

**MINUTES OF THE  
SPRING LAKE PLANNING BOARD  
NOVEMBER 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.

The Board Secretary called the roll for attendance. Present were Larry Iannaccone, Michael Burke, Ph. D., Cindy Napp, Walter Judge, Melissa Goldstein, Matthew Sagui, Lisa DeBerardine, and Chairman Nicholas Sapnar.

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

Motion by Sapnar, seconded by Judge, that the minutes of the October 8, 2014 meeting, as amended be adopted. On roll call Board Members Iannaccone, Burke, Napp, Judge, Sagui, DeBerardine, and Sapnar voted Aye. None No. Motion carried.

CAL#9-2014 Fiumefreddo  
302 & 305 Ocean Avenue  
Block 19, Lots 2 & 4

Michael Rubino, applicant's attorney explained that this application is for a conforming minor subdivision. There are two houses that presently exist on Ocean Avenue, the Fiumefreddo's purchased lot four, 305 Ocean Avenue approximately seven or eight years ago. The lot is 150 feet by 75 feet and is oversized in this zone. He added that Mr. Fiumefreddo also recently purchased lot two, 303 Ocean Avenue which is also 150 feet by 75 feet. The applicant would like to remove all structures on lot two and transfer twenty-five feet to existing lot four; both lots would be fully conforming. On lot four there is an existing side yard variance on the northern side, currently it is at 8.9% where 12% is required. He also discussed the driveway area which exceeds the limit of 1,650 feet, presently there is 2,372 feet and because they will be gaining an extra twenty-five feet, the driveway will increase to 2,581 feet. This increase will maintain the easement to the new southern lot, there will be no additional parking on Ocean Avenue.

Mr. Hilla added the easement was intended to provide access to the southernmost lot and they are not creating an access that did not already exist. Mr. Rubino added that the burden is being shifted.

Mr. Hilla clarified that in his letter he stated a variance that is actually not required in regards to the accessory building separation.

Mr. Rubino explained that on an old map it states that this easement is the Borough's; while doing a search it was determined that the easement does not belong to the Borough but the property owners.

Mr. Sagui asked if lot four received a variance to have the driveway area go from 1,650 feet to 2,372 feet. Mr. McGill answered that the variance in 2007 was for lot coverage and walkway there was not a variance for the driveway in that application. Mr. Rubino stated that when the applicant was before the Board in 2007 the driveway coverage was already at 2,372 feet.

Mr. McGill explained that the Board would have to take a look at when the Borough started the actual square footage allotment of the impervious; he believes that the Borough made a change to that at some point in time. He is unsure how old the house is and it could have predated this.

Robert Burdick, Professional Engineer and Planner was sworn in and accepted by the Board. He added that this is a re-subdivision of lots two and four. The properties are within an R-2 zone; both existing and proposed lots meet the size requirements for that zone. He added that both existing lots are 75 feet by 150 feet; 25 feet will be shifted from existing lot two to existing lot four creating two new lots 2.02 and 4.01 as per a letter from the tax assessor. Lot 4.01 will now be 100 feet by 150 foot lot and lot 2.02 will be 50 feet by 100 feet. There will be three variances associated with lot 4.01 only two apply; the first variance is the 8.9 feet side yard setback on the north side of the property. He explained that under the current conditions it would have to be 12% of the lot, however since the lot is being widened it would have to be a minimum of 12 feet or 12% of 100 feet. When the home was built it was in a conforming position; it would be a hardship on the applicant to move his house to comply with the new updated zoning requirements. The second variance which is technically not needed for the setback from the house to the accessory structure, the accessory structure was the pool which is only supposed to be ten feet. The third variance is the driveway area, since twenty-five feet will be added to lot 4.01 this variance is needed so that there can be a driveway easement. The driveway area will be exceeding from 2,372 feet to 2,581 feet. He explained that this is a unique condition since the properties are being accessed from the rear.

Mr. Burdick explained that the applicant plans to extend the home on lot 4.01 but will utilize the existing utility services and it is anticipated to utilize the same utilities for lot 2.01 which already exist. He added that Ocean Avenue is a County road and reconstruction of curbs and sidewalks would be subject to County approval. He explained that there is a small retaining wall between the structures, at this time is anticipated to keep the retaining wall. He added that there are two existing lion statues which are approximately three feet high, they are located along the Ocean Avenue right of way and the application would like to keep the statues, the applicant will contact the county to make sure the statues are not in violation. Mr. Rubino added that the applicant likes having the lion statues which were destroyed by Superstorm Sandy so they were replaced.

Chairman Sapnar asked about the existing house expansion. Mr. Rubino explained that the intent would be to do an addition to the south of the house with no variances. Chairman Sapnar stated that this will be a small addition due to the setbacks. Mr. Rubino agreed.

Lyle Marlowe, 110 Pennsylvania Avenue asked if any houses are being torn down. Mr. Burdick explained that one house will be torn down; however there will eventually be a new home. Mr. Marlowe then asked if there is going to be a change in the number of houses. Mr. Burdick answered no.

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 Sapnar, seconded by Judge, that the application for a minor subdivision with variances be approved. On roll call Board Members Iannaccone, Burke, Napp, Judge, Goldstein, Sagui, DeBerardine and Sapnar voted Aye. None voted no. Motion carried.

Motion by Sapnar, seconded by Judge, that the meeting be adjourned. On roll call all Board Members voted Aye. None No. Motion carried. Time: 7:35 P.M.

Respectfully submitted:

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Dina M. Partusch-Zahorsky  
Board Secretary