

**AMENDED MINUTES OF THE
SPRING LAKE PLANNING BOARD
FEBRUARY 10, 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 Larry Iannaccone, Michael Burke, Cindy Napp, Matt Sagui, Melissa Smith Goldstein, Lisa DeBerardine, Stuart Patterson, Mary Ann Rooney and Chairman Nicholas Sapnar.

Motion by Burke, seconded by Napp, that the minutes of the December 9, 2015 regular meeting be adopted. On roll call Board Members Iannaccone, Burke, Napp, Sagui, Goldstein, DeBerardine, Patterson, Rooney and Sapnar voted Aye. None No. Motion carried.

Resolution #10-2016 Tron

Motion by Sapnar, seconded by DeBerardine, that Resolution #10-2016 be adopted as amended. On roll call Board Members Iannaccone, Goldstein, DeBerardine, Patterson, Rooney and Sapnar voted Aye. Burke, Napp and Sagui abstained. None No. Motion carried.

Resolution #11-2016 Berman

Motion by Sapnar, seconded by Iannaccone. On roll call Board Members Iannaccone, Napp, Goldstein, DeBerardine, Patterson, Rooney and Sapnar voted Aye. Burke and Sagui abstained. None No. Motion carried.

CAL#14-2015 Kleitsch

305 Pennsylvania Ave

Block 15, Lot 3

Cindy Napp recused herself.

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

Mr. Rubino explained that the house was ruined by Superstorm Sandy. While fixing the storm damage, they would like to make some improvements. They are limited by the flood zone requirements and setbacks. The height of the house will only be 31 feet. Drainage issues will be addressed and they will address the issues with the curb and sidewalk.

Henry Kleitsch, homeowner, was sworn in. They are from Long Island and were told about Spring Lake by Mrs. Kleitsch's former boss. They purchased a condo at the E & S. They have three children and the condo was too small for all of them to stay. Mr. Kleitsch also has clients in New Jersey who he entertains at his home. They have two children in D.C. and one in New York City so Spring Lake is more convenient for family gatherings. Eventually, when they retire, they will move to Spring Lake full time. The house they purchased was in bad condition and they will need more room. They would like to have a porch. They are on an undersized lot. They considered demolition but decided that renovation was the better option. They would like to give it a Spring Lake, beachy look.

Paul Damiano, Architect, was sworn in and accepted by the Board. The house flooded at 11 feet so they would like to lift the lower side of the house up 4 ½ feet so it is even with the existing first floor and lift the whole house up another foot to 13 feet. The roof line needs to be adjusted and will be taller with the sides cut back to try to reduce the impact on the neighbors. No habitable space will be created by the change in the roof line. The house will be 31.8 feet high. The garage will remain at the lower level. Mechanicals will be hung up high. The door in the back will be to stairs to an outdoor shower, which will be above the 10 feet Base Flood Elevation. They are proposing a 2000 square foot house with the only added space in the porch and stairs. The house will be consistent with the other houses on the block. The front yard setback is fairly similar to the neighboring properties. Storage area in the crawl space will be properly vented with flood vents. Building coverage will go from 35.3% to 39.7% including uncovered steps and landing. Concrete deck will be removed and impervious coverage reduced from 60.3% to 52.1%.

Board Members asked:

Where is the finished first floor above grade? It will be 4 ½ feet. Since it is less than 5 feet and the house will be less than 35 feet, they will not need a variance for height as discussed with Mr. McGill.

There is a discrepancy between the engineers report and the plans regarding side yard setbacks. It was clarified that the plans have the correct information at 2.8 and 3.7 feet with an aggregate of 6.5 feet.

How will drainage be handled? They will consult an engineer and consider a drainage field.

Richard Furey asked about the footprint, the elevations and height. Mr. Damiano explained that the only expansion will be for the porch. The level of the first floor would not allow utilities in the crawl unless they were appropriately waterproofed.

Richard Furey, 304 Pennsylvania, was sworn in. He spoke in favor of the application.

Motion by Burke, seconded by DeBerardine to go into caucus. On a roll call all Board Members voted Aye. None no. Motion carried.

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

Motion by Sapnar, seconded by Burke to approve the application, with the conditions that they cannot enclose the front porch and will not finish off above it to have a useable deck outside the Juliet

balcony. On a roll call Board Members Iannaccone, Burke, Sagui, Goldstein, DeBerardine, Patterson, Rooney and Sapnar voted Aye. Napp recused. None No. Motion carried.

CAL#15-2015 Magnusson
317 Washington Avenue
Block 81, Lot 9

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

Mr. Rubino explained that the challenge to build a house on this empty lot was the corner location and size of the lot because of the revised corner lot ordinance. They will need front yard and rear yard setbacks. The houses and municipal buildings on that block are close to the street. The street has a wide municipal setback and the applicant would consider moving the house forward to alleviate the distance between buildings variance. The applicant will also consider moving the house farther east to remove the need for a variance on the Fourth Avenue side.

Kyle Magnusson, applicant, was sworn in. He stated that his family has owned this property since 1975. He grew up at 317 Washington. When her children were grown and she had grandchildren, his Mother decided to move to Wall to have more room for the grandchildren. Now that the grandchildren are older, she would like to move back into Spring Lake. The center hall colonial that was on the property was taken down about 17 years ago. That house had lead issues. While they were still living there, the garage fell into disrepair. The Magnusson's came to the Board for relief to repair the garage in its current location. There was also an easement granted to the neighbor to the south, whose eaves hung over the property line. They would like to keep the garage. They consider Washington the main street and would like to orient the house to Washington. The neighbor to the east sits 9 feet from the front property line. They want to set the house 20 feet from Fourth Avenue because they feel it is aesthetically more pleasing and will be better for the neighbors. They are flexible about the Fourth Avenue side. The neighboring houses on Fourth have 13.5 – 17 feet front yard setbacks.

Tony Murtha asked about a sewer line that runs along the property to a property owned by his brother-in-law. Mr. Sapnar noted that it will need to be addressed during construction.

Brian Berzinskis, Architect, was sworn in and accepted by the Board. The house is under 24% coverage and the impervious is 40%, well under the 55% allowed. House from the back to front door is 29 feet in depth. Full front porch is 6 feet deep and projects out on the circular side and the house on the other side projects out the same as the circular section of the porch. From the porch to back of house is 36' 8". Typical house on a 50 x 150 foot lot has a width of 33 – 34 feet. From west to east the house is 62 feet wide. It would be a 4000 square foot home. He considered the driveway, garage and the neighboring property line to the east when placing the house 20 feet from Fourth Avenue.

Board Members asked:

What about elevations? Right elevation facing Fourth Avenue shows no windows and makes the wall look blank; the front elevation shows a deck. Would be willing to move the house east? Mr. Berzinskis

responded that they are willing to put some windows on that side to break up the façade. There is a small second floor porch above of the circular portion of the porch. To move the house east, they would need to shrink the house by a foot and shift to the adjoining property. What is the location of the neighbor's property line? The neighboring driveway is right on the property line and the apron infringes 1 foot onto 317 Washington. In addition, they have an 18.1 foot setback to the porch. What about sidewalks and landscaping? Both will be addressed during the construction.

Ray Carpenter, Engineer, was sworn in and accepted.

Mr. Carpenter explained that the neighbor on the east side has a driveway that encroaches on the applicant's property. Minimum driveway width is 8 feet. The most practical width for a driveway is 10 feet. Driveway next to driveway is not the best planning. The street is very wide by Spring Lake standards at 80 feet. The norm is 60 feet. The extra 10 feet of setback makes the setback as proposed at 20 feet 40 feet from the curb. If the house was moved forward 2 feet, it would still be 38 feet from the curb and eliminate the variance required for the rear yard setback. There should be no problems addressing the issues brought up in the engineer's letter. Including the existing garage into the drainage plan should not be a problem. They will change the grade to allow them to address the grading that is below the sidewalk level and depressed in the middle. They will need to merge the two aprons in the public right of way. They will use enhanced trench restoration for the service and address the sewer line through the property. They do not intend to remove any trees. Curb/sidewalks must be replaced on new construction.

Board Members asked:

What is the height of the house to the east? It is 1 ½ story. What are the setbacks of houses going west? The first 2 houses are 20 feet and the rest of the block looks like it is similar.

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

Motion to come out of caucus by Burke, seconded by Sagui. On a roll call all members voted Aye. None No. Motion carried.

Mr. Rubino stated that the Fourth Avenue setback variance request was withdrawn.

Motion by Sapnar, seconded by Burke to approve the application, with the conditions that the rear setback will be alleviated, front yard setback will be approved at 18 feet, distance between buildings will be 13.55 feet. On a roll call Board Members Iannaccone, Burke, Napp, Sagui, Goldstein, DeBerardine, Patterson, Rooney and Sapnar voted Aye. None No. Motion carried.

Discussion of Ordinance No. 2016-002

AN ORDINANCE OF THE BOROUGH OF SPRING LAKE AMENDING AND SUPPLEMENTING SECTION 225-8 ENTITLED "ZONING DISTRICTS" AND CREATING SECTION 225

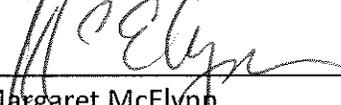
Mr. McGill explained that the Board is charged with determining if the new ordinance will be consistent with the Master Plan. The Master Plan has a goal to address the Affordable Housing obligation of the Borough.

Board Members discussed COAH and the Master Plan.

Motion by Sapnar, seconded by Sagui to authorize Mr. McGill to write a letter to the Borough Council that the Planning Board has reviewed the ordinance for the MUAHCZ and it is consistent with the goals of the Master Plan. On a roll call Board Members Iannaccone, Napp, Sagui, Goldstein, DeBerardine, Rooney and Sapnar voted Aye. Burke Recused. Patterson Abstained. None No. Motion carried.

Motion by Sapnar, seconded by Iannaccone to adjourn. On a roll call all Members voted Aye. None No. Motion carried. Time 9:33 PM

Respectfully submitted:



Margaret McElynn
Board Secretary