

**MINUTES OF THE  
SPRING LAKE PLANNING BOARD  
JANUARY 13, 2016**

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 Joseph Rizzo, Larry Iannaccone, Cindy Napp, Walter Judge, Melissa Smith Goldstein, Lisa DeBerardine, Stuart Patterson, Mary Ann Rooney and Chairman Nicholas Sapnar.

Motion by Sapnar, seconded by Judge, that the minutes of the November 4, 2015 regular meeting be adopted. On roll call Board Members Rizzo, Iannaccone, Napp, Judge, Goldstein, DeBerardine, , Patterson, Rooney and Sapnar voted Aye. None No. Motion carried.

Resolution #9-2016 Sheridan

Motion by Sapnar, seconded by Judge, that Resolution #9-2016 be adopted as amended. On roll call Board Members Rizzo, Iannaccone, Judge, Goldstein, DeBerardine, Patterson, Rooney and Sapnar voted Aye. Napp abstained. None No. Motion carried.

CAL#9-2015 Tron  
312 Ocean Road  
Block 15, Lot 14

Lawrence Tron, representing himself, was sworn in. Thomas Hirsch has been discharged from representation.

Mr. Tron noted that there were objections at the October 14 meeting. Mr. Tron revised his drawings per the suggestions of the Board and per objections of neighbors. Mr. Tron stated that he submitted the new plans to the neighbor's attorney and they had no objections to the revised drawings.

Chairman Sapnar summarized: leaving the backyard deck where it was, adding an egress from the back to compensate for the elevation of the house, front porch roof that will be a deck will be only the width of the house second floor

Motion by Sapnar, seconded by Judge to go into caucus. On a roll call all Board members voted Aye. None No. Motion carried.

Motion by Sapnar, seconded by Judge to come out of caucus. On a roll call all Board Members voted Aye. None No. Motion carried.

Motion by Sapnar, seconded by Judge to approve the application plans revised 12/18/15. On a roll call Board Members Rizzo, Iannaccone, Judge, Goldstein, DeBerardine, Patterson, Rooney and Sapnar voted Aye. Napp abstained. None No. Motion carried.

CAL#13-2015 Berman  
101 Atlantic Avenue  
Block 30, Lot 1

Michael Rubino, applicant's attorney, had his exhibits marked into evidence.

Mr. Rubino explained that the Berman's do not like the appearance of the house. They would like to fix up the façade and roofline. There will be a small porch added. There are existing nonconformities.

Sherry Berman, homeowner, was sworn in. They live in Pennington, which is also a nice historic town. Mr. Berman was with her. They have three sons all in their 20's. They have been coming here with them for then past 30 years. Now that their sons are through school, it is her dream to have a house here. As she drove through town dreaming about various houses, this was not one of them, but the location was wonderful and the inside of the house was very nice and bright. They hope to be able to move here full time. The house is very plain and white. They hope to add color and character.

Joseph Walker, Architect, was sworn in and accepted by the Board. Mr. Walker titled the project "Façade Improvement". Primary goal is aesthetics. They hope to introduce some visual appeal with some traditional design features. They are introducing false balconies and window projections on blank wall space and some three dimensional detail to give relief from the stark one plane surface that exists. They will also be adding stone veneer and materials and details consistent with the neighborhood. The building is suffering from some repair issues due to a flat roof and internal drains. They will address these issues.

The zoning challenges are predominantly the existing conditions. 3 story where 2 ½ is permitted, building setbacks that do not comply on First & Atlantic Ave for front yard. The principal building coverage is 24.13% and the garage 6.04%, which would comply with the current ordinance. Since garage is attached, and included in the principal building coverage, they must apply for a variance for principal building coverage.

Mr. Walker addressed the issues brought up in the Board Engineers review of the application. Projections will be false balconies that will be for decorative purposes not for outdoor use and some will be windows not doors. There is no intention to expand the use of the roof deck. They are trying to adjust the pitch of the roof line and make a thicker parapet wall. The roof

deck is accessed through the master bedroom and is not used frequently because of the difficulty of access. It is 35 feet to the top of the parapet that is 3 ½ feet from the roof deck.

Only expansion is a second floor porch on the north elevation that is currently a Juliet balcony. The porch will be 53 square feet and complies with the setback requirements. It will connect to the deck over the garage.

Two air conditioning units will be relocated but remain within the requirements. There are two 8' x 4' enclosures to conceal garbage cans. The new side entry door that opens to a grassy area will be for dogs, not to add a patio or walkways. Lot coverage is available if they wish to add a walkway.

Total building coverage is 31.48%.

Fence complies with requirements and joins the neighbor's fence.

Richard Baumgartner, 105 Atlantic, was sworn in. Spoke in favor of the application.

Motion by Sapnar, seconded by Judge to go into caucus. On a roll call all Board Members vote Aye. None No. Motion carried.

Motion by Sapnar, seconded by Judge to come out of caucus. On a roll call all Board Members vote Aye. None No. Motion carried.

Motion by Sapnar, seconded by Judge to approve the application, with the conditions that they do not expand the roof deck and limit the shrubbery on the east side of the building. On a roll call Board Members Rizzo, Iannaccone, Napp, Judge, Goldstein, DeBerardine, Patterson, Rooney and Sapnar voted Aye. None No. Motion carried.

#### Deck Ordinance Discussion

Mr. McGill stated that there is some concern about controlling the deck issue. The issue is the interpretation that decks less than 24 inches are described as patios. They are uncontrolled in size. Building area definition does talk about decks. In practice, we have never counted decks less than 24 inches in building coverage. The proposal is to limit the decks under 24 inches by impervious surfaces and also a 5% cap of the property area. Mr. McGill proposed that we deal with decks and how they are defined. He proposes, we make all these structures decks, which is an open or unroofed structure or platform that is attached to or adjoining the outside of a building, no matter their height from the ground. Mr. McGill amended the impervious surface to say that decks over 24 inches above the adjacent grade of the property shall not be considered impervious surface, provided that it is permeable underneath. Decks not more than 24 inches above the adjacent grade shall be considered impervious and shall be limited to 5% of the lot area. The amendment should make clear that decks less than 24 inches shall not be included in building coverage.

Mr. Hilla commented that if it is in impervious coverage there is the possibility of two controlling conditions: impervious and 5%, whichever is more stringent.

There was a discussion of the implications for a typical lot.

There was a discussion of the setback from property lines.

There was a discussion of detached or attached decks.

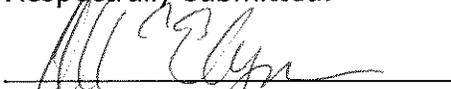
Discussion of measurement of height: lowest horizontal member

Mr. McGill summarized: We will not be changing the impervious treatment of decks and they must be at least 6 inches off the ground to the lowest horizontal member. Decks less than 24 inches shall be permitted at no more than 5%. Building area to be amended to make sure that we pull in decks over 24 inches. Patio definition will take out adjacent or adjoining.

Committee appointed to review the changes to the proposed ordinance: Sapnar, Judge, DeBerardine.

Motion by Judge to adjourn, seconded by Rizzo to adjourn. On a roll call all Members voted Aye. None No. Motion carried. Time 8:57 PM

Respectfully submitted:

  
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Margaret McElynn  
Board Secretary