

AVON PLANNING BOARD – JUNE 14, 2012 MINUTES

Vice-Chairperson Egan opens meeting at 7pm. Reads opening statement.
Salute to the flag.

Roll Call

Attendance: Davey, Egan, Ernst, Kenny, McGovern, Placitella, Talmage
Absent: Mahon, Maloney, McLaughlin, O'Malley, Ryan

Also in attendance: Sheila Sullivan, Board Secretary; Geoffrey Cramer, Board Attorney;
Charlie Rooney, Board Engineer.

Vice-Chairperson Egan states that the vote on approval of the Amato Resolution will be carried to July meeting.

Egan calls for motion to approve minutes of March 8, 2012 meeting.
Motion by Kenny second by Talmage.

The vote:

Aye: Ernst, Kenny, Talmage

No: 0

Abstain: Davey, Egan, Placitella

First on the agenda is an informal for JLM Realty considering the purchase and development of a residential multi unit dwelling at 709 Main Street Block 4.01 Lot 1 & 2. Attorney Allen Weiss representing owners.

Mr. Weiss states his clients are the developers of 707 Main Street.

Their purpose here is to see if the board would be amenable to the development of 709 Main.

The proposed structure would have surface parking on the bottom with three floors of residential stacked above.

Egan and Placitella question the form of parking.

Jack Petillo introduced as one of the owners explains parking.

Egan asks Rooney to go over the permitted uses and requirements for the General Commercial Zone

Rooney states that residential units are not a permitted use in the GC zone, they are a conditional use provided half the units are for low to moderate income households. Another D variance is associated with this application in that it is 100% residential.

Mr. Weiss states owners assumptions on the variances that will be required are:

1. Height variance. Proposed building will be over 35' by more than 10% making it a use variance.
2. Looking to build between 21-24 units this would make a variance for density required.
3. Impervious coverage

Mr. Weiss questions COAH requirements.

Engineer Rooney responds that 707 Main being in the MLC zone it was subject to different criteria than 709 will be.

Egan asks for questions or comments from the board.

Board member Kenny speaks in favor of something being done to that property.

Egan suggests they might want to come back with drawings so the board can visualize JLM's proposal. There is also the aspect that the zone requires some retail & commercial space. The board would like to see this incorporated.

Board member Talmage states that the proposed building does not sound visually appealing and as proposed would not compliment the character of the town.

Board member Placitella wants clarity on whether the units would be condos or rentals.

No further question or comments.

Egan suggests they come back with something attractive and preliminary drawings.

Mr. Weiss addresses board and asks that if his clients came back with some architectural drawings with details more in the flavor of a seaside town would it be something the board would look at?

Vice-Chairperson Egan the board would be open to JLM coming before them with preliminary drawings.

The next hearing is an application for Francis Nedza and Susan Dube owners of 19 Norwood Avenue Block 21 Lot 8 a two family residence requesting a "D" variance relief.

Architect Tom Peterson & Frank Nedza are sworn in by Board Attorney Cramer.

Mr. Nedza states that he is renovating entire front house he purchase about a year ago. His intent was to do the same to the rear property. When they started the process of renovating the rear they found that the foundation was in bad shape. He feels their best course of action is to rebuild the rear property.

Egan asks if they plan on living at the property. Mr. Nedza says that they do.

Architect Peterson offers photo exhibits A1, A2, and A3 (aerial).

Front house renovation stayed within volume.

Garage structure foundation discovered to be skewed on property.

Peterson talks about his discussion with Mr. & Mrs. Nedza that to tear down and rebuild the rear structure would require a use variance as they would be replacing a nonconforming use. Reconstruction would be faithful to what exists now and would be built to comply with all current building codes.

Peterson states that if they are denied they will go ahead with renovation but believes rebuilding will give a better more pleasing product.

Question from board member Kenny. Is the garage apartment heated?

Peterson mentions space heaters used.

Mr. Nedza mentions space heaters and a stove when they purchased property.

Board member Placitella refers to the denial specifically stating that the apartment was seasonal without heat. Asks Mr. Nedza if he plans on putting heat in.
Mr. Nedza states that he would put heat in for various reasons.

Board member Kenny states that she is not in favor changing the apartment to a year round residence with heat.

Engineer Rooney states that the CO's (certificates of occupancy) issued by the Code Enforcement official would show the particulars of the property. The board would consider adding heat would be an expansion of use.

Discussion follows as to Mr. Vecchio's denial and seasonal use.

Vice chairperson Egan asks if Mr. Nedza would be amenable to never using property as a rental.

Discussion follows.

Architect Peterson goes over Engineer Rooney's report.

Discussion follows between board members Mr. Peterson and Mr. Nedza.

Egan asks if there are any questions or comments from the from board. There are none.

Egan asks if any questions or comments from the public.

Kevin O'Hear resident of 25 Norwood Avenue questions that if the property is moved to the west would it be creating a blind spot.

Joe Sarno resident of 24 Norwood Avenue. Would rather see the property being used year round.

Tom Murray resident of 21 Norwood Avenue. Mr. Murray asks for clarification as to who the owners are as the notice came in a corporation envelope. Mr. Nedza replies that he and his wife are the owners.

Architect Peterson addresses board that the applicants would like to come back next month.

Vice Chairperson Egan asks board to carry to next month with no further notices.

Motion by Kenny second by Egan.

The vote:

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

Motion to adjourn by Egan.

Motion by Placitella second by Talmage.

The vote:

Aye: All

Minutes Approved August 9, 2012

The vote:

Aye: Davey, Egan, Kenny, Placitella, Talmage

No: 0

Abstain: Maloney, O'Malley, Ryan

