

Avon-By-The-Sea Planning Board Minutes - March 14, 2024

Commissioner John Magrini is sworn in to the Avon-by-the-Sea Planning Board at 6:48pm.

Chair Richard Maloney opens the meeting at 7PM, reads the opening statement in compliance with the OPEN PUBLIC MEETINGS LAW and leads the Pledge of Allegiance to the Flag.

ROLL CALL :

PRESENT : Commissioner John Magrini, Chair Richard Maloney, Vice Chair Teresa Egan, John Ryan, Sandra McLaughlin, Frank McGovern, Fred Schoenhut, David Conaghan, Planning Board Attorney Mark Kitrick, Borough Engineer Ray Savacool

ABSENT : Mayor Ed Bonanno, Mike Davey, Marie Kenny, Steve Mazouat, Doug Child

Richard Maloney calls for a Moment of Silence for previous Planning Board Secretary, Sheila Sullivan.

MOTION by Schoenhut second by Ryan to appoint Anna Bongiorno as the Planning Board Secretary.

THE VOTE :

AYE : Magrini, Maloney, Egan, Ryan, McLaughlin, McGovern, Schoenhut, Conaghan

NO : None

MOTION PASSED

MOTION by Maloney second by Egan to approve the February 9, 2024 meeting minutes.

THE VOTE :

AYE : Maloney, Egan, Ryan, McLaughlin, McGovern, Schoenhut, Conaghan

NO : None

ABSTAIN : Magrini

MOTION PASSED

MOTION by Maloney second by Ryan to memorialize the Anzalone resolution -319 Garfield Avenue.

THE VOTE :

AYE : Maloney, Egan, Ryan, McLaughlin, McGovern, Schoenhut, Conaghan

NO : None

ABSTAIN : Magrini

MOTION PASSED

MOTION by Maloney second by McLaughlin to memorialize the Sentinel Properties resolution - 107 Woodland Avenue.

THE VOTE :

AYE : Egan, Ryan, McLaughlin, McGovern, Schoenhut, Conaghan

NO : None

ABSTAIN : Magrini, Maloney

MOTION PASSED

MOTION by Egan second by Conaghan to memorialize the Piraino/Stickler resolution – 429 Norwood Avenue.

THE VOTE :

AYE : Maloney, Egan, Ryan, McLaughlin, McGovern, Schoenhut, Conaghan

NO : None

ABSTAIN : Magrini

MOTION PASSED

FIRST application submitted by Mark Havlicek and Mary Beth Ehalt owners of 205 Washington, Block 50 Lot 7. Havlicek and Ehalt seek approval to demolish existing home and construct a new 2.5 story home and new garage.

Architect Tom Peterson and Engineer Joe Kociuba are their representation.

Mr. Kitrick swears in Engineer Joseph Kociuba P.P., Architect Tom Peterson, Mary Beth Ehalt, and Mark Havlicek.

Havlicek sends his condolences for Sheila Sullivan, discusses his long-time ties to Avon, and thanks the board for hearing their application.

Tom Peterson presents and enters exhibits into evidence-

A1 – Single front elevation rendering

A2 - 2 side elevation renderings

A3 - Aerial photo of entire block

A4 - Partial aerial photo and photos of the existing house

A5 – Tax map exhibit

Architect Peterson testifies to the application of demolishing existing home and constructing a new 2.5 story home and new garage. Applicant owns an undersized lot with no access to the lane. The lot is considered conforming in regards to the width and depth. The home is also in a flood zone, which indicates the height of the floor needs to increase and there can be no basement. Proposed detached garage complies with zoning but not with setbacks. New garage will be more aesthetically pleasing. Mechanicals will be on the roof of garage with a screen so the mechanicals are not visible. Also proposing a new walkway to the front porch, and a deck in the rear of the home. The upper half story of the home is currently open space. Building coverage is a little over 41%, which they felt was reasonable coverage for the house itself. The style of the home is Seashore Victorian that is seen along the shore and will be a nice addition to the block and town. The home will also show two peaks and ornamentation along the front.

Architect Peterson asks Engineer Ray Savacool if he has any questions. Savacool advises he does not.

Chair Maloney asks if there are any questions from the Board on the Architects testimony, before moving on to the Engineer. Vice Chair Egan asks if the front porch railings are predominately open or predominantly closed, as predominantly closed would require another variance to be added to their application.

Peterson advises that he would say they are half opened and half closed, but would have no problem changing if the current proposed style is something the Board has a problem with.

McGovern advised that the reason Vice Chair Egan asked this question is because the Board just recently had this issue arise with a different application involving closed railings.

Peterson advises that he doesn't think it's an issue from a functional standpoint and wouldn't conflict with this style.

Commissioner Magrini asks if it's a solid 18 inch open.

Peterson advises that what they have now is about 20 inches with 16 inches above.

Maloney asks if there are any other questions from the Board at this time. None.

Maloney asks if there are any questions from the Public on the Architects testimony. None.

Engineer Joseph Kociuba P.P. testifies to the application by referring to the Exhibits provided. Gave the variance testimony.

Chair Maloney asks if there are any questions from the board.

Schoenhut asks a question regarding lot coverage increasing from 34% to 41.2%. Engineer Kociuba provides a response. Also asks if there was any consideration to leaving the ground floor area the same or similar instead of having a 16% increase on the proposed home. Architect Peterson addresses the question by explaining that undersized lots typically request additional coverage.

Board members ask various questions to Engineer Kociuba and Architect Peterson concerning lot coverage, front porch, driveway, gas meter, A/C equipment, and landscaping.

Chair Maloney asks if there are any questions from the Board. None.

Chair Maloney asks if there are any questions from the Public on the Engineers testimony. None.

Chair Maloney brings meeting back to the applicant. No further testimony.

Chair Maloney brings meeting back to the Borough Engineer for a chance to explain his review letter of the application.

Chair Maloney asks once more if there were any further questions. With no questions, Maloney advises he is in favor of the application.

Ryan is also in favor of the application.

Vice Chair Egan is in favor, if the porch railings are opened.

MOTION by Maloney second by Ryan to approve the application as submitted with the modification that the porch railings be predominantly opened and that the driveway be modified.

THE VOTE:

AYE: Magrini, Maloney, Egan, Ryan, McLaughlin, McGovern, Conaghan

NO: Schoenhut

MOTION PASSED

NEXT on the agenda is an application submitted by Joseph & Margaret Oldakowski, owners of 132 Norwood Avenue, Block 7 Lot 13. The applicant is requesting an addition and an alteration of the existing 2.5 story dwelling, including a covered front porch, a second-floor addition, reducing the size of the second floor balcony and the first floor covered porch, a 2.5 story rear addition, and the demolition and construction of a detached garage and paver driveway.

Attorney Jeffrey Beekman is serving as counsel for the applicant, Mary Hearn as the Architect.

Mr. Kitrick swears in owners Mr. & Mrs. Oldakowski, Attorney Jeffrey Beekman, and Architect Mary Hearn.

Attorney Jeffrey Beekman presents the applicants proposed plans to the Board and to the Public. Applicants are looking to keep the principal structure, but there are adjustments that they are looking to make. Keeping the existing parking patterns. Beekman wanted to make note that per his conversation with Engineer Savacool, the combined yard setback variance is 8.1 feet.

Attorney Beekman goes through a period of questions with Mr. Oldakowski. Applicant is looking to increase from 1 to 3 parking spaces. Also looking to make the front entrance to the house in the front of the house, rather than on the side as it is now.

Chair Maloney asks if there are any questions from the Board on the testimony. There are none.

Architect Mary Hearn presents and puts into evidence exhibits:

A1.1 – A1.5 – color renderings of sheets 1-5 of the architectural plans

A2 – photo board of the property

A3 – street scape aerial.

Attorney Beekman asks Mary Hearn a series of questions, and Mary Hearn presents. Discussion between Beekman, Hearn, and Savacool regarding the setbacks. Mary Hearn after providing her testimony goes through the points on Engineer Savacool's review letter for the application.

Maloney asks if there are any questions from the Board on the Architects testimony. There are none.

Maloney asks if there are any questions from the public on the Architects testimony.

John Boyle – 140 Norwood Avenue – What is the size of the portico?

Mary Hearn – 9ft wide by 7.5 feet deep and 1 story.

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

Attorney Beekman confirms with Mr. Oldakowski that there would be no objection with repairing/replacing sidewalk pavers, should it be damaged during construction. Mr. Oldakowski confirms there would be no objection.

Testimony complete.

Engineer Savacool summarizes his review letter to the applicant.

Maloney asks if there are any comments from the public on the application.

John Boyle is sworn in – 140 Norwood Avenue – In favor of the application, but only concern is the portico potentially blocking views.

Maloney asks if there are any comments from the public on the application. There are none.

Maloney opens it up to the Board for any discussion/comments.

Schoenhut advised he has a great amount of appreciation for the effort the applicant made for the obvious attempt made to address/eliminate the non-conformities.

Magrini asked a question regarding the easement on the property regarding the driveway. Question answered by Mr. Oldakowski.

Ryan advised he agrees with fellow Board Member Schoenhut that the applicant has worked hard to get rid of some of the nonconformities and is happy that they are keeping the existing home structure to preserve what the town offers.

Vice Chair Egan advised that she also agrees with Ryan and Schoenhut in the applicants efforts. Is in favor of the application submitted.

McGovern also in favor of the application.

Chair Maloney is in favor of the application.

MOTION by Magrini second by Conaghan to approve the application.

THE VOTE:

AYE: Magrini, Maloney, Egan, Ryan, McLaughlin, McGovern, Schoenhut, Conaghan

NO : None

MOTION PASSED

MOTION TO ADJOURN BY Egan and second by McLaughlin

AYE : ALL

Anna Bongiorno,
Planning Board Secretary