicants Mr. Paul Moore describes the current property and his plans for renovation. The plans will bring the impervious coverage from the existing 52.8% down to 51.7%. The plans will alleviate the right side yard set back non conformance from 3.8 ft to 5.3 ft. There are plans to remove a significant amount of concrete driveway. Mr. Moore refers to exhibit A3 photo board on the easel. Mr. Moore shows exhibit A2 the architectural drawings and walks through the floor plan. Noting the 12' rear addition great room with a side entry. Describes the second floor as three bedrooms / two baths and the ½ story attic as two bedrooms/ two baths. Mr. Moore believes the renovations will make the property more aesthetically pleasing and is well suited for the neighborhood.

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

Chairperson Maloney asks for any comments from the public.

Joe Oldakowski 426 Sylvania Avenue, is sworn in and states that he supports the application.

Chairperson Maloney brings it back to the board.

Mr. Ryan asks if the house will withstand the renovations. Mr. Moore answers that it will.

Mr. Talmage asks for elevations of surrounding houses. Mr. Reilly states that to the south & north they are 1 to 2 story houses.

Board Engineer Rooney goes over his Review letter of plans dated April 4, 2013.

Discussion follows with Mr. Reilly, Mr. Moore, Mr. Rooney, Ms. Kenny concerning comment 2.1 (encroachments) and 2.4 onsite parking functionality.

Chairperson Maloney comments that he is in favor of the application and would approve.

Motion by Ernst seconded by Maloney to approve the application.

The vote:

Aye: Davey, Ernst, Kenny, Maloney, F. McGovern, Ryan, Talmage

No: 0

Recuse: Egan

Motion to approve application is passed.

Board Attorney Mark Kitrick states that he has prepared a Resolution in regards to Reilly application and reads it aloud in brief.

Motion by Maloney seconded by Ryan to approve the Resolution.

The vote:

Aye: Davey, Ernst, Kenny, Maloney, F. McGovern, Ryan, Talmage

No: 0

Recuse: Egan

Approval of Resolution is passed.

Next on the agenda is a new application , Thomas & Michael McKenna 307 Second Avenue Block 33 Lot 17.01. The McKenna's are seeking Variance Relief "C" (BULK"). They would like to tear down and construct a new dwelling with first floor level placed above the Advisory Base Flood Elevations.

Attorney George McGill represents the McKenna's. Mr. McGill, Mr. & Mrs McKenna, Architect Tom Peterson and Engineer Rooney are sworn in by Mr. Kitrick.

Mr. McGill states that the residence was damaged by the storm "Sandy". The lot is undersized. There is a need to elevate to 34.5' to meet the Base Flood Elevation where 31.5' is permitted. They would like to keep the front yard fence.

Mr. McGill enters into exhibit A1-Photoboard of flood damage , A2- damage west side of residence, A3- damage to east side

Mr. Peterson enters exhibits A4- photo's of property and neighboring properties, A5- Aerial Photo of property and surrounding, A6- Aerial with average front yard set backs, A7- Aerial Fema sheet ABFE, A8- New FEMA Base Flood Elevation.

Mr. McGill has Mr. McKenna give testimony of the Photoboards and to describe the flood damage. Mr. McKenna states that the first floor is gutted. Mr. McKenna states that they would preferably rebuild then renovate. Mr. Rooney asks if there is a basement in the house? Mr. McKenna says there is not.

Mr. Peterson testifies to the purpose of the application and that the best course of action would be to rebuild. The house is on a slab. The rear setback would come into conformity. The property is undersized at 45' x 100'. The front yard proposed would be 27' which is more then the average. The residence is in flood zone and is required to be 1' over Base Flood Elevation. Mr. Peterson responds to Mr. Rooney's question as to the height of adjacent homes. Mr. Peterson refers to photo's of adjacent homes as 2 1/2 stories and that the McKenna's proposed height of 34.5' would not be out of character in the neighborhood.

Mr. Peterson addresses Mr. Rooney's Letter of Review.

Mr. Peterson details proposed architectural style of new house.

Discussion follows as to the neighbors at 305 Second Avenue Mr. Tom Higgins and their water & sewer line that runs across the McKenna's front yard. Mr. Higgins of 305 Second Avenue is sworn in by Attorney Kitrick. Mr. Higgins & the McKenna's said they have been in discussion concerning the water & sewer lines and a possible easement or relocation. Mr. Rooney advises that the McKenna's fully address this issue. Mr. Higgins also expresses concerns as to the fence in the rear. Discussion follows between Higgins and Mr. McKenna and they resolve issue

Board Member Egan asks the McKenna's to describe the inside of the house before the storm damage. Mrs. McKenna details the house before the

damage. Mrs. Egan question's whether they could build a similar structure and keep at the Base Flood Elevation.

No question's from the public.

No comments from the public.

Egan comments that the 34.5' height proposed is just too high.

Ernst states that he is also concerned about the proposed height.

Maloney expresses similar concerns.

Mr. Peterson after discussion with the McKenna's states that he can bring down the height to 33'. They also agree to eliminate the front yard fence as board members expressed their desire to see the fence removed.

Mr. Rooney asks the McKenna's for the plans for the relocation of water sewer lines when proposed.

Motion by Maloney seconded by F. McGovern to approve application with revisions.

The vote:

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

No: 0

Abstain: 0

Motion to adjourn by Maloney seconded by Ryan

Aye: All

Sheila Sullivan / Planning Board Secretary

Minutes approved at the August 8, 2013 meeting.