

**MINUTES OF THE
SPRING LAKE PLANNING BOARD
JUNE 8, 2011**

The regular meeting of the Spring Lake Planning Board was held on the above date at 7:30 PM in the Municipal Building, 423 Warren Avenue, Spring Lake, NJ.

Chairman Nick Sapnar called the meeting to order, led everyone in the Pledge of Allegiance to the Flag and announced that this meeting is being held in accordance with the Open Public Meetings Act and adequate notice has been published and posted per Chapter 231 P.L. 1975.

The Board Secretary called the roll for attendance. Present were Joseph Rizzo, Nicholas Sapnar, Matt Sagui, Cindy Napp, Michael Burke, Walter Judge and Kathleen Scotto.

There were no minutes to be adopted.

Board Attorney George McGill read Resolution 17-2011 KENNY for the Board's approval.

Motion by Sagui, seconded by Rizzo, that Resolution #17-2011 Kenny be adopted. On roll call Board Members Rizzo, Sapnar, Sagui, Napp, Judge and Scotto voted Aye. None No. Motion carried.

Chairman Sapnar announced that 209 Ocean Ave, LLC is adjourned to August 10, 2011 at 7:30 PM in this room and no further notice will be given.

**Cal 3-2011 10 Brown Street LLC
1200 Third Ave
Site Plan w/ variance**

Michael Rubino, Esq. attorney for the applicant explained that this application is for a new building on the northeast corner of Morris Ave and Third Ave where there is an existing building. Mr. Salvato is the principal owner. Originally Mr. Salvato submitted plans for a two story structure but he has since changed the plans to a one story building. The space upstairs will be for storage only. They will provide 2 parking spaces and need a variance since that will not meet the requirements of the ordinance. They also need a variance for impervious surface coverage and building coverage since the building will be over what is allowed by the ordinance. A variance is also required for the rear yard.

Frank Salvato, the applicant, was sworn in and explained what he would like to do with the building. He and his wife originally purchased 1218 Third Ave and gutted and restored it. They did the same with the building at 1210 Third Ave and are very happy with the results. Eventually they purchased 1200 Third Ave and intended to do the same thing but it was just not cost effective to restore the building. They originally intended to rebuild it with 2 stories but have now settled on a one story building with some storage space above. They will tear the building down and rebuild it. Chairman Sapnar reviewed the changes that Mr. Salvato proposes and pointed out that the ordinance allows for 70% building coverage and the plans call

for 90% building coverage .Mr. Rubino pointed out that the 90% coverage requested is a typo and should be 80%. Mr. Sapnar asked if they had considered trying to meet the 70% requirement and Mr. Salvato replied that in order to justify the cost of buying and restoring the building he needs to increase the square footage he has for retail. So it is a financial reason. Currently the building has two tenants and he would like to have 3 tenants, all retail. As far as he knows, neither of the present tenants will be coming back. Mr. Salvato does not own the liquor license that is currently in the building. Mr. Rubino pointed out that these new units will be a little deeper than what is presently there. Mr. Salvato explained that some retail stores require the extra space. Mr. Salvato also explained that some upscale retailers require extra storage space and that is why he needs the extra space above the stores.

Applicant's architect, Verity Frizell, was sworn in and listed her credentials for the Board. The Board accepted her as an expert. Proposed is a 1 1/2 story building with three retail spaces and storage above. To the south there is a 3 story building and to the north are 3 one story buildings and the rest of the block is 2 or 2 1/2 story buildings. Across the block it is a mixture of 2 and 1 1/2 story buildings. The opposite corner of the street is almost all 2 1/2 or 3 stories. There will be wall sconce lighting in the front of the building and lights over the doors in the back of the building. Signage will conform to the sign ordinance. Board Member Rizzo asked who filled out the application and pointed out some errors that should be corrected. Board Members questioned Ms. Frizell about the width of the sidewalk, the fire wall and the back alley. Ms. Frizell said that there are no 'official' existing parking spaces.

Ray Carpenter, P.E., P.P. was sworn in and accepted as an expert. He is testifying as an engineer. Mr. Carpenter said that the property is 100'X69' and a one story brick structure with an alley to the east and is in line with other buildings on the street. The existing building has roof leaders that seem to go into the ground. He has designed a new drainage system. The existing parking is in the front yard setback on Morris Ave. which is no longer allowed. They have proposed parking spaces in the alley which is also used for loading and unloading. Mr. Carpenter was questioned by the Board Members.

Cheryl Bergailo, P.P, gave her credentials and was accepted as an expert. Ms. Bergailo informed the Board that the applicant is seeking 4 variances---a rear yard setback, building coverage, impervious coverage and relief from the parking requirement.. She is of the opinion that these variances can be granted under the C2 requirements of the MLUL. The proposal is consistent with the Master Plan to upgrade and revitalize the downtown area. The trash will be stored at the rear of the building instead of Morris Ave, as it is now. It will be a more significant building. They are improving the existing rear setback. The rear yard setback is now 22.5 ft. Also they are creating green space and stormwater management to help mitigate the building and impervious coverage. Ms. Bergailo sees no negative impact on the town with this application. It is more advantageous to have larger retail stores than more parking spaces. Ms. Bergailo handed out copies of exhibit A-11 which showed the ratio of lots in the RC zone that are 6,900 sf or smaller have an average of 1.5 parking spaces each. Ms. Bergallo then showed photos of the area.

Board Members Rizzo and Burke would like a green, pedestrian friendly area on the corner of Morris and 3rd Avenues.

There was no audience at the meeting.

Mr. Rubino gave his summation.

Motion by Burke, seconded by Judge, that the Board go into caucus. On roll call all Board Members voted Aye. None No. Motion carried.

Motion by Rizzo, seconded by Burke, that the Board come out of caucus. On roll call all Board Members voted Aye. None No. Motion carried.

Motion by Sapnar, seconded by Rizzo, that the application be approved with the four variances under 80% coverage, rear yard setback, lot coverage and parking on condition that the applicant will petition the governing body and present a streetscape plan with another tree to develop a more aesthetically pleasing Morris Ave, with accommodation in the building for trash storage. On roll call Board Members Rizzo, Sapnar, Sagui, Napp, Burke, Judge and Scotto voted Aye. None No. Motion carried.

.Motion by Rizzo, seconded by Burke, that the meeting adjourn. On roll call all Board Members voted Aye. None No Motion carried. Time: 10:15 PM.

Respectfully submitted:

Board Secretary