

BOROUGH OF LAKE COMO  
1740 MAIN STREET  
LAKE COMO, NJ 07719

PLANNING BOARD AGENDA

MARCH 08, 2021  
REGULAR MEETING

7:00 PM  
LAKE COMO

- I. CALL TO ORDER
- II. SUNSHINE LAW:  
THE NOTICE REQUIREMENTS OF R.S. 10:4-18 OPEN PUBLIC MEETINGS ACT HAVE BEEN SATISFIED BY THE PUBLICATION OF THE REQUIRED ADVERTISEMENT IN THE ASBURY PARK PRESS ON JANUARY 29, 2021, AND BY POSTING IT ON THE BULLETIN BOARD IN BOROUGH HALL. A COPY OF THE SAID NOTICE HAS BEEN FILED WITH THE BOROUGH CLERK AND SENT TO THE COAST STAR. NOTICE OF THE VIRTUAL MEETING WILL ALSO BE POSTED ON THE BULLETIN BOARD AT BOROUGH HALL AND POSTED ON OUR WEBSITE. ALL MEETINGS ARE OPEN TO THE PUBLIC.

\*\* FLAG SALUTE \*\*

- III. ROLL CALL
- IV. MEMORIALIZATION OF A RESOLUTION  
TERNOWCHEK, JEANNE & SAM  
1819 PARKWAY  
BLK - 17 LOT - 9
- V. RESIGNATION LETTER KATHLEEN MADARAS
- VI. APPRECIATION CERTIFICATE KATHLEEN MADARAS
- VII. DISCUSSION OF ORDINANCE CHANGES CHAIRMAN CAVALUZZI  
FOR RE-EXAMINATION REPORT/MASTER PLAN  
None
- VIII. PLANNING & ZONING DISCUSSIONS JOE CAVALUZZI & ALAN HILLA  
REDEVELOPMENT COMMITTEE  
(WILL UPDATE AS NEEDED)  
None
- IX. FUTURE MEETING DISCUSSIONS  
STONES IN DRIVEWAYS, GRADING PLAN
- X. MINUTES TO BE APPROVED  
MINUTES TO BE APPROVED AS TYPEWRITTEN AND/OR E-MAILED.
- XI. MOTION TO ADJOURN

THE NEXT REGULAR VIRTUAL MEETING OF THE LAKE COMO PLANNING BOARD WILL BE HELD ON MONDAY, APRIL 12, 2021 AT 7:00 PM IN THE MEETING ROOM. ALL MEETINGS ARE OPEN TO THE PUBLIC.

\*SEE ZOOM INVITATION BELOW\*

Viveca Graham is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting  
<https://zoom.us/j/93696585552?pwd=L2VCMlFhYk9aZTIKUc8vOFI5dXNkQT09>

Meeting ID: 936 9658 5552

Passcode: 183118

One tap mobile

+13017158592,,93696585552#,,,,,0#,,183118# US (Washington D.C)

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Dial by your location

+1 301 715 8592 US (Washington D.C)

+1 312 626 6799 US (Chicago)

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+1 346 248 7799 US (Houston)

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Meeting ID: 936 9658 5552

Passcode: 183118

Find your local number: <https://zoom.us/u/ac-J7h84AKz>

**APPLICANTS: SAM AND JEANNE TERNOWCZEK  
APPLICATION NO. 2021-04  
BLOCK 17, LOT 9  
PROPERTY: 1819 PARKWAY  
ATTORNEY: GEORGE MCGILL, ESQ.**

**LAKE COMO PLANNING BOARD**

**RESOLUTION 2021-04 OF THE PLANNING BOARD  
OF THE BOROUGH OF LAKE COMO,  
COUNTY OF MONMOUTH AND STATE OF NEW JERSEY**

**WHEREAS, SAM AND JEANNE TERNOWCZEK**, Applicants, are the owners of the property located at 1819 Parkway, Block 17, Lot 9, in the Borough of Lake Como, County of Monmouth, and State of New Jersey, hereinafter referred to as the “Applicants”, and they have filed an application with the Planning Board of the Borough of Lake Como, hereinafter referred to as the “Board”; and

**WHEREAS**, the Applicants appeared before the Board on February 8, 2021, represented by their attorney, George McGill, Esq., and all notice requirements mandated by statute were made and notices provided to the public and proof submitted to the Board; and

**WHEREAS**, a virtual public hearing was held via Zoom on February 8, 2021; and

**WHEREAS**, the Board had jurisdiction to hear consider and determine the application issue; and

**WHEREAS**, the Board, having given due consideration to the exhibits moved into evidence and the testimony presented at said meeting, does hereby make the following findings of fact and conclusions of law:

1. The property in question is located in the R-40 residential zone of the Borough and the proposed single-family dwelling is a permitted use in the zone.
2. The Application as presented requires the following variances:
  - A. Undersized lot where 2862 SF is provided and 4000 SF is required.
  - B. Lot width where 30 feet is provided and 40 feet is required.
  - C. Lot frontage where 30 feet is provided and 40 feet is required.
  - D. Lot depth where 95.4 feet is provided and 100 feet is required.
  - E. Building coverage where 44.9% is requested and 40% is allowed.

- F. Impervious lot coverage where 62.3% is requested and 60% is permitted.
- G. Proposed open front yard landscape area where 30.2% is requested and 50% is required.
- H. Proposed building requested is 34.4 feet where 26.25 feet is allowed.

3. The following exhibits were moved into evidence:

- A-1 Picture of damaged house formerly located on property.
- A-2 Picture of damaged house formerly located on property.
- A-3 Picture of property.
- A-4 Picture of property.
- A-5 Picture of property
- A-6 Panoramic view of Parkway, northwest view, empty lot included.
- A-7 Three architectural renderings of proposed structure.
- A-8 Architectural plans for proposed structure.
- A-9 Engineering report prepared by William Jensen.

4. The Applicants testified on their own behalf. Mrs. Ternowchek testified that she and her husband own a condominium immediately next-door to the lot in question. During Superstorm Sandy, the house on the lot, which they did not own at the time of the storm, and another small structure on that block suffered severe damage, rendering them uninhabitable. The Applicants purchased the lot, demolished the structures, and have since maintained the lot. Mrs Ternowchek testified that they were seeking to build a house to fit in with the neighborhood, and that was big enough so the family would all be able to stay on premises.

5. Mary Hearn, licensed architect in the state of New Jersey, testified on behalf of the Applicants. Ms. Hearn testified as to the design of the house and the difficulties it presented. Building the house on an undersized lot in a flood zone presented various practical problems, while she still sought to make the house aesthetically pleasing. She testified as to the desire for first floor living space, making it necessary to have the mechanicals on both the first and third floor, providing for three parking spaces including one in the garage, and the fact that the house is in a flood zone,

6. William Jensen, professional engineer licensed to do business in the State of New Jersey, testified on behalf of the Applicants. His testimony focused on the various methods proposed by the Applicants to remove water from the property without creating issues for the neighboring properties. He proposed swells in the rear yard so that the water would drain to the street and flow onward to the appropriate municipal drainage.

7. Members of the public participated both by asking questions of the witnesses and testifying during the public comment portion. Linda Ford of 1816 Parkway asked questions about parking in flood zones. Wanda Patire of 1817 Parkway asked questions about window

placement and privacy. Kevin Lynch of 1823 Parkway asked questions about drainage and had engineering concerns. Allison Wiedemann of 1808 Parkway testified that she wanted to keep the Applicants as his neighbors and liked the look of the house. Kevin Lynch testified that the Applicants have been part of the community for 10 years and he understood the request to build a taller building. Kurt Schleck, 1818 Parkway, testified he built his house in 2008 with consistent with the height restriction as per the ordinance. He further testified that he wanted a nice house on the property and that the proposed house would be better for the street, but he had concerns as to the height, drainage, and parking, and thought that the house was bigger than should be allowed on that lot.

8. The Board finds that the Applicants have not demonstrated hardship and/or special reasons for the granting of the variances requested. The proposed house, while thoughtfully designed and attractive, was simply too big to be built on an under-sized lot. The height, more than 10% higher than permitted by ordinance, required a D variance. The proposed structure would have been much taller than the other houses on the block. Furthermore, the drainage issues on the street would have been made even more problematic by the lot coverage of the building. The Applicants, while presenting an attractive, well-designed house, did not present any form of hardship or special reason for the granting of the variance. Granting of the height variance, along with the other bulk variances, would have been detrimental to the zoning plan for the street and Borough.

**NOW THEREFORE, BE IT RESOLVED** by the Lake Como Planning Board that it adopts the aforesaid findings of fact and specifically makes the following conclusions of law:

1. Based on the aforesaid findings of fact and conclusions of law, the Board concludes that the granting of the approval requested by the Applicants for the variances will cause detriment to the public good and will impair the intent and purpose of the zoning ordinance or zoning plan.

**BE IT FURTHER RESOLVED** by the Planning Board of the Borough of Lake Como that the variance is hereby denied.

**BE IT FURTHER RESOLVED** by the Planning Board of the Borough of Lake Como denies the following bulk variances:

1. Construction of dwelling on an undersized lot of 2862 SF whereas 4000 SF is required.
2. Lot width where 30 feet is provided and 40 feet is required.
3. Lot frontage where 30 feet is provided and 40 feet is required.
4. Lot depth where 95.4 feet is provided and 100 feet is required.
5. Building coverage where 44.9% is requested and 40% is allowed.

6. Impervious lot coverage where 62.3% is requested and 60% is permitted.
7. Proposed open front yard landscape area where 30.2% is requested and 50% is required.
8. Proposed building requested is 34.4 feet where 26.25 feet is allowed.

All relief requested by the Applicants is hereby denied.

**THEREFORE**, the Application for variance relief for building a house on an under-sized lot is hereby denied.

**RESOLUTION: 2021-04**

**MOVED BY:**

**SECONDED BY:**

**ADOPTED BY THE FOLLOWING VOTES:**

**AYES:**

**NAYS:**

**ABSTAIN:**

The above resolution was denied by the Planning Board of the Borough of Lake Como at its Regular meeting on the \_\_\_\_ day of \_\_\_\_\_, 2021. I do hereby certify that the foregoing is a true and correct copy of Planning Board Resolution No. **2021-04**.

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**CHAIRMAN, JOSEPH CAVALUZZI**



Graham, Viveca <[vgraham@boro.lake-como.nj.us](mailto:vgraham@boro.lake-como.nj.us)>

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## Resignation - Madaras

1 message

**Kathleen Madaras** <[kathleen.madaras@gmail.com](mailto:kathleen.madaras@gmail.com)>

To: Joe Cavaluzzi <[jocavaluzzi1@gmail.com](mailto:jocavaluzzi1@gmail.com)>

Cc: "Graham, Viveca" <[vgraham@boro.lake-como.nj.us](mailto:vgraham@boro.lake-como.nj.us)>

Mon, Feb 8, 2021 at 7:02 PM

Chairman -

I respectfully tender my resignation effective on or before March 22, 2021. As of that date I will no longer be a resident of Lake Como.

I have enjoyed my time on the Lake Como Planning Board and wish you and the entire board continued success.

Beat,

Kathleen R. Madaras