

**MINUTES OF THE
SPRING LAKE PLANNING BOARD
OCTOBER 10, 2012**

The regular meeting of the Spring Lake Planning Board was held on the above date at 7:10 PM in the Municipal Building, 423 Warren Avenue, Spring Lake, NJ.

Chairman Nicholas 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, Larry Iannaccone, Michael Burke, Ph. D., Walter Judge, Matthew Sagui, Megan Frost, Kathleen Scotto and Chairman Nicholas Sapnar.

Chairman Sapnar called for a motion to approve the minutes of the September 12, 2012 meeting.

Mrs. Scotto stated that there should be an addition to the minutes; the minutes were updated reflecting the addition.

Motion by Judge, seconded by Rizzo, that the minutes of the September 12, 2012 meeting be adopted. On roll call Board Members Rizzo, Iannaccone, Judge, Sagui, Scotto, and Sapnar voted Aye. None No. Motion carried.

**CAL#1-2012 10 BROWN STREET, LLC
1202 THIRD AVENUE
BLOCK 75, LOT 16**

Chairman Sapnar explained that Meghan Frost is recusing herself from this hearing.

Michael Rubino, applicants' attorney summarized the application. He explained they reviewed the application and decided to withdraw the request for a Use Variance, second floor apartment. The area above the first floor will be for storage and the parking spot on the first floor was turned into additional retail space.

Verrity Frizzell, Professional Architect was sworn in and accepted by the Board. Ms. Frizzell had exhibits marked into evidence and discussed the new plans.

Ms. Frizzell explained that there is first floor retail space, second floor storage and a refuse area. She discussed the square footage of the entire building, what exists and what is proposed. She then discussed Mr. Hilla's review letter. There is a fenced in area for recyclables and trash.

Ms. Frizzell was questioned by the Board.

Ms. Frizzell stated that they are willing to meet with Shade Tree Committee to discuss a plan for the property. She added that there will be planters along Morris Avenue against the building and the curb line is changed to allow tree planters along Third Avenue.

There were no questions from the audience.

Ray Carpenter, Professional Engineer was sworn in and accepted by the Board. Mr. Carpenter had exhibits marked into evidence and discussed the site plan and building coverage. He explained that there are no parking spaces being proposed and he thinks that there is plenty of parking on Third and Morris Avenues, consistent with a good percentage of the retail uses on Third Avenue. Also, parking in the rear is very tight and it is not easy to get a spot there.

Mr. Rizzo stated that the plan shows that the curbs exist however they are modified, the curbs should be considered new. There was some previous discussion on having the curb along the corner bump out to the edge of the parking space; it could provide a larger plant or a seeding area.

Mr. Judge stated that way that the trees are shown on the site plan; the car bumper may crash into the trunk of the tree. Mr. Carpenter explained that normally there is two feet from the curb to any object.

Chairman Sapnar explained that if the application is approved this suggestion maybe placed in a resolution since it is beyond our jurisdiction.

Mr. Sagui stated that not having parking for customers may hurt business. Mr. Carpenter explained that Spring Lake is a community with shared parking, the idea is to have people come to town and park the car once and visit a few stores.

Mr. Judge added that there will also be added employees who will need to park as well.

Mr. Rubino explained that doing this project in today's economic time is difficult, more retail space would be more feasible then a parking spot.

There were no questions or comments from the audience.

Motion by Judge, seconded by Rizzo, that the Board go into caucus. On roll call all Board Members voted Aye. Motion carried.

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

Motion by Burke, seconded by Sapnar, that the application be approved. On roll call Board Members Rizzo, Iannaccone, Burke, Judge, Sagui, Scotto, and Sapnar voted Aye. None voted no. Motion carried.

Five minute recess.

Mrs. Frost returned to the hearing.

**CAL#8-2012 FRIZELL
21 SOUTH BLVD
BLOCK 144, LOT 11**

David Frizell, applicant is also representing himself was sworn in.

Aurelia Frizell, applicant's wife was sworn in.

Kenan Hughes, Professional Planner was sworn in and accepted by the Board.

Mr. Frizell explained that he purchased the home two years ago. The house was torn down and a new one was built so that there could be a master bedroom on first floor. He decided to then install a pool in the backyard. He explained that with the pool complies with the 7 percent coverage but the lot will be over on impervious coverage.

Chairman Sapnar stated that Mr. Frizell had mentioned that the pool complies at 7 percent coverage however the application states that is 8.9 percent. Mr. Frizell explained that when Charles Surmonte prepared the survey he included the apron around the pool, which should not be counted in calculating the pool coverage. Chairman Sapnar asked that the only variance needed would be for impervious coverage. Mr. Frizell answered yes it would be a little under 50 percent where 40 percent is required.

Mr. Frizell was questioned by the Board.

Mr. Judge asked if Mr. Frizell thought of putting in a smaller pool. Mr. Frizell answered that this is not a big pool it is 14x31 feet.

Mr. Burke asked if the rear of the driveway is all asphalt. Mr. Frizell answered that he would not put asphalt down. Mr. Burke asked if Mr. Frizell was going to increase the driveway coverage. Mr. Frizell answered that that was the original plan but it was not built that way yet, there is already a zoning permit to build the driveway.

Chairman Sapnar asked if the 12 percent that is being is 7 percent for the pool, 1.9 percent for the area around the pool, and rest is the walk. Mr. Frizell answered yes he supposes. Chairman Sapnar added that some of the numbers do not add up.

Mr. Rizzo asked if the walkway from the deck to pool is new. Mr. Frizell answered yes.

Mr. Burke stated that there is a reason for the impervious surface numbers since there is flooding in town, the more impervious surface the more the water goes into the lakes and streams and floods, and he is surprised Mr. Frizell is not concerned. Mr. Frizell explained that he is concerned and that there is detention system so everything is going underground.

Mr. Rizzo stated that there is a large difference between 45 percent impervious coverage compared to 49 percent. This is a smaller lot then the typical R-1 lot which is a burden. He added that there are portions of the application not filled in. Mr. Frizell stated that those items are not being changed. Mr. Rizzo

explained that normally an applicant would put the same number in those spaces where there is no change.

Chairman Sapnar added that the driveway was not built so the driveway would be new to this application since it is increasing the impervious coverage.

Mr. McGill explained his concern is that the Board knows what the exact numbers are.

Mr. Judge suggested that the case be carried and new plans and a revised application be submitted.

Mr. Burke asked if the wood deck is an open structure. Mr. Frizell answered yes. Mr. Burke also asked where the swimming pool filter and pumps are located. Mr. Frizell answered that it is not shown on the plan.

Mr. Hughes was questioned by Mr. Frizell. Mr. Huges explained that this is an undersized lot in the R-1 zone; 40 percent coverage in this zone is envisioned for a larger lot. The pool is modest sized pool and the pool is under the 7% coverage for the pool itself. He added that the pool is in the rear yard and will not be visible from the public right of way.

Mr. Hughes was questioned by the Board.

There were no questions from the audience.

Comments:

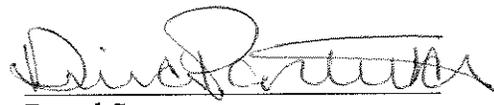
Mary Harz, 10 Pitney Avenue stated that the house is perfectly sized and she has no objection to the variance request.

Chairman Sapnar stated that the application needs to be completely filled out with the new figures and accurate plans

Chairman Sapnar stated that this meeting will be adjourned and this case will be carried to December 12, 2012 at 7:00 p.m., no further notice required and all time requirements will be waived.

Motion by Rizzo, seconded by Burke, that the meeting be adjourned. On roll call all Board Members voted Aye. None No. Motion carried. Time: 8:40 P.M.

Respectfully submitted:


Board Secretary