

**MINUTES OF THE
SPRING LAKE PLANNING BOARD
FEBRUARY 12, 2014**

The regular meeting of the Spring Lake Planning Board was held on the above date at 7:00 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.

George McGill administered the Oath of Office to the following returning and newly appointed Board Members:

Michael Burke, Ph.D	Class II	3 Year Term
Lisa DeBerardine	Class IV	2 Year Term

The Board Secretary called the roll for attendance. Present were Joseph Rizzo, Larry Iannaccone, Michael Burke, Cindy Napp, Walter Judge, David Frost, Melissa Smith Goldstein, Matthew Sagui, Kathleen Scotto, Lisa DeBerardine, and Chairman Nicholas Sapnar.

Chairman Sapnar called for a motion to approve the minutes of the January 8, 2014 meeting.

Motion by Judge, seconded by Sagui, that the minutes of the January 8, 2014 meeting be adopted. On roll call Board Members Rizzo, Iannaccone, Napp, Judge, Frost, Goldstein, Sagui, Scotto, and Sapnar voted Aye. None abstained. None No. Motion carried.

Resolution #1-2014 through #8-2014 Re-Organization Resolutions

Motion by Judge, seconded by Napp, that Resolutions #1-2014 through #8-2014 Re-Organization, that the resolutions be approved. On roll call Board Members Rizzo, Iannaccone, Napp, Judge, Frost, Goldstein, Sagui, Scotto, and Sapnar voted Aye. None No. Motion carried.

Resolution #9-2014 Giblin

Motion by Judge, seconded by Sagui, that Resolution #9-2014 Giblin, that the variance be approved. On roll call Board Members Rizzo, Iannaccone, Napp, Judge, Frost, Goldstein, Sagui, Scotto, and Sapnar voted Aye. None No. Motion carried.

**CAL#12-2013 SLEEMAN
16 SALEM AVENUE
BLOCK 31, LOT 14.01**

Application carried from January 8, 2014 no further notice was required.

Mr. Rubino, applicant's attorney had the exhibits marked into evidence.

Mr. Rubino explained since the last meeting, the applicant tried to come up with different solutions. His client ultimately decided to reduce the size of the porch by five feet off of First Avenue. The deck in the rear was reduced to 128 sq. ft.

Mr. Sleeman, homeowner was sworn in at the last meeting and understands that he is still under oath. He explained he is willing to reduce the size of the back deck, having a smaller deck gives them more privacy. He decided to reduce the front porch so that it is more conforming. He looked into turning the garage into a porch, however his architect explained that there are issues in doing this and there would also be problems with parking.

There were no questions or comments from the audience.

Mr. Rubino explained that Mr. Degnan is licensed in other States and has a design group here in the local area, however is not licensed as an architect in the State of New Jersey and also not available tonight. Martha Brazoban signs off on Mr. Degnan's plans.

Marta Brazoban, Professional Architect was sworn in and accepted by the Board. Ms. Brazodan explained that she initially reviewed the plan. She reviews the plans for constructability and design and to make sure it meets all regulations and laws. Ms. Brazoban stated that the house style was 1950's and stands out in the neighborhood. They renovated the interior, second floor, and added a third floor live in attic, which is the master bedroom. She feels that the front porch would continue the Spring Lake feel and style; it is much more appealing and inviting home.

Chairman Sapnar asked what the plans would look like to have a porch located on the side. Ms. Brazodan answered that there are constraints; the level difference between the existing house and the garage, which would add additional stairs. Also, if the garage were removed to create a porch, the access from the side of the house would require additional structural modifications. It would not have been an easy transition.

Mr. Judge asked if Ms. Brazodan thought that the porch is a foe or functional porch. Ms. Brazodan answered the way the porch is designed; there would be enough room for two seats with a small table.

Ms. Brazodan discussed the issue with the building coverage, when the house was originally built it was under the building coverage then the code changed and they are currently over.

Mr. Burke explained that the reason the lot coverage is twenty five percent; the Borough had to conform to the State storm water management regulations. If the Borough allows someone to overbuild the Borough is in violation to the State and it has to be explained why the over building is being allowed. All new construction has been required to have retention basins for the run-off, the ordinance states that it is only required if the addition is over seven hundred square feet. He added that it could be an option to have the applicant put in a retention basin. Mr. Rubino stated that would not be an issue.

Mr. Rubino explained that the applicant's hardship is that the existing premise is laid out in a way which prevents them from doing certain renovations. They have cleaned up the house and property overall and would like to add the front porch to make it look more aesthetic.

Comments:

William J. Gearty, 14 Salem Avenue explained that this particular house has always been different than every house on the block. When the preceding owner purchased it, he added an attached garage. This application will be seven percent over on building coverage, this is very extreme. He does not think that the Spring Lake character will be met by this one house that is different than the rest of the area.

Patrick Mullen, 6 Salem Avenue thinks that the house was in desperate need on renovation and he thinks that the owners did a great job. He added that Salem Avenue houses are set in one straight line and it would not be in the true spirit of what should be seen in town.

Karen Thompson, 7 Salem Avenue sympathizes with the current owner however the priority is to maintain the twenty five foot setback and the sight line on Salem Avenue.

Michael Tuzzio, 401 Ocean Avenue explained that his property is on the opposite corner, this house clearly has never fit in with any of the houses on Salem Avenue. He is well aware of the challenge of the having two corner setbacks since he went through the process when he built his home. The applicant is not looking to violate the setback on both sides, only a modest extension on the Salem Avenue side. He feels that seven percent building coverage is minimal. He doesn't feel that it is blocking any aesthetic views. He added that the modest porch aesthetics far out way any concern about the violations.

Norman Thompson, 7 Salem Avenue he thinks that the twenty-five foot setback is very important for this area. He thinks that the additions done to the home are beautiful.

Mary Margaret Gearty, 14 Salem Avenue explained that the purpose of the Spring Lake Historical Society is to encourage looking at the town and the history of it and trying to preserve that. The area was built by the Louis Lumber Company.

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

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

Motion by Rizzo, seconded by Napp, that the application be approved. On roll call Board Members Rizzo, Burke, Napp, and Goldstein voted Aye. Iannaccone, Judge, Frost, Sagui, and Sapnar voted no. Motion denied.

**CAL#14-2013 FUDGE
15 SOUTH BLVD.
BLOCK 144, LOT 8**

Mr. Rubino, applicant's attorney had the exhibits marked into evidence.

Mr. Rubino, applicant's attorney explained this house has been in the family since the mid 1950's. The property was severely affected by Superstorm Sandy, it flooded up to the first level of the house. The lot is oddly shaped and undersized. The house itself will comply completely; the variances are for

impervious coverage, setback HVAC equipment, and the setback of the generator. The applicant would like to keep the existing garage and keep as much of the backyard driveway if possible since cars are never allowed to park on South Blvd. on either side of the street. They would like to install a generator incase of another storm.

John Fudge, homeowner was sworn in. He explained that it was difficult to build a house that complies on an undersized and odd shaped lot. The driveway has been reduced considerably but he would like to keep it large for parking. The air-conditioning units are currently much closer to the property line and if he followed the requirements the air-conditioning would be located directly in the center of the back yard.

Chairman Sapnar stated that the fence surrounding the units is six feet high where five feet is allowed. Mr. Rubino answered that can be changed to five feet. Mr. Fudge added that it will be hidden with landscaping.

Mr. Sagui stated that the units can be placed in the garage. Mr. Fudge explained that is where he originally wanted them and was told it would be in possible to do. Mr. Sagui added that it is better to have them inside since the property is so close to the ocean.

Mrs. Napp asked if Mr. Fudge ever considered a front porch. Mr. Fudge explained that there is currently a front porch there now; they decided that living space is more important than a front porch.

Mr. Rizzo asked if the house is going to be raised because of flood requirements and are the mechanical systems going to be up above the flood plain as well. Mr. Fudge explained that the home will be thirteen feet above flood plain and all of the mechanical systems are going to be placed underneath the stair case going to the second floor.

Mr. Iannaccone asked what material the deck in the rear is going to be. Mr. Fudge answered trex and slatted. Mr. Iannaccone asked if the fence and units will be covered. Mr. Fudge answered yes.

Mr. Rizzo asked what is located behind the garage. Mr. Fudge answered twenty-five foot bushes so that the garage is not visible.

Michael Unger, Professional Architect was sworn in and accepted by the Board. He then discussed the existing house setbacks. He explained that a house like this could not be built today because of the current building code since it is too close. The new home eliminated all of the setback issues. The current impervious coverage is 57.7% and is being reduced to 44.26% but is still over the 40% requirement. The Fudge's could make the garage smaller, however they do not have much storage space due to the fact that they are in a flood zone and all of the mechanics have to be up higher. Also, they would like to keep they driveway larger since there is no parking on South Blvd. Mr. Unger answered Mr. Sagui's previous question about placing the units inside the garage; he explained the issue is that there was difficulty with the size of generators and the ventilation. He added that sometimes it is strictly a cost issue and a fire concern, however it can be done and if Mr. Fudge wants to do it that would be fine.

Chairman Sapnar stated that it would be best to leave the application as is and if it could be worked out then that would be beneficial. He added that the scene should be lowered to five feet to comply with the code. Mr. Unger agreed to change that.

Mrs. Napp asked if the new flood maps changed in that area. Mr. Unger answered no they did not.

Mr. Burke asked what the height of the house is going to be from curb. Mr. Unger answered that normal height in this zone is thirty-five feet measured from the top of the curb at the midpoint of the property, looking at the height that way the home would be 37.51 feet since it is in the flood zone this is allowed. Mr. Burke then asked about the thirty two feet restriction. Mr. Unger answered that the thirty two feet is to be measured from the first floor height elevation, only in a flood zone. Mr. Burke then asked how much of the foundation will be showing. Mr. Unger answered approximately three to four feet of the foundation wall showing and will be a veneer stone or brick which will be aesthetically pleasing.

Mr. Rizzo asked if the applicant is required to have flow through requirements. Mr. Unger answered absolutely however the building department will review this very carefully.

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

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

Motion by Judge, seconded by Sagui, that the meeting be adjourned. On roll call all Board Members voted Aye. None No. Motion carried. Time: 9:15 P.M.

Respectfully submitted:

Dina M. Partusch-Zahorsky
Board Secretary