

**MINUTES OF THE
SPRING LAKE PLANNING BOARD
MARCH 11, 2015**

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.

Vice-Chairman Walter Judge 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., Cindy Napp, Matthew Sagui, Melissa Smith Goldstein, Lisa DeBerardine, Stuart Patterson, Mary Ann Rooney and Vice-Chairman Walter Judge.

Chairman Judge called for a motion to approve the minutes of the January 14, 2015 reorganization and regular meeting.

Motion by Rizzo, seconded by Burke, that the minutes of the January 14, 2015 reorganization and regular meeting be adopted. On roll call Board Members Rizzo, Iannaccone, Burke, Sagui, DeBerardine, Patterson, Rooney, and Judge voted Aye. None No. Motion carried.

Resolution #1-2015 through #8-2015 Reorganization Resolutions

Motion by Rizzo, seconded by Burke, that Resolution #1-2015 through #8-2015 Reorganization resolutions be adopted. On roll call Board Members Rizzo, Iannaccone, Burke, Sagui, DeBerardine, Patterson, Rooney and Judge voted Aye. None No. Motion carried.

CAL#1-2015 Jump
405 Church Street
Block 128, Lot 10

Mr. McGill explained that this application involves the expansion of a non-conforming use; there are two dwellings on the property. The application touches upon the accessory structure since the application is for expansion of a non-conforming use, the Board has to consist of seven members; Councilman Sagui and the Mayors Designee Mrs. Goldstein will have to be excused. Mrs. Rooney has recused herself since she lives within two hundred feet of the property.

Robert Swain, applicant's attorney explained that his applicants would like to re-do their driveway, piece of porch on the accessory structure and build a two tier deck with a pergola. Mr. Swain that the property will be brought more into conformity with the zoning requirements, the impervious coverage will be brought down from 62.2% to 60.3%.

Christine Jump and Walter Jump, homeowners were sworn in.

Michael Ingalls, contractor was sworn in.

Christine Jump explained that they purchased the property in September 2009, since then there have been a few hurricanes. She added that the only work has been done on the house has been cosmetic. They would like to be able to enjoy the back yard, clean up the driveway and rear yard. The deck would also have a pergola to provide privacy and shade.

Mr. Iannaccone asked if the proposed wood deck attached to the apartment will be going into the same location as a concrete porch. Mrs. Jump answered yes the porch is crumbling and needs to be replaced. Mr. Iannaccone asked what is right behind the house where the proposed wooden platform will be. Mrs. Jump answered that is where the dangerous flagstone is.

Mr. Rizzo asked about the stone walls in the rear and asked if there was ever a slope problem. Mrs. Jump explained that it is called a wall, however they were left over slates from the patio that were piled up approximately four to six inches.

Mr. Swain added that the concrete deck on the accessory structure will now be a wooden deck to cut back on impervious coverage.

Mr. Rizzo asked about the area behind the garage. Mr. Jump explained that there are existing pavers behind the garage which will not be touched. Mr. Swain added that the rear of the property is confusing in that it is hard to tell who owns what.

Mr. Swain had the exhibits marked into evidence.

Mrs. Napp asked if there is access to the paving behind the garage apartment for people to access the apartment. Mr. Jump answered yes, however the apartment will never be rented out it is for family use only. And it is currently not being used at all because it needs to be renovated. Mrs. Napp then asked if they lost a lot of trees in the back. Mr. Jump answered yes.

Mr. Patterson asked for the location, on the development plan of the last photo show.

Mr. McGill had the photo marked into evidence.

Mr. Jump explained that the picture depicts the back corner of the accessory structure looking toward the easterly neighbors building, it shows the corner and fence and the path way going from the driveway around the accessory structure to the back of the house. Mr. Swain added that it would be the south easterly portion of the rear property. Mr. Jump explained that the gravel area between the railroad ties will be changed to grass and the railroad ties will be

taken out. He added that there will be a garden bed that could be cut in to delineate a walkway.

Mr. Burke asked about the patio behind the building. Mr. Jump answered it will stay.

Chairman Judge asked if there is a back door to the accessory structure. Mr. Jump answered yes; the back door goes out onto the patio.

Mr. Burke asked if the applicant was planning to abandon the use of the garage apartment or continue to use it for the family use. Mr. Jump answered no it will be used for family only.

Mr. McGill asked Mr. Jump if the only thing changing in reference to the back apartment is to replace the existing impervious porch with a deck. Mr. Jump agreed. Mr. McGill then asked about the changes to the main house. Mr. Jump answered that the applicant would like to have a two tiered deck. Mr. McGill asked about the driveway. Mr. Swain explained that they are removing the driveway and putting down pavers in a smaller footprint with a grass strip down the middle to decrease the impervious coverage.

Mr. Swain explained that the Jump's need to have a turnaround at the back of the driveway since there is a bay window which makes it narrow and would like to drive straight out.

Mr. Patterson asked if the grill is moveable or is it a stationary grill with a gas line. Mr. Jump answered that it would be a stationary grill with a gas line.

Mrs. Napp asked if it is masonry. Mr. Jump answered that if the Board approves the application, then yes. It will be built in with masonry block with a standard grill.

Chairman Judge asked if there is any way to reduce the driveway more. Mr. Jump answered no it would not be usable then.

Mr. Rizzo asked about the walls lining the driveway. Mrs. Jump answered that there are currently railroad ties which will be replacing with pavers.

Mr. McGill explained that Mr. Ingalls is a licensed contractor who has to be able to read and understand plans.

Chairman Judge asked why professionals from Lindstrom are not here tonight to testify. Mr. Swain answered he was unavailable to attend the hearing.

Michael Ingalls testified that his company has been in business for ten years now and he has been in construction many years before that and he has worked with Mr. Lindstrom before.

Chairman Judge asked about the wall on the left side of the driveway, is that poured concrete or a key stone block wall. Mr. Ingalls answered that it would be a block type wall. Chairman

Judge then asked the height of the wall. Mr. Ingalls explained that it would be the same height as the current railroad ties which is approximately two six by six's stacked. He does not know how much is buried underground.

Mr. Rizzo stated that the plans do not have dimensions. Mr. Ingalls explained that when the plans are completed if there are any dimensions that need to be specific, he is certain that either Mr. Lindstrom or the architect could put those on the drawings for submission.

Mr. Hilla stated that the architectural scaled drawing shows the wall at approximately two feet high. Mr. Rizzo explained that there are height limitations on these types of walls.

Mrs. Napp asked if there are going to be lights as well. Mr. Ingalls answered that he believes that is what the drawing calls for.

Mr. Rizzo asked about the new wall in the front, there are limitations on the height on planters and walls on the front of the building. Mr. Ingalls stated that wall is existing, remaining, and not being changed at all.

There were no questions or comments from the audience.

Motion by Burke, seconded by Rizzo, that the Board go into caucus. On roll call all Board Members voted Aye. 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 Judge, seconded by Rizzo, that the application with the conditions be approved. On roll call Board Members Rizzo, Iannaccone, Burke, Napp, DeBerardine, Patterson, and Judge voted Aye. None voted no. Motion carried.

Councilman Sagui, Mrs. Goldstein, and Ms. Rooney returned to the dais.

Mrs. Napp recused herself.

CAL#2-2015 Reed
2021 Ocean Avenue
Block 121, Lot 2

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

Mr. Rubino explained that Marie Reed recently purchased the property and was not sure whether or not to keep the house and renovate it or tear it down to build a new home; there are some structural issues in the current home. The property has a retaining wall around it which is approximately five feet above grade. The applicant is requesting to build the new

home 37.71 feet above curb as opposed to the existing house which is 37.91 feet. The present house exceeds the height requirement on the northern side of the property. He explained that overall violations will be reduced. This house was built under the old corner lot ordinance which allowed the south side of the lot to be a side and the west side of the lot to be a rear. Under the new ordinance, the Worthington Avenue front is shorter than the Ocean Avenue front so the south side becomes the rear. The impervious coverage will also be brought down to below what is allowed and the front loading attached garage will be removed and a new garage will be built. Mr. Rubino stated that after the original plans were submitted a second set of plans were submitted, Mr. Hilla had a personal issue and did not have a chance to review those and Ms. Reed will not be available next month, those revised set of plans are being withdrawn. He added that if there are future variances needed for grading they will come back before the Board.

Marie Reed homeowner was sworn in.

James Anderson, Professional Architect was sworn in and accepted by the Board.

Allison Coffin, Professional Planner was sworn in and accepted by the Board.

Robert Burdick, Professional Engineer was sworn in and accepted by the Board.

Ms. Reed explained that she grew up in Spring Lake and currently lives on Passaic Avenue with her three children. She added that the house on this property is not in great condition on the inside. The home was built in 1983 and needs a ton of work and has structural issues. She would like to have a home that will fit in more with the Spring Lake style, the only issue is that the house is starting off at a point five or six feet off the ground. The current house was originally approved for a height variance.

Mr. Anderson showed exhibits of homes that he has worked on in Spring Lake. He discussed that Ms. Reed requested a covered front porch and they decided on a Dutch colonial roof pitch to reduce the scale of the house down. He then discussed the floor plans. He explained that along Ocean Avenue the length of the home has been reduced from 96 feet to 89 feet. Along Worthington Avenue the length was reduced from 69 feet to 59 feet. The house itself is only approximately 32.5 feet from grade and there are only two sections of the house that would be above the 35 feet.

Mr. Rizzo asked about the attic space and whether or not it will be occupied. Mr. Anderson answered that it is intended to be occupied. Mr. Rizzo asked about the open space in the master bedroom. Mr. Anderson answered that there will be vaulted space in the room. The attic is directly above the southern portion of the home.

Mr. Sagui asked if there will be several sump pits in the basement. Mr. Anderson answered that he would speak to a soil person to make a water proofing assembly. Mr. Sagui stated

that there is an issue in town where residents are building sump pits then tying the sanitary sewer into it.

Mr. Rizzo asked if the basement is the entire perimeter of the first floor. Mr. Anderson said that the majority of it, however he is unsure which section will be finished.

Mr. Iannaccone asked if the detached garage will only be one story. Mr. Anderson agreed and added that there will be some volume but no floor; it will be an open structure.

Mr. Rizzo asked if Ms. Reed plans on landscaping the property. Mr. Rubino answered that Ms. Reed has not finalized what she plans on doing with the landscaping.

Mr. Hilla asked if the overhang on the Worthington Avenue front is less than two feet. Mr. Anderson answered yes. He then asked about the chimney to the rear if it is less than two feet. Mr. Anderson answered yes. Mr. Hilla stated on the elevation view it states that there is something that extends beyond the chimney. Mr. Anderson answered that the chimney would have to be a few inches inside of that.

Robert Burdick, Professional Engineer discussed the height of the surrounding homes.

Mr. Burke asked how Mr. Burdick measured from top of curb because the curb goes from sixteen feet to eighteen feet. Mr. Burdick answered that the ordinance requires that it be measured to the midpoint on Worthington Avenue at the top of the curb.

Mr. Rubino asked what the difference in elevation is. Mr. Burdick answered that the home is approximately elevation 23.2 feet. The base point where he measured the property is approximately 17.7; it is about five a half feet above the curb. He added that on Ocean Avenue it would be even higher.

Mr. Rubino explained that the applicant may be back in front of the Board for one variance. Mr. Burdick added that the variance would be needed because the existing garage was excavated. He explained that he would be able to work inside the ordinance to make it eighteen inches. However he will have to come down for about thirty feet and then go back up at which point he would need ten inches more vertically.

Mr. Burke asked about the pool fence and where it will be located. Mr. Burdick answered that it would basically surround the pool and the patio then tie into the rear and side yard fence. Mr. Rubino explained that the pool fence will not need a variance.

Mr. Burke asked if the existing driveway will be removed then have a straight shot across to the foundation. Mr. Burdick answered yes. Mr. Burke then asked if there is going to be a lot of exposed foundation. Mr. Burdick answered that there will be little bit more. Mr. Burke then asked if the electric will be under ground. Mr. Burdick answered yes.

Mr. Rizzo then asked if Mr. Burdick is requesting approval. Mr. Burdick answered that is the area where they would need approval for a grade change.

Allison Coffin, Professional Planner explained the only variance being requested is for the height of the home. The variance relief is a C variance for height; in this application the hardship is topographic conditions. The variance is being primarily driven by the grade of the property. She added that the height variance would allow for a more desirable environment and has no negative impact since it is a lesser height at a lesser extent of the magnitude of the variance that exists.

Comments:

Jennifer Berberian, 2010 Adrian Avenue explained that her house is just west of the property. She added that this will be a beautiful home however, her concern is that with the home shifting north, all of her ocean views that they purchased the home for will be completely blocked. She feels that her property value will be devalued.

Chairman Judge asked that she believes that all of her views will be totally blocked. Mrs. Berberian answered that she thinks that a lot of them are. She added that since the house will be moving closer to Worthington Avenue the views she currently has from her master bedroom, kitchen, and porch will be blocked.

Ms. Reed explained that she would work with Mrs. Berberian to come up with a landscape plan that suites the both of them. Mr. Rubino added that there is not a landscape plan in place yet.

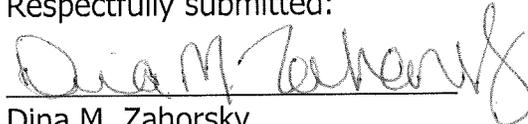
Motion by Burke, seconded by Rizzo, that the Board go into caucus. On roll call all Board Members voted Aye. Motion carried.

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 Judge, seconded by Burke, that the application be approved as amended for the height variance with sump pumps installed, and grade change and fill in in excess of eighteen inches. On roll call Board Members Rizzo, Iannaccone, Burke, Sagui, Goldstein, DeBerardine, Patterson, Rooney, and Judge voted Aye. None voted no. Motion carried.

Motion by Judge, seconded by Burke, that the meeting be adjourned. On roll call all Board Members voted Aye. None No. Motion carried. Time: 9:20 P.M.

Respectfully submitted:



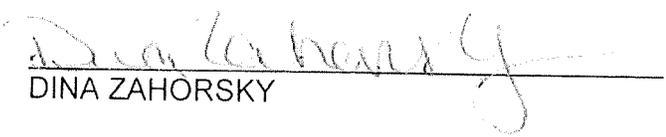
Dina M. Zahorsky
Board Secretary

RESOLUTION NO. 1 - 2015RESOLUTION OF THE PLANNING BOARD OF THE
BOROUGH OF SPRING LAKE, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY

WHEREAS, there is the need for a Chairman to provide services to the Planning Board;

NOW THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of Spring Lake that Nicholas Sapner is hereby appointed to the position of Chairman for the Spring Lake Planning Board from January 1, 2015 to December 31, 2015.

I, Dina Zahorsky, Secretary of the Planning Board of the Borough of Spring Lake, in the County of Monmouth, State of New Jersey, do hereby CERTIFY that the foregoing is a true copy of a resolution adopted by the Planning Board at its re-organizational meeting held on January 14, 2015.

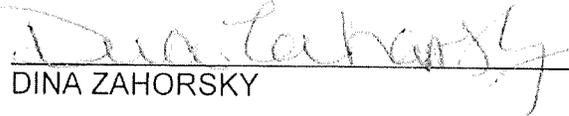

DINA ZAHORSKY

RESOLUTION NO. 2 - 2015RESOLUTION OF THE PLANNING BOARD OF THE
BOROUGH OF SPRING LAKE, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY

WHEREAS, there is the need for a Vice-Chairman to provide services to the Planning Board;

NOW THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of Spring Lake that Walter Judge is hereby appointed to the position of Vice-Chairman for the Spring Lake Planning Board from January 1, 2015 to December 31, 2015.

I, Dina Zahorsky, Secretary of the Planning Board of the Borough of Spring Lake, in the County of Monmouth, State of New Jersey, do hereby CERTIFY that the foregoing is a true copy of a resolution adopted by the Planning Board at its re-organizational meeting held on January 14, 2015.


DINA ZAHORSKY

RESOLUTION NO. 3 - 2015RESOLUTION OF THE PLANNING BOARD OF THE
BOROUGH OF SPRING LAKE, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY

WHEREAS, there is the need for a corresponding secretary to provide services to the Planning Board;

NOW THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of Spring Lake that Dina Zahorsky is hereby appointed to the position of Corresponding Secretary for the Spring Lake Planning Board from January 1, 2015 to December 31, 2015.

I, Dina Zahorsky, Secretary of the Planning Board of the Borough of Spring Lake, in the County of Monmouth, State of New Jersey, do hereby CERTIFY that the foregoing is a true copy of a resolution adopted by the Planning Board at its re-organizational meeting held on January 14, 2015.


DINA ZAHORSKY

RESOLUTION NO. 4 - 2015RESOLUTION OF THE PLANNING BOARD OF THE
BOROUGH OF SPRING LAKE, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY

WHEREAS, there is the need for professional secretarial services to the Spring Lake Planning Board which services are not required to be publically bid pursuant to N.J.S.A. 40:A:11-5;

NOW THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of Spring Lake that Dina Zahorsky is hereby appointed to the position of Planning Board Secretary from January 1, 2015 to December 31, 2015 at the rate of compensation that shall be set and paid pursuant to the Borough Salary Ordinance.

I, Dina Zahorsky, Secretary of the Planning Board of the Borough of Spring Lake, in the County of Monmouth, State of New Jersey, do hereby CERTIFY that the foregoing is a true copy of a resolution adopted by the Planning Board at its re-organizational meeting held on January 14, 2015.

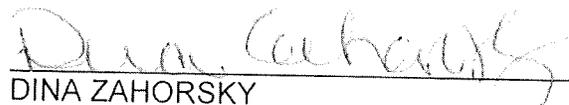

DINA ZAHORSKY

RESOLUTION NO. 5 - 2015RESOLUTION OF THE PLANNING BOARD OF THE
BOROUGH OF SPRING LAKE, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY

WHEREAS, there is the need for professional legal services to provide legal advice to the Planning Board, which services are not required to be publically bid pursuant to N.J.S.A. 40A:11-5, but shall be made in accordance with applicable law governing the appointment of Borough professionals;

NOW THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of Spring Lake that George D. McGill, Esq., is hereby appointed to the position of Attorney for the Spring Lake Planning Board from January 1, 2015 to December 31, 2015.

I, Dina Zahorsky, Secretary of the Planning Board of the Borough of Spring Lake, in the County of Monmouth, State of New Jersey, do hereby CERTIFY that the foregoing is a true copy of a resolution adopted by the Planning Board at its re-organizational meeting held on January 14, 2015.

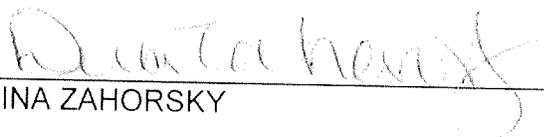

DINA ZAHORSKY

RESOLUTION NO. 6 - 2015RESOLUTION OF THE PLANNING BOARD OF THE
BOROUGH OF SPRING LAKE, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY

WHEREAS, there is the need for a Board Engineer to provide services to the Planning Board, which services are not required to be publically bid pursuant to N.J.S.A. 40A:11-5 but shall be made in accordance with applicable law governing the appointment of Borough professionals..

NOW THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of Spring Lake that Alan Hilla, Jr., P.E., P.P., is hereby appointed to the position of Board Engineer, for the Spring Lake Planning Board from January 1, 2015 to December 31, 2015.

I, Dina Zahorsky, Secretary of the Planning Board of the Borough of Spring Lake, in the County of Monmouth, State of New Jersey, do hereby CERTIFY that the foregoing is a true copy of a resolution adopted by the Planning Board at its re-organizational meeting held on January 14, 2015.



DINA ZAHORSKY

RESOLUTION NO. 7 - 2015RESOLUTION OF THE PLANNING BOARD OF THE
BOROUGH OF SPRING LAKE, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY

WHEREAS, there is a need to provide the date, time and place in which the Planning Board will meet.

NOW THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of Spring Lake that meetings in the year 2015 shall be held on the following dates January 14, 2015, February 17, 2015, March 11, 2015, April 8, 2015, May 13, 2015, June 10, 2015, July 8, 2015, August 12, 2015, September 9, 2015, October 14, 2015, November 4, 2015, December 9, 2015, and January 14, 2015. Said meetings are to be held at the Spring Lake Municipal Building, Fifth & Warren Avenues, Spring Lake, New Jersey at 7:00 pm.

I, Dina Zahorsky, Secretary of the Planning Board of the Borough of Spring Lake, in the County of Monmouth, State of New Jersey, do hereby CERTIFY that the foregoing is a true copy of a resolution adopted by the Planning Board at its re-organizational meeting held on January 14, 2015.


DINA ZAHORSKY

RESOLUTION NO. 8 - 2015RESOLUTION OF THE PLANNING BOARD OF THE
BOROUGH OF SPRING LAKE, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY

WHEREAS, there is the need to authorize the hours in which the Planning Board will conduct its business.

NOW THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of Spring Lake that the Board hours for the conduct of business shall be Monday through Friday from 9:00 a.m. until 4:00 p.m. at the Municipal Building.

I, Dina Zahorsky, Secretary of the Planning Board of the Borough of Spring Lake, in the County of Monmouth, State of New Jersey, do hereby CERTIFY that the foregoing is a true copy of a resolution adopted by the Planning Board at its re-organizational meeting held on January 14, 2015.


DINA ZAHORSKY