

## **BOROUGH OF AVALON PLANNING/ZONING BOARD**

### **Minutes of Work Session/Regular Meeting of July 9, 2013**

Members Present: Sharon Cooper  
David Ellenberg  
Neil Hensel  
David Knoche  
Thomas McCullough  
Michele Petrucci  
Brian Reynolds  
Beth Tipping

Members Absent: Sam Beddia  
Susan Rhoads

Chairman Hensel called the meeting to order at 7:00 p.m. and led the Board in the Pledge of Allegiance. After a roll call of members, Chairman Hensel recited the Open Public Meetings Act Statement.

Chairman Hensel announced that application PZ# 13-03, Albert and Lucille Giagnacova, would be tabled until the August 13, 2013 meeting as a result of a hospitalization of the applicant's attorney. Solicitor Marcolongo advised all members of the public that the matter would be postponed and that no further notice would be required.

The Board then considered the Minutes of the June 11, 2013 meeting. There were no additions, corrections or amendments requested by the Board. A motion was made to approve by Dr. Reynolds, seconded by Ms. Tipping, with all eligible Board Members voting in the affirmative.

The Board then considered Special Resolution 13-F suggesting amendments to the Borough's zoning ordinance to define resort houses and set forth their permitted zoning districts. There was no comment by the public or the Board. A motion was made to approve by Mr. McCullough, seconded by Mr. Knoche, with all members voting in the affirmative.

Chairman Hensel advised the Board Members that Joseph Maffei, Solicitor Marcolongo and he had attended a recent Borough Council meeting to make a presentation regarding the Board's recent work regarding resort houses, the Back Bay Ordinance and Flood Damage Prevention Ordinance. Chairman Hensel advised that Borough Council was very receptive to all of the work and proposals completed by the Planning Board. With regard to resort houses,

Chairman Hensel advised that Chuck Covington and James Waldron, Esquire will continue to work on a redrafting of Chapter 22, the Rental Licensing Ordinance, in an attempt to appropriately regulate resort houses.

Chairman Hensel advised the Board that he had recently drafted a letter to the Department of Environmental Protection which would accompany our draft Back Bay Ordinance. Chairman Hensel advised that Business Administrator, Andrew Bednarek intended to revise the draft and would forward the Back Bay Ordinance directly to the Department of Environmental Protection for their review and comment.

Chairman Hensel requested that Board Engineer, Joseph Maffei lead the Board in a discussion of proposed amendments to Chapters 26 and 27 in response to flood damage from Hurricane Sandy. The following items were addressed:

1. Stormwater Management Regulations in Chapters 26 and 27 would be modified to require the use of retaining walls;
2. Landscaping regulations in Chapters 26 and 27 would be amended to require rain sensors;
3. Regulations regarding pool setbacks and grade were proposed;
4. Yard exceptions would be modified to prevent stairs to encroach into setbacks when raising a house and elevators and associated equipment would be exempt from height regulations;
5. Bulkheads would be increased to 8 ft. high using NAVD datum;
6. Modifications to utility service regulations would be made in Chapter 26.

Chairman Hensel encouraged the Board Members to examine Chapter 27 looking for both codification errors and changes that should be made based upon our recent experience using the zoning ordinance. Chairman Hensel requested that Dr. Reynolds ensure that the correct version of the landscaping ordinance is in Chapter 27. Solicitor Marcolongo had drafted Special Resolution 13-G regarding amendments to Chapters 26 and 27, however, the Chairman intended to hold a vote on those matters until next month.

The matter was open to the public at which time three members of the public came forward. Those members are Kevin McNamara appeared and expressed concerns for a new pool being constructed on 16<sup>th</sup> Street. He suggested that the Zoning Ordinance be amended to require the use of tanks rather than sediment control bags to avoid discoloration in the street.

Betty Belafsky of 64<sup>th</sup> Street appeared and expressed concerns regarding resort houses and problems associated with same. She was encouraged by the proposed amendments to the zoning ordinance. Finally Dean Costalas of 65<sup>th</sup> Street appeared and expressed his concerns regarding resort houses. A motion was made to adjourn at 8:11 p.m.

Respectfully submitted,

/s/Dean R. Marcolongo

Dean R. Marcolongo, Esquire