

## **AVON PLANNING BOARD MEETING MINUTES JUNE 12, 2014**

**7:00 PM**

A regular meeting of the Avon-By-The-Sea Planning Board was held on the above date in the Avon Elementary School, Fifth Avenue.

Chairperson Richard Maloney reads the opening statement in compliance with the Open Public Records Act and led the Pledge of allegiance to the Flag.

Present: Davey, Ernst, Kenny, Maloney, F. McGovern, R. McGovern, McLaughlin, Talmage, Engineer Rooney, Board Attorney Kitrick

Absent: Egan, Mahon, O'Malley, Ryan

First on the agenda was the approval of the May 8, 2014 meeting minutes.

Motion by McLaughlin seconded by F. McGovern to approve.

The vote:

Aye: Kenny, Maloney, F. McGovern, McLaughlin

Abstain: Davey, Ernst, R. McGovern, Talmage

Motion passed.

Second on the agenda Mrs. Lynn Belletier addresses the board to ask for Administrative Consideration concerning a 12" deck extension at 24 Poole Avenue.

Mrs. Belletier is sworn in by Mr. Kitrick. Mrs. Belletier testifies that during the building of her house they identified a field fault on the drawings. In essence the second floor deck and the first floor deck below do not align. They are looking for approval to extend the first floor deck 1'.

Discussion follows. Engineer Rooney asks if the deck will not be over the foot print and will the extension trigger a variance. Mrs. Belletier answers that the foot print will not be extended.

Mr. Kitrick & Maloney discuss that extending the deck will make the structure consistent.

Motion by Maloney seconded by McLaughlin to approve the extension.

The vote:

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

No: 0

Motion passed.

Next on the agenda is a new application ("Use " Variance) Patricia Burns 416 Lincoln Avenue, Avon. The applicant proposes an addition to the front house. The applicant is seeking a variance for the existing nonconformance for the garage apartment and existing nonconforming setbacks.

Ms. Burns and architect Tom Peterson are sworn in by Mr. Kitrick.

Mr. Kitrick states for the record that there are 5 affirmative votes required for approval and the as Ernst and Davey have been noticed and are recused leaving only 5 board members eligible to vote. He asks Ms. Burns if she would like to proceed. Ms. Burns responds that she would like to proceed.

Architect Peterson puts into evidence A1-signed sealed survey, A2- 13 photos of the property and A3- an aerial of the property.

Ms. Burns addresses the board she would like to build an addition to the front property and have the full first floor use for living and family entertaining. The first floor is presently made up of small rooms.

Mr. Peterson states that the application is pretty straight forward. The garage apartment triggers the "USE" variance. They propose to demolish part of the front house and add a one story addition in the rear. They propose a functional kitchen, family room, bedroom & bath.

They are not violating any setbacks or height restrictions.

Mr. Peterson goes on to refer to Engineer Rooney's review letter and addresses comments 1.3, 1.2, 1.4 &1.5.

Mr. Rooney asks if they had determined if the foundation can withstand the addition. Mr. Peterson answers that the new addition will have a new foundation.

Chairperson Maloney asks for any questions from the board? Board member McLaughlin asks if there will be an outside shower? Ms. Burns Answers "no".

Chairperson Maloney asks Peterson if there would be any negative impact on the neighbors?

Mr. Peterson responds that the improvements would only enhance the property and there would be no negative impact.

Mr. Peterson states that the improvements would bring the new building to current code compliances and energy standards.

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

Vinnie Ernst 414 Lincoln Avenue sworn in. Mr. Ernst is a neighbor to the east and is in favor of the project.

Chairperson Maloney brings it back to the board for further discussion or motion.

Motion by Kenny that application be approved seconded by F. McGovern.

The vote:

Aye: Kenny, Maloney, F. McGovern, McLaughlin, Talmage

Recused: Davey, Ernst

No: 0

Motion to approve minutes at the July 10, 2014 meeting

Motion by Maloney seconded by F. McGovern .

The vote:

Aye: Davey, Kenny, Maloney, F. McGovern

Abstain: Egan, R. McGovern, O'Malley, Ryan

Absent: Ernst, R. Mahon, McLaughlin, Talmage

No: 0

Sheila Sullivan/ Avon Planning Board Secretary

